

Red Tape Review Rule Report (Due: September 1, 20 24)

Department Name:	Revenue (Alcoholic Beverages Division)	Date:	9/1/2024	Total Rule Count:	28
IAC #:	185	Chapter/ SubChapter/ Rule(s):	Chapter 16	Iowa Code Section Authorizing Rule:	Iowa Code sections 123.10, 123.186
Contact Name:	Madelyn Cutler	Email:	madelyn.cutler@iowa.gov	Phone:	515.724.2924

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

Chapter 16 describes the requirements surrounding trade practice regulations for alcohol industry members. The rules are intended to help govern allowable and prohibited trade practice activity among alcohol manufacturers, wholesalers, and retailers.

Is the benefit being achieved? Please provide evidence.

To the extent the Department proposes to re-promulgate rules, the Department has determined that the rules aid industry members understanding the requirements and regulations surrounding trade practices. The evidence for the benefit of the rules is demonstrated from the text of the rules themselves and the greater certainty they provide industry members.

What are the costs incurred by the public to comply with the rule?

There are no costs to comply with these rules.

What are the costs to the agency or any other agency to implement/enforce the rule?

There are no costs to the agency of implementing these rules beyond those that would otherwise be required to administer the statute. The Department must have processes in place to enforce compliance regulations in the alcoholic beverage marketplace.

Do the costs justify the benefits achieved? Please explain.

There are no costs to the rules themselves. The cost of inaction is potential confusion complying with trade practice regulations on a state and federal level.

Are there less restrictive alternatives to accomplish the benefit? YES NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The rules that are re-promulgated are determined to be necessary. There is no less restrictive alternative to achieve the benefit of additional clarity as many of these rules follow statutory requirements or federal law.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

Yes, Chapter 16 contains language that is outdated and inconsistent.

RULES PROPOSED FOR REPEAL (list rule number[s]):

None.

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

16.1 is amended to comply with 2022 Iowa Acts, Senate File 2374 and for clarity.
16.2 is re-promulgated in its entirety.
16.3 is re-promulgated in its entirety.
16.5 is re-promulgated in its entirety.
16.6 is re-promulgated in its entirety.
16.7 is amended to comply with 2022 Iowa Acts, Senate File 2374 and for clarity.
16.8 is amended for clarity.
16.9 is re-promulgated in its entirety.
16.10 is re-promulgated in its entirety.
16.11 is re-promulgated in its entirety.
16.12 is re-promulgated in its entirety.
16.13 is re-promulgated in its entirety.
16.14 is re-promulgated in its entirety.
16.15 is re-promulgated in its entirety.
16.16 is re-promulgated in its entirety.
16.18 is amended for clarity.
16.40 is re-promulgated in its entirety.
16.42 is re-promulgated in its entirety.
16.43 is re-promulgated in its entirety.
16.44 is re-promulgated in its entirety.
16.45 is re-promulgated in its entirety.
16.60 is re-promulgated in its entirety.
16.75 is re-promulgated in its entirety.
16.90 is re-promulgated in its entirety.
16.91 is re-promulgated in its entirety.
16.105 is re-promulgated in its entirety.

***For rules being re-promulgated with changes, you may attach a document with suggested changes.**

METRICS

Total number of rules repealed:	0
Proposed word count reduction after repeal and/or re-promulgation	29
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	0

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

None.