

January 22, 1963.  
Passed on File.

**Senate File 26**  
By FLATT, DORAN, HANSEN,  
BUCK and WALKER.

Passed Senate, Date..... Passed House, Date.....  
Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....  
Approved.....

## A BILL FOR

An Act to prohibit the sale or offering for sale, directly or through agents or employees, certain specified items of merchandise on the first day of the week, commonly known and designated as Sunday; to define those persons covered by the Act; to provide for exemptions; to authorize injunctive relief; and to provide penalties for violations of the Act.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section 1. On the first day of the week, commonly known and
- 2 designated as Sunday, no person shall sell, offer to sell or
- 3 engage in the business of buying or selling, directly or through
- 4 an agent, salesman or employee any electrical or gas appliances,
- 5 air conditioners, fans, refrigerators, stoves, radios, television
- 6 receivers, washing machines, clothes dryers, sewing machines,
- 7 vacuum cleaners or automatic shaving equipment, food or groceries;
- 8 clothing, clothing accessories; wearing apparel, footwear, furs
- 9 or headwear; dry goods; fabrics, textile yard goods, patterns,
- 10 towels, draperies or curtains; jewelry, silverware, watches,
- 11 clocks, luggage or leather goods; garden and lawn supplies;
- 12 furniture, wall coverings, floor coverings, window shades, lamps,
- 13 beds, blankets, bed coverings, mattresses, pictures, mirrors or
- 14 furnishings for the home; office equipment, dictating machines,
- 15 transcribers, typewriters, office furnishings or stationery
- 16 supplies; lumber, building materials, building supplies or paints;
- 17 musical instruments, recording devices, record players or records;

18 cameras, projectors or photographic equipment; hardware,  
housewares,  
19 china, glassware, kitchenware, utensils, tools and lawn mowers;  
20 pet supplies and pet equipment; optical goods, toys, trailer  
21 coaches and mobile homes.

1 Sec. 2. The term "person" shall include natural persons,  
2 partnerships, associations, cooperatives, corporations and the  
3 officers, employees or agents acting for or on behalf of any  
4 business organization engaged in the business of buying or selling  
5 personal property or merchandise.

1 Sec. 3. Each such sale on Sunday or offer to sell on Sunday  
2 shall constitute a separate offense.

1 Sec. 4. Nothing contained in this Act shall prohibit selling  
2 on Sunday or offering for sale on Sunday, drugs, medicines,  
3 surgical supplies, surgical appliances, soap, shaving cream,  
4 razor blades, tooth paste, items of feminine hygiene and articles  
5 purchased on the written prescription of a licensed practitioner  
6 for the treatment or relief of a patient; farm produce grown by  
7 the seller when sold on the premises where grown; newspapers,  
8 magazines and books; gasoline, motor fuel, fuel additives, anti-  
9 freeze and lubricants; tires, batteries, parts or accessories for  
10 immediate and necessary use in the repair of motor vehicles,  
11 aircraft or boats; athletic, sporting and recreational equipment,  
12 accessories and supplies necessary to participate in athletic,  
13 sporting and recreational events and activities when sold on the  
14 premises where they are to be used; funeral and burial supplies;  
15 photographic films and flash bulbs; electric fuses, electric  
16 light bulbs and flashlights; ice, ice cream, frozen desserts,  
17 candy, confectionery, popcorn and soft drinks; flowers; tobacco  
18 products and smoking supplies; infant supplies, diapers, bottles

19 and nipples, sun glasses, souvenirs and novelties, fully prepared  
20 meals for consumption on or off the premises.

1 Sec. 5. Nothing contained in this Act shall prohibit (a) an  
2 isolated sale from a residence by a person not regularly engaged  
3 in the business of selling; (b) selling on the grounds only during  
4 the established dates of the Iowa State Fair in Des Moines, Iowa;  
5 the Dairy Cattle Congress in Waterloo, Iowa; the All Iowa Fair in  
6 Cedar Rapids, Iowa; or any county agricultural fair; (c) trade  
7 shows or exhibits conducted by bona fide manufacturing, wholesale  
8 distributors or trade associations, for the purpose of showing or  
9 selling merchandise to retail merchants for resale to consumers;  
10 or (d) the window display of merchandise or advertising of  
11 merchandise in any newspaper or by any other advertising medium.

1 Sec. 6. This Act shall not be construed to permit any act  
2 prohibited by any other statute of this state.

1 Sec. 7. Any person violating the provisions of this Act shall  
2 be guilty of a misdemeanor and upon conviction for the first  
3 offense shall be fined not to exceed one hundred dollars (\$100.00)  
4 or imprisoned in the county jail not to exceed thirty (30) days;  
5 and upon conviction for the second and each subsequent offense  
6 shall be fined not to exceed three hundred dollars (\$300.00)  
7 or imprisoned in the county jail not to exceed ninety (90) days,  
8 or by both such fine and imprisonment.

1 Sec. 8. The purpose of this Act is to prohibit any inter-  
2 ference with the comfortable enjoyment of life or property and  
3 to promote the health, safety and welfare of the people. The  
4 operation of any business contrary to the provisions of this Act  
5 is declared to be a public nuisance, and any person may apply  
6 to a court of competent jurisdiction for an injunction to enjoin

7 and abate violations of this Act.

1     Sec. 9. This Act being deemed of immediate importance shall  
2 take effect and be in full force from and after its passage and  
3 publication in The Winterset Madisonian, a newspaper published  
4 at Winterset, Iowa, and in the Adair County Free Press, a news-  
5 paper published at Greenfield, Iowa.