

New laws, effective Wednesday, July 1, 2020 (unless otherwise noted) related to the Iowa Alcoholic Beverages Division (ABD) and Iowa Code Chapter 123.

### **HF2540 – ALCOHOLIC BEVERAGE CONTROL**

[House File 2540](#) concerns alcoholic beverage control and is comprised of three divisions.

#### **Division I – Charity Beer, Spirits, and Wine Event Permit**

**Division I** creates a new charity beer, spirits, and wine event permit that allows authorized non-profit entities to conduct ticket sales for events conducted for charitable purposes.

- The charitable event must be conducted on the premises of another licensee or permittee, with the written agreement of the licensee/permittee.
- Proceeds from the event are to be used for charitable purposes.
- Alcoholic beverages, including any alcoholic beverages included as part of the ticket price, must be sold by the licensee or permittee whose premises is being used to conduct the event.
- Permit is valid for 36 hours.
- Authorized non-profit entities may obtain not more than two permits on an annual basis.
- The permit has a fee of \$100.

#### **Division II – Wine Sales**

**Division II** allows retail wine permittees authorized to sell wine or native wine for off-premises consumption to fill growlers with wine or native wine and sell for off- premises consumption.

Class “B”, class “B” native and class “C” native wine permits may now sell wine for off-premises consumption in a container other than the original container if all of the following requirements are met:

- Wine growlers must be filled at the time the sale is made on the premises or via telephonic or electronic means.
- Wine growlers must be filled at the time of sale to a customer and are not pre-filled.
- Wine growlers must be filled by a person 18 years of age or older.
- Wine growlers must be no larger than 72 ounces in size.
- Wine growlers must be sealed in a method authorized by ABD so that it is visibly apparent that the growler has been reopened or the seal has been tampered with.

#### **Division III – Alcoholic Beverages Sales**

**Division III** codifies the temporary suspension of regulatory provisions related to the sale of alcoholic beverages that were authorized by the Proclamations of Disaster Emergency issued March 19, 2020, and March 31, 2020, in response to the COVID-19 pandemic.

Class “C” liquor licensees are now allowed to sell liquor, wine, and mixed drinks for off-premises consumption. Beer was already allowed to be sold for off-premises consumption with this license type.

- Mixed drinks or cocktails must be immediately sealed with a lid or other method of securing the product and removed promptly from the licensed premises.
- Mixed drinks or cocktails cannot be delivered.
- A mixed drink or cocktail that is sold and sealed in compliance with the requirements shall not be deemed an open container subject to the requirements of sections 321.284

and 321.284A if the sealed container is unopened and the seal has not been tampered with, and the contents of the container have not been partially removed.

Class “C” native distilled spirits licensees are now allowed to sell mixed drinks and cocktails for off-premises consumption.

- Mixed drinks or cocktails must be immediately sealed with a lid or other method of securing the product and removed promptly from the licensed premises.
- Mixed drinks or cocktails cannot be delivered.
- A mixed drink or cocktail that is sold and sealed in compliance with the requirements shall not be deemed an open container subject to the requirements of sections 321.284 and 321.284A if the sealed container is unopened and the seal has not been tampered with, and the contents of the container have not been partially removed.
- All native distilled spirits sold by a native distillery for on-premises consumption and mixed drinks or cocktails sold for consumption off the premises shall be purchased from a class “E” liquor control licensee in original unopened containers.

ABD may draft rules regarding mixed drinks sold for off-premises consumption.

Class “B” liquor licensees, class “C” liquor licensees, special class “C” liquor licensees, and class “B” beer permittees are now allowed to take orders for growlers over the phone or by other electronic means.

*Signed by the Governor on June 29, 2020. Division III effective upon enactment.*

#### **SENATE FILE 2134 – CANNED COCKTAILS**

[Senate File 2134](#) is a bill relating to the manufacturing of canned cocktails by a beer manufacturer and including effective date provisions. Allows a manufacturer of beer to obtain and possess alcoholic liquor for the purpose of manufacturing canned cocktails.

*Signed by the Governor on March 12, 2020. Effective upon enactment.*

#### **HOUSE FILE 684 – MEDICAL AMNESTY**

[House File 684](#) provides limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses, and modifying penalties.

*Signed by the Governor on June 25, 2020.*

#### **SENATE FILE 2268 – TOBACCO 21**

[Senate File 2268](#) establishes the minimum age relative to various activities relating to tobacco, tobacco products, alternative nicotine products, vapor products, and cigarettes. This legislation increased the state minimum age relative to various activities relating to these products from 18 years of age to 21 years of age. State of Iowa law is now reflective of the federal minimum age to purchase which was raised on December 20, 2019.

*Signed by the Governor on June 29, 2020. Effective upon enactment.*