

**House File 189 - Introduced**

HOUSE FILE 189

BY HUNTER

**A BILL FOR**

1 An Act concerning review of disapproval of applications for  
2 liquor control licenses and permits by local authorities.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123.32, subsection 6, paragraph a, Code  
2 2013, is amended to read as follows:

3 a. Upon receipt of an application having been disapproved  
4 by the local authority, the administrator shall notify the  
5 applicant that the applicant may appeal the disapproval of the  
6 application to the ~~administrator~~ district court as provided in  
7 this section. The applicant shall be notified by certified  
8 mail, and the application, the fee, and any bond shall be  
9 returned to the applicant.

10 Sec. 2. Section 123.32, subsection 7, Code 2013, is amended  
11 by striking the subsection.

12 Sec. 3. Section 123.32, subsection 8, Code 2013, is amended  
13 to read as follows:

14 8. *Judicial review.*

15 a. The applicant or the local authority may seek judicial  
16 review of the action of the administrator in accordance with  
17 the terms of the Iowa administrative procedure Act, chapter  
18 17A. Notwithstanding the terms of the Iowa administrative  
19 procedure Act, chapter 17A, petitions for judicial review may  
20 be filed in the district court of the county where the premises  
21 covered by the application are situated.

22 b. The applicant may file an action in the district court  
23 of the county where the premises covered by the application is  
24 situated to seek judicial review of the action of the local  
25 authority in disapproving an application.

26 EXPLANATION

27 This bill eliminates the ability of an applicant for a  
28 liquor control license, wine permit, or beer permit to appeal  
29 the denial of the license or permit by the applicable local  
30 authority to the administrator of the alcoholic beverages  
31 division of the department of commerce. Instead, the bill  
32 provides that an applicant may seek judicial review of the  
33 denial of the license or permit by filing an action in the  
34 district court of the county where the premises covered by the  
35 application is located.