

**123.95 Premises must be licensed — exception as to conventions and social gatherings.**

1. A person shall not allow the dispensing or consumption of alcoholic liquor, except wines and beer, in any establishment unless the establishment is licensed under [this chapter](#) or except as otherwise provided in [this section](#).

2. a. The holder of an annual class “C” retail alcohol license may act as the agent of a private social host for the purpose of providing and serving alcoholic beverages as part of a food catering service for a private social gathering in a private place, provided the licensee has applied for and been granted a catering privilege by the division. The holder of an annual special class “C” retail alcohol license shall not act as the agent of a private social host for the purpose of providing and serving wine and beer as part of a food catering service for a private social gathering in a private place. An applicant for a class “C” retail alcohol license shall state on the application for the license that the licensee intends to engage in catering food and alcoholic beverages for private social gatherings and the catering privilege shall be noted on the license.

b. The private social host or the licensee shall not solicit payment of any kind, including donations, for the food or alcoholic beverages from the guests, and the alcoholic beverages and food shall be served without cost to the guests.

c. [Section 123.92](#) does not apply to a retail alcohol licensee who acts in accordance with [this section](#) when the retail alcohol licensee is providing and serving food and alcoholic beverages as an agent of a private social host at a private social gathering in a private place which is not on the licensed premises.

d. A licensee who engages in catering food and alcoholic beverages for private social gatherings shall maintain a record on the licensed premises which includes the name and address of the host of the private social gathering, and the date for which catering was provided. The record maintained pursuant to [this section](#) shall be open to inspection pursuant to [section 123.30, subsection 1](#), during normal business hours of the licensee.

3. However, bona fide conventions or meetings may bring their own legal liquor onto the licensed premises if the liquor is served to delegates or guests without cost. All other provisions of [this chapter](#) shall be applicable to such premises. The provisions of [this section](#) shall have no application to private social gatherings of friends or relatives in a private home or private place which is not of a commercial nature nor where goods or services may be purchased or sold nor any charge or rent or other thing of value is exchanged for the use of such premises for any purpose other than for sleeping quarters.

[C66, 71, §123.96; C73, 75, 77, 79, 81, §123.95]

[85 Acts, ch 32, §58](#); [93 Acts, ch 91, §20](#); [2019 Acts, ch 113, §36](#); [2022 Acts, ch 1099, §55, 88](#)

Referred to in [§7D.16, 123.49](#)

2022 amendment to subsection 2, paragraphs a and c effective January 1, 2023; 2022 Acts, ch 1099, §88

Subsection 2, paragraphs a and c amended