

185—4.26(123) Timely filed status.

4.26(1) In addition to the requirements which may be imposed by a local authority upon the holder of a retail alcohol license to obtain timely filed status of a renewal application, the division may grant timely filed status if the applicant complies with the following conditions:

- a.* The applicant submits a completed application with the local authority or the division as required by applicable law.
- b.* A current dramshop liability certificate has been endorsed by the insurance company if proof of dramshop liability is required as a condition precedent to the issuance of the license.
- c.* The applicant pays the appropriate license fee in full to the local authority or the division as required by applicable law.
- d.* A bond has been certified by the carrier if a bond is required as a condition precedent to the issuance of the license under applicable law.

4.26(2) Timely filed status allows the holder of the license to continue to operate under a license after its expiration and until the local authority and the division have finally determined whether the license should be issued. If the application for the license is denied, timely filed status continues until the last day for seeking judicial review of the division's action.

4.26(3) An applicant for a new retail alcohol license may not sell alcoholic liquor, wine or beer in the proposed establishment until a license has been granted by the division.

This rule is intended to implement Iowa Code sections 123.32, 123.35 and 17A.18.
[ARC 7073C, IAB 9/20/23, effective 10/25/23]