

CHAPTER 71
LIQUOR STORE CHECKS ACCEPTED

S. F. 259

AN ACT permitting vendors in state liquor stores to accept checks from class "C" liquor control licensees as payment for business purchases, and providing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one hundred twenty-three point twenty-four (123.24), Code 1977, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding the preceding paragraph, a vendor may accept a check from, and signed by, the holder of a retail liquor control license as provided in section one hundred twenty-three point thirty (123.30), subsection three (3), Code 1977, in payment of alcoholic liquor purchased for resale. In the event a check is subsequently dishonored for good cause the director shall immediately suspend the licensee's liquor control license for a period of thirty days and shall cause notice thereof to be served upon the licensee by a peace officer. The provisions of the Iowa administrative procedure Act shall not apply in the case of a suspension under this section.

Sec. 2. This Act shall take effect on January 1, 1978.

Approved July 13, 1977

CHAPTER 72
SALE OF BEER ON SUNDAY

S. F. 290

AN ACT relating to the sale of beer on Sunday.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section one hundred twenty-three point thirty-six (123.36), subsection six (6), Code 1977, is amended to read as follows:

6. Any club, hotel, motel, or commercial establishment holding a liquor control license for whom the sale of goods and services other than alcoholic liquor or beer constitutes fifty percent or more of the gross receipts from the licensed premises, subject to the provisions of section 123.49, sub-

section 2, paragraph "b", may sell and dispense alcoholic liquor ~~and beer~~ to patrons on Sunday for consumption on the premises only, and beer for consumption on or off the premises between the hours of noon and ten p.m. on Sunday. For ~~this~~ the privilege of selling beer and alcoholic liquor on the premises on Sunday the liquor control license fee of the applicant shall be increased by twenty percent of the regular fee prescribed for the license pursuant to this section, and the privilege shall be noted on the liquor control license. The department shall prescribe the nature and the character of the evidence which shall be required of the applicant under this subsection.

Sec. 2. Section one hundred twenty-three point thirty-six (123.36), subsection seven (7), Code 1977, is amended by striking unnumbered paragraphs one (1) and two (2).

Sec. 3. Section one hundred twenty-three point forty-nine (123.49), subsection two (2), paragraph b, Code 1977, is amended to read as follows:

b. Sell or dispense any alcoholic beverage or beer on the premises covered by the license or permit, or permit the consumption thereon between the hours of two a.m. and six a.m. on any weekday, and between the hours of two a.m. on Sunday and six a.m. on the following Monday, however, a holder of a liquor control license or ~~class-"B"~~ retail beer permit granted the privilege of selling alcoholic liquor or beer on Sunday may sell or dispense such liquor or beer between the hours of noon and ten p.m. on Sunday.

Sec. 4. Section one hundred twenty-three point one hundred thirty-four (123.134), subsection five (5), Code 1977, is amended to read as follows:

5. Any club, hotel, motel, or commercial establishment holding a class "B" beer permit for whom the sale of goods and services other than beer constitutes fifty percent or more of the gross receipts from the licensed premises, subject to the provisions of section 123.49, subsection 2, paragraph "b", may sell and dispense beer to patrons on Sunday for consumption on the premises ~~only~~ and for consumption of beer off the premises between the hours of noon and ten p.m. Any class "C" beer permittee may sell beer for consumption off the premises between the hours of noon and ten p.m. For ~~this~~ the privilege of selling beer on Sunday the ~~class-"B"~~ beer permit fees of the applicant shall be increased by twenty percent of the regular fees prescribed for the permit pursuant to this section and the privilege shall be noted on the beer

permit. The department shall prescribe the nature and character of the evidence which shall be required of the applicant under this subsection.

Approved July 12, 1977

CHAPTER 73
TAX LIENS ABOLISHED

S. F. 35

AN ACT to abolish certain liens created under former section one hundred twenty-three B point ten (123B.10) of the Code, clarifying the basis for release of certain liens held by counties under section two hundred thirty point five (230.5), subsection two (2), of the Code, and repealing the requirement that unpaid dog license fees be entered as a tax by the county treasurer.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. All liens created under section one hundred twenty-three B point ten (123B.10), as that section appeared in the Codes of 1973 and 1971, are abolished effective January 1, 1978, except as otherwise provided by this Act. The board of supervisors of each county shall, as soon as practicable after July 1, 1977, review all liens resulting from the operation of said section one hundred twenty-three B point ten (123B.10) and make a determination as to the ability of the person against whom the lien exists to pay the charges represented by the lien, and if they find that the person is able to pay all or a part of those charges they shall direct the county attorney of that county to take immediate action to enforce the lien. If action is commenced under this section on any lien prior to the effective date of the abolition thereof, that lien shall not be abolished but shall continue until the action is completed. The board of supervisors shall release any such lien when the charge on which the lien is based is fully paid or is compromised and settled by the board in such manner as its members deem to be in the best interest of the county, or when the estate affected by the lien has been probated and the proceeds allowable have been applied on the lien.

Sec. 2. Section two hundred thirty point twenty-five (230.25), subsection two (2), Code 1977, is amended to read as follows: