

SENATE BILL No. 537

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3; IC 7.1-4; IC 7.1-5; IC 31-16-12-13; IC 31-25-4; IC 33-37-5-16; IC 34-28-5-5; IC 35-52-7-71.

Synopsis: Various alcoholic beverage provisions. Allows the following to sell alcoholic beverages for carryout on Sunday from 7 a.m. until 3 a.m. the following day: (1) A package liquor store, grocery store, convenience store, or drug store. (2) A restaurant that satisfies the requirements to sell carryout. Provides the following effective July 1, 2020: (1) Allows a grocery store (which includes a convenience store) or drug store to sell cold beer. (2) Eliminates the restriction on the commodities that a package liquor store may sell. (3) Requires that a sales clerk in a grocery store or drug store, in order to sell alcoholic beverages, must be at least 21 years of age, have an employee's permit, and complete a server program. (4) Increases dealer permit fees and judgments for alcoholic beverage infractions, and deposits the amount of the increases into the alcohol and tobacco commission's enforcement and administration fund. Increases the alcohol and tobacco commission's maximum civil penalty limit for violations by some permittees. Makes stylistic changes.

Effective: July 1, 2019; July 1, 2020.

Boots

January 14, 2019, read first time and referred to Committee on Public Policy.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 537

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-3-1-1.5, AS ADDED BY P.L.270-2017,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 1.5. (a) It is the intent of the general assembly,
4 consistent with the character of the business test described in section
5 19 of this chapter, that a grocery store, convenience store, or drug store
6 should not be given the privilege of selling cold beer for carryout. **This**
7 **subsection expires June 30, 2020.**

8 (b) It is the intent of the general assembly, consistent with the
9 character of the business test described in section 19 of this chapter,
10 that a restaurant located within a grocery store, convenience store, or
11 drug store should not be given the privilege of selling alcoholic
12 beverages for carryout.

13 (c) The commission shall apply the intent of the general assembly,
14 when considering the character of an applicant's business, as described
15 in section 19 of this chapter.

16 SECTION 2. IC 7.1-3-1-14, AS AMENDED BY P.L.1-2018,
17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2019]: Sec. 14. (a) Except as otherwise specifically provided
 2 in this title, an appropriate permittee may sell alcoholic beverages each
 3 day Monday through Sunday from 7 a.m., prevailing local time, until
 4 3 a.m., prevailing local time, the following day.

5 (b) The holder of a retailer's permit may sell the appropriate
 6 alcoholic beverages as follows:

7 (1) Monday through Sunday from 7 a.m., prevailing local time,
 8 until 3 a.m., prevailing local time, the following day, the holder
 9 of a retailer's permit may sell the appropriate alcoholic beverages
 10 for consumption on the licensed premises.

11 (2) If the holder of a retailer's permit satisfies the requirements
 12 under this title for selling alcoholic beverages for consumption off
 13 the licensed premises, the permit holder may also sell carryout

14 ~~(A) Monday through Saturday~~ **Sunday** from 7 a.m., prevailing
 15 local time, until 3 a.m., prevailing local time, the following
 16 day. ~~and~~

17 ~~(B) Sunday from noon, prevailing local time, until 8 p.m.,~~
 18 ~~prevailing local time.~~

19 (c) The holder of a dealer's permit may sell the appropriate alcoholic
 20 beverages for carryout ~~at the following times;~~

21 ~~(1) Monday through Saturday~~ **Sunday** from 7 a.m., prevailing
 22 local time, until 3 a.m., prevailing local time, the following day.

23 ~~(2) Sunday from noon, prevailing local time, until 8 p.m.,~~
 24 ~~prevailing local time.~~

25 (d) It is lawful for the holder of a permit under this article to sell
 26 alcoholic beverages at athletic or sports events held on Sunday upon
 27 premises that:

28 (1) are described in section 25(a) of this chapter;

29 (2) are a facility used in connection with the operation of a paved
 30 track more than two (2) miles in length that is used primarily in
 31 the sport of auto racing; or

32 (3) are being used for a professional or an amateur tournament;
 33 beginning one (1) hour before the scheduled starting time of the event
 34 or, if the scheduled starting time of the event is 1 p.m. or later,
 35 beginning at noon.

36 (e) It is lawful for the holder of a valid beer, wine, or liquor
 37 wholesaler's permit to sell to the holder of a valid retailer's or dealer's
 38 permit at any time.

39 SECTION 3. IC 7.1-3-1.5-2, AS ADDED BY P.L.161-2005,
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2019]: Sec. 2. As used in this chapter, "dealer permittee"
 42 means a person who holds a liquor dealer permit under IC 7.1-3-10 a



1 **dealer's permit for a package liquor store (before July 1, 2020) or a**
 2 **package liquor store, grocery store, or drug store (after June 30,**
 3 **2020).**

4 SECTION 4. IC 7.1-3-1.5-12, AS AMENDED BY P.L.269-2013,
 5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 12. (a) In the case of a program approved under
 7 IC 7.1-3-1.6, this section applies only to an individual providing the
 8 assistance described in IC 7.1-3-1.6-6(6).

9 (b) A person who trains alcohol servers without a trainer certificate
 10 under this chapter commits a Class B infraction **(before July 1, 2020)**
 11 **or Class A infraction (after June 30, 2020).**

12 (c) **This subsection applies to an infraction committed after June**
 13 **30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two**
 14 **thousand dollars (\$2,000) shall be imposed for a Class A infraction**
 15 **committed under this section. Notwithstanding IC 34-28-5-5(c), the**
 16 **clerk of the court shall transfer fifty percent (50%) of the**
 17 **judgment to the auditor of state to be deposited in the enforcement**
 18 **and administration fund.**

19 SECTION 5. IC 7.1-3-2-9 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. An out-of-state
 21 brewer holding either a primary source of supply permit or an
 22 out-of-state brewer's permit may:

23 (1) appoint a beer wholesaler to perform the services described in
 24 ~~IC 7.1-3-3-5(f)(1)~~ **IC 7.1-3-3-5(g)(1)** through ~~IC 7.1-3-3-5(f)(2);~~
 25 **IC 7.1-3-3-5(g)(2);** and

26 (2) provide a fee to a beer wholesaler who performs the services
 27 described in ~~IC 7.1-3-3-5(f)(1)~~ **IC 7.1-3-3-5(g)(1)** through
 28 ~~IC 7.1-3-3-5(f)(2);~~ **IC 7.1-3-3-5(g)(2).**

29 SECTION 6. IC 7.1-3-3-5, AS AMENDED BY P.L.153-2015,
 30 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2019]: Sec. 5. (a) The holder of a beer wholesaler's permit
 32 may purchase and import from the primary source of supply, possess,
 33 and sell at wholesale, beer and flavored malt beverages manufactured
 34 within or without this state.

35 (b) A beer wholesaler permittee may possess, transport, sell, and
 36 deliver beer to:

37 (1) another beer wholesaler authorized by the brewer to sell the
 38 brand purchased;

39 (2) an employee;

40 (3) a holder of a beer retailer's permit, beer dealer's permit,
 41 temporary beer permit, dining car permit, boat permit, airplane
 42 permit, or supplemental caterer's permit; and



- 1 (4) a qualified organization for:
 2 (A) an allowable event to which IC 7.1-3-6.1 applies; or
 3 (B) a charity auction to which IC 7.1-3-6.2 applies;
 4 located within this state. The sale, donation to a qualified organization,
 5 transportation, and delivery of beer shall be made only from inventory
 6 that has been located on the wholesaler's premises before the time of
 7 invoicing and delivery.
- 8 (c) The beer wholesaler's bona fide regular employees may purchase
 9 beer from the wholesaler in:
 10 (1) bottles, cans, or any other type of permissible containers in an
 11 amount not to exceed forty-eight (48) pints; or
 12 (2) one (1) keg;
 13 at any one (1) time.
- 14 (d) The importation, transportation, possession, sale, and delivery
 15 of beer shall be subject to the rules of the commission and subject to
 16 the same restrictions provided in this title for a person holding a
 17 brewer's permit.
- 18 (e) **Except as provided in subsection (f), the holder of a beer**
 19 **wholesaler's permit may purchase, import, possess, transport, sell, and**
 20 **deliver any commodity listed in IC 7.1-3-10-5, of the following**
 21 **commodities unless prohibited by this title: However,**
 22 **(1) Beer in permissible containers.**
 23 **(2) Bar supplies used in the preparation for consumption of**
 24 **alcoholic beverages and in their consumption.**
 25 **(3) Tobacco products.**
 26 **(4) Uncooled and uniced charged water, carbonated soda,**
 27 **ginger ale, mineral water, grenadine, and flavoring extracts.**
 28 **(5) Printed materials.**
 29 **(6) Lottery tickets as provided in IC 4-30-9.**
 30 **(7) Cooled or uncooled nonalcoholic malt beverages.**
 31 **(8) Flavored malt beverage in its original package.**
- 32 (f) A beer wholesaler may deliver flavored malt beverages only to
 33 the holder of one (1) of the following permits:
 34 (1) A beer wholesaler or wine wholesaler permit, if the wholesaler
 35 is authorized by the primary source of supply to sell the brand of
 36 flavored malt beverage purchased.
 37 (2) A wine retailer's permit, wine dealer's permit, temporary wine
 38 permit, dining car wine permit, boat permit, airplane permit, or
 39 supplemental caterer's permit.
- 40 (g) A beer wholesaler may:
 41 (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9
 42 and deliver the stored beer to another beer wholesaler that the



- 1 out-of-state brewer authorizes to sell the beer;
 2 (2) perform all necessary accounting and auditing functions
 3 associated with the services described in subdivision (1); and
 4 (3) receive a fee from an out-of-state brewer for the services
 5 described in subdivisions (1) through (2).

6 SECTION 7. IC 7.1-3-4-6 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The holder of a
 8 beer retailer's permit shall be entitled to purchase beer for sale under
 9 ~~his the holder's~~ permit only from a permittee entitled to sell to ~~him the~~
 10 **holder of a beer retailer's permit** under this title. A beer retailer shall
 11 be entitled to possess beer and sell ~~it beer~~ at retail to a customer for
 12 consumption on the licensed premises. A beer retailer also shall be
 13 entitled to sell beer to a customer and deliver ~~it beer~~ in permissible
 14 containers to the customer on the licensed premises, or to the
 15 customer's house.

16 (b) A beer retailer shall not be entitled to sell beer at wholesale. ~~He~~
 17 **A beer retailer** shall not be entitled to sell and deliver beer on the
 18 street or at the curb outside the licensed premises, nor shall ~~he the beer~~
 19 **retailer** be entitled to sell beer at a place other than the licensed
 20 premises. However, a beer retailer may offer food service (excluding
 21 alcoholic beverages) to a patron who is outside the licensed premises
 22 by transacting business through a window in the licensed premises.

23 (c) A beer retailer shall be entitled to sell and deliver ~~warm or cold~~
 24 beer for ~~carry out, carryout,~~ or for at-home delivery, in barrels or other
 25 commercial containers in a quantity that does not exceed fifteen and
 26 one-half (15 1/2) gallons at any one (1) time.

27 SECTION 8. IC 7.1-3-5-3 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The holder of a
 29 beer dealer's permit shall be entitled to purchase beer for sale under the
 30 permit only from a permittee entitled to sell to a beer dealer under this
 31 title.

32 (b) A beer dealer shall be entitled to possess beer and sell ~~it beer~~ at
 33 retail to a customer in permissible containers only.

34 (c) A beer dealer may not sell beer by the drink nor for consumption
 35 on the licensed premises nor shall a beer dealer allow ~~it beer~~ to be
 36 consumed on the licensed premises.

37 (d) Except as provided in subsection (e), a beer dealer shall be
 38 entitled to sell beer to a customer and deliver ~~it beer~~ in permissible
 39 containers to the customer on the licensed premises, or to the
 40 customer's residence or office. A beer dealer shall not be entitled to sell
 41 and deliver beer on the street or at the curb outside the licensed
 42 premises, nor shall a beer dealer be entitled to sell beer at a place other



1 than the licensed premises. A beer dealer shall not be entitled to sell
 2 beer and deliver beer for ~~carry-out~~, **carryout**, or for delivery to a
 3 customer's residence or office, in a quantity that exceeds eight hundred
 4 sixty-four (864) ounces in a single transaction. However,
 5 ~~notwithstanding IC 7.1-5-10-11~~, a beer dealer who is licensed pursuant
 6 to IC 7.1-3-10-4 shall be entitled to sell and deliver ~~warm or cold~~ beer
 7 for ~~carry-out~~, **carryout**, or for delivery to a customer's residence,
 8 office, or a designated location in barrels or other commercial
 9 containers that do not exceed two thousand sixteen (2,016) ounces per
 10 container. This delivery may only be performed by the permit holder or
 11 an employee who holds an employee permit. The permit holder shall
 12 maintain a written record of each delivery for at least one (1) year that
 13 shows the customer's name, location of delivery, and quantity sold.

14 (e) Unless a beer dealer is a grocery store or drug store, a beer
 15 dealer may not sell or deliver alcoholic beverages or any other item
 16 through a window in the licensed premises to a patron who is outside
 17 the licensed premises. A beer dealer that is a grocery store or drug store
 18 may sell any item except alcoholic beverages through a window in the
 19 licensed premises to a patron who is outside the licensed premises.

20 SECTION 9. IC 7.1-3-6.5-6 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) A person who:

- 22 (1) possesses a keg of beer without an identification marker
 23 required under this chapter;
 24 (2) possesses a keg of beer with an altered identification marker;
 25 or
 26 (3) provides false information on a receipt required under this
 27 chapter;

28 commits a Class B infraction (before July 1, 2020) or Class A
 29 infraction (after June 30, 2020).

30 (b) **This subsection applies to an infraction committed after**
 31 **June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at**
 32 **least two thousand dollars (\$2,000) shall be imposed for a Class A**
 33 **infraction committed under this section. Notwithstanding**
 34 **IC 34-28-5-5(c), the clerk of the court shall transfer fifty percent**
 35 **(50%) of the judgment to the auditor of state for deposit in the**
 36 **enforcement and administration fund.**

37 SECTION 10. IC 7.1-3-10-5 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A package liquor
 39 store's exclusive business shall be the selling of the following
 40 commodities only:

- 41 (1) Liquor in its original package.
 42 (2) Beer in permissible containers, if the permittee has the proper



- 1 permit.
- 2 (3) Wine in its original package.
- 3 (4) Bar supplies used in the preparation for consumption of
- 4 alcoholic beverages and in their consumption.
- 5 (5) Tobacco products.
- 6 (6) Uncooled and uniced charged water, carbonated soda, ginger
- 7 ale, mineral water, grenadine, and flavoring extracts.
- 8 (7) Printed materials.
- 9 (8) Lottery tickets as provided in IC 4-30-9.
- 10 (9) Cooled or uncooled nonalcoholic malt beverages.
- 11 (10) Flavored malt beverage in its original package.

12 **(b) This section expires July 1, 2020.**

13 SECTION 11. IC 7.1-3-18-9, AS AMENDED BY P.L.196-2015,
 14 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2019]: Sec. 9. (a) The commission may issue an employee's
 16 permit to a person who desires to act as:

- 17 (1) a clerk in a package liquor store;
- 18 (2) an employee who serves wine at a farm winery; or
- 19 (3) a bartender, waiter, waitress, or manager in a retail
- 20 establishment, excepting dining car and boat employees.

21 **This subsection expires July 1, 2020.**

22 **(b) This subsection is effective after June 30, 2020. The**
 23 **commission may issue an employee's permit to a person who**
 24 **desires to act as:**

- 25 **(1) a sales clerk in a package liquor store;**
- 26 **(2) a sales clerk who makes or assists in making alcoholic**
 27 **beverage sales in a grocery store or drug store as described in**
 28 **subsection (d);**
- 29 **(3) an employee who serves wine at a farm winery; or**
- 30 **(4) a bartender, waiter, waitress, or manager in a retail**
 31 **establishment, excepting dining car and boat employees.**

32 ~~(b)~~ **(c)** A permit authorized by this section is conditioned upon the
 33 compliance by the holder with reasonable rules relating to the permit
 34 which the commission may prescribe from time to time. **The**
 35 **commission may not issue an employee's permit to a person unless**
 36 **the person has successfully completed a server program or trainer**
 37 **program under IC 7.1-3-1.5.**

38 ~~(c)~~ **(d)** A permit issued under this section entitles its holder to work
 39 for any lawful employer. However, a person may work without an
 40 employee's permit for **not more than** thirty (30) days ~~from~~ **after** the
 41 date shown on a receipt for a cashier's check or money order payable
 42 to the commission for that person's employee's permit application.



1 **After June 30, 2020, this subsection does not authorize a sales clerk**
 2 **at a dealer establishment to check out or assist in checking out a**
 3 **sale of alcoholic beverages as described in subsection (e) without**
 4 **meeting the requirements of subsection (e).**

5 **(e) This subsection is effective after June 30, 2020. A person who**
 6 **is a sales clerk in a dealer establishment may not:**

7 **(1) check out a sale of alcoholic beverages; or**

8 **(2) assist a customer in checking out a sale of alcoholic**
 9 **beverages at a self-automated checkout stand;**

10 **in the course of the person's employment, unless the sales clerk is**
 11 **at least twenty-one (21) years of age and has successfully completed**
 12 **a server program or trainer program under IC 7.1-3-1.5.**

13 ~~(d)~~ **(f) A person who, for a package liquor store dealer**
 14 **establishment or retail establishment, is:**

15 **(1) the sole proprietor;**

16 **(2) a partner, a general partner, or a limited partner in a**
 17 **partnership or limited partnership that owns the business**
 18 **establishment;**

19 **(3) a member of a limited liability company that owns the**
 20 **business establishment; or**

21 **(4) a stockholder in a corporation that owns the business**
 22 **establishment;**

23 **is not required to obtain an employee's permit, but must be at least**
 24 **twenty-one (21) years of age in order to perform any of the acts listed**
 25 **in subsection (a) (before July 1, 2020) or subsection (b) (after June**
 26 **30, 2020).**

27 ~~(e)~~ **(g) An applicant may declare on the application form that the**
 28 **applicant will use the employee's permit only to perform volunteer**
 29 **service that benefits a nonprofit organization. It is unlawful for an**
 30 **applicant who makes a declaration under this subsection to use an**
 31 **employee's permit for any purpose other than to perform volunteer**
 32 **service that benefits a nonprofit organization.**

33 ~~(f)~~ **(h) The commission may not issue an employee's permit to an**
 34 **applicant while the applicant is serving a sentence for a conviction for**
 35 **operating while intoxicated, including any term of probation or parole.**

36 ~~(g)~~ **(i) The commission may not issue an employee's permit to an**
 37 **applicant who has two (2) unrelated convictions for operating while**
 38 **intoxicated if:**

39 **(1) the first conviction occurred less than ten (10) years before the**
 40 **date of the applicant's application for the permit; and**

41 **(2) the applicant completed the sentence for the second**
 42 **conviction, including any term of probation or parole, less than**



1 two (2) years before the date of the applicant's application for the
2 permit.

3 ~~(h)~~ **(j)** If an applicant for an employee's permit has at least three (3)
4 unrelated convictions for operating while intoxicated in the ten (10)
5 years immediately preceding the date of the applicant's application for
6 the permit, the commission may not grant the issuance of the permit.
7 If, in the ten (10) years immediately preceding the date of the
8 applicant's application the applicant has:

9 (1) one (1) conviction for operating while intoxicated, and the
10 applicant is not subject to subsection ~~(f)~~ **(h)**; or

11 (2) two (2) unrelated convictions for operating while intoxicated,
12 and the applicant is not subject to subsection ~~(f) or (g)~~; **(h) or (i)**;
13 the commission may grant or deny the issuance of a permit.

14 ~~(i)~~ **(k)** Except as provided under section 9.5 of this chapter, the
15 commission shall revoke a permit issued to an employee under this
16 section if:

17 (1) the employee is convicted of a Class B misdemeanor for
18 violating IC 7.1-5-10-15(a); or

19 (2) the employee is convicted of operating while intoxicated after
20 the issuance of the permit.

21 The commission may revoke a permit issued to an employee under this
22 section for any violation of this title or the rules adopted by the
23 commission.

24 SECTION 12. IC 7.1-3-23-3, AS AMENDED BY P.L.109-2013,
25 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2019]: Sec. 3. The commission, pursuant to section 2 of this
27 chapter, may impose upon a permittee the following civil penalties:

28 (1) An amount of not more than four thousand dollars (\$4,000) for
29 each violation if the permittee is a brewer, an artisan distiller, or
30 a distiller.

31 (2) An amount of not more than two thousand dollars (\$2,000) for
32 each violation if the permittee is a wholesaler of any type.

33 (3) An amount of not more than one thousand dollars (\$1,000)
34 **(before July 1, 2020) or two thousand dollars (\$2,000) (after**
35 **June 30, 2020)** for each violation if the permittee is the holder of
36 a permit of a type not listed in subdivision (1) or (2).

37 SECTION 13. IC 7.1-3-23-44, AS AMENDED BY P.L.150-2018,
38 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2019]: Sec. 44. (a) As used in this section, "bureau" refers to
40 the child support bureau of the department of child services established
41 by IC 31-25-3-1.

42 (b) As used in this section, "delinquent" has the meaning set forth



1 in IC 4-35-2-3.5.

2 (c) Upon receiving an order from the bureau (Title IV-D agency)
 3 under IC 31-25-4-32(k) or IC 31-25-4-34(f), the commission shall
 4 place on probationary status any permit issued under
 5 IC 7.1-3-18-9(a)(3) **(before July 1, 2020) or IC 7.1-3-18-9(b)(4)**
 6 **(after June 30, 2020)** and held by the person who is the subject of the
 7 order. The commission shall send the person a notice that does the
 8 following:

9 (1) States that the person's permit has been placed on probationary
 10 status.

11 (2) States that the person's permit will be suspended if the
 12 commission has not received notice from the bureau under
 13 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days
 14 after the date of the notice.

15 (3) Describes the amount of child support that the person is in
 16 arrears.

17 (4) Explains the procedures to:

18 (A) pay the person's child support arrearage in full; and

19 (B) establish a payment plan with the bureau to pay the
 20 arrearage, which must include an income withholding order
 21 under IC 31-16-15-2 or IC 31-16-15-2.5.

22 (d) If the commission has not received notice from the bureau under
 23 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the
 24 date of the notice in subsection (c), the commission shall suspend the
 25 permit issued to the person under IC 7.1-3-18-9(a)(3) **(before July 1,**
 26 **2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020).**

27 (e) The commission may not reinstate a permit placed on
 28 probationary status or suspended under this section until the
 29 commission receives a notice from the bureau under IC 31-25-4-32(m)
 30 or IC 31-25-4-34(g) that the person has addressed the delinquency.

31 SECTION 14. IC 7.1-3-26-5, AS AMENDED BY P.L.159-2014,
 32 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 5. (a) A person located within Indiana or outside
 34 Indiana that wants to sell and ship wine directly to a consumer must be
 35 the holder of a direct wine seller's permit and comply with this chapter.
 36 A person that sells and ships wine directly to a consumer without
 37 holding a valid direct wine seller's permit commits a Class A infraction.

38 (b) The offense described in subsection (a) is:

39 (1) a Class A misdemeanor if the seller:

40 (A) knowingly or intentionally violates this section; and

41 (B) has one (1) prior unrelated conviction or judgment for an
 42 infraction under this chapter for an act or omission that



1 occurred not more than ten (10) years before the act or
 2 omission that is the basis for the most recent conviction or
 3 judgment for an infraction; and
 4 (2) a Level 6 felony if the seller:
 5 (A) knowingly or intentionally violates this section; and
 6 (B) has at least two (2) prior unrelated convictions or
 7 judgments for infractions under this chapter for acts or
 8 omissions that occurred not more than ten (10) years before
 9 the act or omission that is the basis for the most recent
 10 conviction or judgment for an infraction.

11 **(c) This subsection applies to an infraction committed after June**
 12 **30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two**
 13 **thousand dollars (\$2,000) shall be imposed for a Class A infraction**
 14 **committed under this section. Notwithstanding IC 34-28-5-5(c), the**
 15 **clerk of the court shall transfer fifty percent (50%) of the**
 16 **judgment collected to the auditor of state for deposit in the**
 17 **enforcement and administration fund.**

18 SECTION 15. IC 7.1-3-26-6, AS AMENDED BY P.L.107-2015,
 19 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2019]: Sec. 6. (a) A seller may sell and ship wine directly only
 21 to a consumer who meets all of the following requirements:

- 22 (1) The consumer is at least twenty-one (21) years of age.
- 23 (2) The consumer has an Indiana address.
- 24 (3) The consumer intends to use wine purchased under this
- 25 chapter for personal use only and not for resale or other
- 26 commercial purposes.

27 (b) A seller who violates this section commits a Class A infraction.
 28 However, the offense is:

- 29 (1) a Class A misdemeanor if the seller:
 30 (A) knowingly or intentionally violates this section; and
 31 (B) has one (1) prior unrelated conviction or judgment for an
 32 infraction under this chapter for an act or omission that
 33 occurred not more than ten (10) years before the act or
 34 omission that is the basis for the most recent conviction or
 35 judgment for an infraction; and
- 36 (2) a Level 6 felony if the seller:
 37 (A) knowingly or intentionally violates this section; and
 38 (B) has at least two (2) prior unrelated convictions or
 39 judgments for infractions under this chapter for acts or
 40 omissions that occurred not more than ten (10) years before
 41 the act or omission that is the basis for the most recent
 42 conviction or judgment for an infraction.



1 **(c) This subsection applies to an infraction committed after June**
 2 **30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least**
 3 **three thousand dollars (\$3,000) shall be imposed for a Class A**
 4 **infraction committed under this section. Notwithstanding**
 5 **IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent**
 6 **(60%) of the judgment collected to the auditor of state to be**
 7 **deposited in the enforcement and administration fund.**

8 SECTION 16. IC 7.1-3-26-10, AS AMENDED BY P.L.159-2014,
 9 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2019]: Sec. 10. (a) Except as provided in subsection (b), the
 11 holder of a farm winery brandy distiller's permit that ships brandy
 12 produced under this title to a consumer commits a Class A infraction.

13 (b) The offense described in subsection (a) is:

14 (1) a Class A misdemeanor if the seller:

15 (A) knowingly or intentionally violates this section; and

16 (B) has one (1) prior unrelated conviction or judgment for an
 17 infraction under this chapter for an act or omission that
 18 occurred not more than ten (10) years before the act or
 19 omission that is the basis for the most recent conviction or
 20 judgment for an infraction; and

21 (2) a Level 6 felony if the seller:

22 (A) knowingly or intentionally violates this section; and

23 (B) has at least two (2) prior unrelated convictions or
 24 judgments for infractions under this chapter for acts or
 25 omissions that occurred not more than ten (10) years before
 26 the act or omission that is the basis for the most recent
 27 conviction or judgment for an infraction.

28 **(c) This subsection applies to an infraction committed after June**
 29 **30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two**
 30 **thousand dollars (\$2,000) shall be imposed for a Class A infraction**
 31 **committed under this section. Notwithstanding IC 34-28-5-5(c), the**
 32 **clerk of the court shall transfer fifty percent (50%) of the**
 33 **judgment collected to the auditor of state to be deposited in the**
 34 **enforcement and administration fund.**

35 SECTION 17. IC 7.1-4-4.1-12, AS AMENDED BY P.L.224-2005,
 36 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2019]: Sec. 12. (a) This section applies to the following
 38 biennial permits:

39 (1) Beer dealer's permit.

40 (2) Liquor dealer's permit.

41 (3) Malt dealer's permit.

42 (4) Wine dealer's permit.



1 (b) The commission shall charge a single fee for the issuance of any
 2 combination of dealers' permits issued for the same location. The fee
 3 is equal to the sum of the amount determined under subsection (c).

4 (c) An annual permit fee in the following amount is imposed on a
 5 dealer:

6 (1) **If the permit is issued:**

7 (A) **before July 1, 2020**, five hundred dollars (\$500); **or**

8 (B) **after June 30, 2020, one thousand dollars (\$1,000);**

9 if the dealer sells only beer, only liquor, or only wine.

10 (2) **If the permit is issued:**

11 (A) **before July 1, 2020**, seven hundred fifty dollars (\$750);

12 **or**

13 (B) **after June 30, 2020, one thousand two hundred fifty**
 14 **dollars (\$1,250);**

15 if the dealer sells ~~only (A) both beer and wine, but no liquor; only~~
 16 ~~(B) both wine and liquor, but no beer; or (C) both only beer and~~
 17 ~~liquor. but no wine.~~

18 (3) **If the permit is issued:**

19 (A) **before July 1, 2020**, one thousand dollars (\$1,000); **or**

20 (B) **after June 30, 2020, one thousand five hundred dollars**
 21 **(\$1,500);**

22 if the dealer sells beer, wine, and liquor.

23 SECTION 18. IC 7.1-4-9-3, AS AMENDED BY P.L.224-2005,
 24 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2019]: Sec. 3. (a) Except as provided in ~~subsection~~
 26 **subsections (b) and (c) (after June 30, 2020)** the chairman shall
 27 deposit the monies collected under the authority of this chapter daily
 28 with the treasurer of the state, and not later than the fifth day of the
 29 following month shall cover them into the "excise fund" to be
 30 distributed as provided in this chapter.

31 (b) The chairman shall deposit the money received from the
 32 collection of the fees for a three-way permit under IC 7.1-3-20-16(f)
 33 daily with the treasurer of state, and not later than the fifth day of the
 34 following month shall transfer the money into the enforcement and
 35 administration fund of the commission under IC 7.1-4-11.

36 (c) **This subsection applies after June 30, 2020. This subsection**
 37 **does not apply to a fee collected under subsection (b). The**
 38 **chairman shall deposit five hundred dollars (\$500) of each permit**
 39 **fee collected under IC 7.1-4-4.1-12(c)(1)(B),**
 40 **IC 7.1-4-4.1-12(c)(2)(B), and IC 7.1-4-4.1-12(c)(3)(B) daily with the**
 41 **treasurer of state, and not later than the fifth day of the following**
 42 **month shall transfer the money into the enforcement and**



1 **administration fund of the commission under IC 7.1-4-11. The**
 2 **permit fees collected and deposited into the enforcement and**
 3 **administration fund under this subsection are in addition to, and**
 4 **not in place of, other fees or distributions to the enforcement and**
 5 **administration fund under this title.**

6 SECTION 19. IC 7.1-5-2-4, AS AMENDED BY P.L.159-2014,
 7 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2019]: Sec. 4. (a) It is unlawful for a manufacturer of
 9 alcoholic beverages or other permittee authorized to sell and deliver
 10 alcoholic beverages to give, supply, furnish, or grant to the holder of a
 11 retailer's or dealer's permit a sign, poster, or advertisement for use, or
 12 intended to be used, outside of or on the exterior of the licensed
 13 premises or on a building situated on the licensed premises or in
 14 connection with them, or on premises adjacent to the licensed
 15 premises.

16 (b) It is unlawful for a retail or dealer permittee to receive or accept,
 17 or to display or permit to be displayed, a sign, poster, or advertisement
 18 given in violation of subsection (a).

19 (c) A person who violates subsection (a) or (b) commits a Class C
 20 infraction **(before July 1, 2020) or Class B infraction after June 30,**
 21 **2020.** A person commits a separate violation for each day during which
 22 a violation of subsection (a) or (b) continues.

23 **(d) This subsection applies to an infraction committed after**
 24 **June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at**
 25 **least one thousand five hundred dollars (\$1,500) shall be imposed**
 26 **for a Class B infraction committed under this section.**
 27 **Notwithstanding IC 34-28-5-5(c), the clerk of the court shall**
 28 **transfer fifty percent (50%) of the judgment collected to the**
 29 **auditor of state to be deposited in the enforcement and**
 30 **administration fund.**

31 SECTION 20. IC 7.1-5-5-11, AS AMENDED BY P.L.270-2017,
 32 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2019]: Sec. 11. (a) Except as provided in subsections (c), (d),
 34 and (e), it is unlawful for a manufacturer of alcoholic beverages or a
 35 permittee authorized to sell and deliver alcoholic beverages to:

36 (1) give to another permittee who purchases alcoholic beverages
 37 from the manufacturer or permittee a gift; or

38 (2) except as provided in IC 7.1-3-2-9 and ~~IC 7.1-3-3-5(f);~~
 39 **IC 7.1-3-3-5(g)**, have a business dealing with the other permittee.

40 (b) This section does not apply to the sale and delivery and
 41 collection of the sale price of an alcoholic beverage in the ordinary
 42 course of business.



1 (c) If the promotional program is approved under the rules adopted
 2 by the commission and is conducted in all wholesaler establishments
 3 through which the manufacturer distributes alcoholic beverages in
 4 Indiana, a manufacturer of alcoholic beverages may award bona fide
 5 promotional prizes and awards to any of the following:

6 (1) A person with a wholesaler's permit issued under IC 7.1-3.

7 (2) An employee of a person with a wholesaler's permit issued
 8 under IC 7.1-3.

9 (d) A manufacturer may offer on a nondiscriminatory basis bona
 10 fide incentives to wholesalers when the incentives are determined
 11 based on sales to retailers or dealers occurring during specified times
 12 for specified products. The incentive may be conditioned on the
 13 wholesaler selling a:

14 (1) specified product at a specified price or less than a specified
 15 price; or

16 (2) minimum quantity of a specified product to a single customer
 17 in a single transaction.

18 The incentive may not be conditioned on a wholesaler having total
 19 sales of a minimum quantity of a specified product during the
 20 applicable period.

21 (e) A manufacturer or a permittee authorized to sell and deliver
 22 alcoholic beverages may provide entertainment and professional and
 23 educational expenses to another permittee, unless the entertainment or
 24 professional and educational expenses are provided in exchange for an
 25 agreement to directly or indirectly purchase alcoholic beverages from
 26 a:

27 (1) manufacturer; or

28 (2) permittee authorized to sell and deliver alcoholic beverages;
 29 to the exclusion, in whole or in part, of alcoholic beverages sold or
 30 delivered by another manufacturer or a permittee authorized to sell and
 31 deliver alcoholic beverages.

32 (f) A person who knowingly or intentionally violates this section
 33 commits a Class A misdemeanor.

34 SECTION 21. IC 7.1-5-6-3, AS AMENDED BY P.L.191-2018,
 35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2019]: Sec. 3. (a) It is unlawful for a person to act as a clerk
 37 in a package liquor store, or as a bartender, waiter, waitress, or
 38 manager for a retailer permittee unless that person has applied for and
 39 been issued the appropriate permit. This section does not apply to
 40 dining car or boat employees, to a person described in IC 7.1-3-1.7, or
 41 to a person described in ~~IC 7.1-3-18-9(d)~~ **IC 7.1-3-18.9(f)**. A person
 42 who knowingly or intentionally violates this subsection commits a



1 Class B misdemeanor. **This subsection expires July 1, 2020.**

2 **(b) This subsection takes effect after June 30, 2020. It is**
 3 **unlawful for a person to act as:**

4 **(1) a sales clerk who:**

5 **(A) checks out a sale of alcoholic beverages; or**

6 **(B) assists customers in checking out a sale of alcoholic**
 7 **beverages at a self-automated checkout stand;**

8 **for a dealer permittee; or**

9 **(2) a bartender, waiter, waitress, or manager for a retailer**
 10 **permittee;**

11 **unless that person has applied for and been issued an employee's**
 12 **permit. This subsection does not apply to a dining car or boat**
 13 **employee, to a person described in IC 7.1-3-1.7, or to a person**
 14 **described in IC 7.1-3-18-9(f). A person who knowingly or**
 15 **intentionally violates this subsection commits a Class B**
 16 **misdemeanor.**

17 ~~(b)~~ **(c)** It is a defense to a charge under this section if, not later than
 18 thirty (30) days after being cited by the commission, the person who
 19 was cited produces evidence that the ~~appropriate~~ **employee's** permit
 20 was issued by the commission on the date of the citation.

21 ~~(c)~~ **(d)** It is a defense to a charge under this section for a new
 22 applicant for a permit if, not later than thirty (30) days after being cited
 23 by the commission, the new applicant who was cited produces a receipt
 24 for a cashier's check or money order showing that an application for the
 25 ~~appropriate~~ **employee's** permit was applied for on the date of the
 26 citation.

27 SECTION 22. IC 7.1-5-7-3 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. **(a)** It is a Class C
 29 infraction **(before July 1, 2020) or Class A infraction after June 30,**
 30 **2020**, for a minor to have in ~~his~~ **the minor's** possession false or
 31 fraudulent evidence of majority or identity with the intent to violate a
 32 provision of this title.

33 **(b) This subsection applies to an infraction committed after**
 34 **June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at**
 35 **least one thousand five hundred dollars (\$1,500) shall be imposed**
 36 **for a Class A infraction committed under this section.**
 37 **Notwithstanding IC 34-28-5-5(c), the clerk of the court shall**
 38 **transfer sixty percent (60%) of the judgment collected to the**
 39 **auditor of state to be deposited in the enforcement and**
 40 **administration fund.**

41 SECTION 23. IC 7.1-5-7-4 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. **(a)** A permittee shall



1 have the right to demand of a customer a signed written statement, on
 2 a form prescribed by the commission, that the customer is not a minor.
 3 It is a Class C infraction (**before July 1, 2020**) or **Class A infraction**
 4 **after June 30, 2020**, for a minor to misrepresent ~~his~~ **the minor's** age
 5 on the statement.

6 **(b) This subsection applies to an infraction committed after**
 7 **June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at**
 8 **least one thousand five hundred dollars (\$1,500) shall be imposed**
 9 **for a Class A infraction committed under this section.**
 10 **Notwithstanding IC 34-28-5-5(c), the clerk of the court shall**
 11 **transfer sixty percent (60%) of the judgment collected to the**
 12 **auditor of state to be deposited in the enforcement and**
 13 **administration fund.**

14 SECTION 24. IC 7.1-5-7-9 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) It is a Class C
 16 infraction (**before July 1, 2020**) or **Class A infraction after June 30,**
 17 **2020**, for a parent, guardian, trustee, or other person having custody of
 18 a child under eighteen (18) years of age to take that child into a tavern,
 19 bar, or other public place where alcoholic beverages are sold, bartered,
 20 exchanged, given away, provided, or furnished.

21 (b) It is a Class C infraction (**before July 1, 2020**) or **Class A**
 22 **infraction after June 30, 2020**, for a permittee to permit the parent,
 23 guardian, trustee, or other person having custody of the child under
 24 eighteen (18) years of age to be in or around the prohibited place with
 25 the child.

26 **(c) This subsection applies to an infraction committed after June**
 27 **30, 2020. Notwithstanding IC 34-28-5-4, judgment of at least one**
 28 **thousand five hundred dollars (\$1,500) shall be imposed for a Class**
 29 **A infraction committed under this section. Notwithstanding**
 30 **IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent**
 31 **(60%) of the judgment collected to the auditor of state to be**
 32 **deposited in the enforcement and administration fund.**

33 SECTION 25. IC 7.1-5-7-10, AS AMENDED BY P.L.159-2014,
 34 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2019]: Sec. 10. (a) It is a Class C infraction (**before July 1,**
 36 **2020**) or **Class A infraction after June 30, 2020**, for a minor to
 37 knowingly or intentionally be in a tavern, bar, or other public place
 38 where alcoholic beverages are sold, bartered, exchanged, given away,
 39 provided, or furnished.

40 (b) It is a Class C misdemeanor for a permittee to recklessly permit
 41 a minor to be in the prohibited place beyond a reasonable time in which
 42 an ordinary prudent person can check identification to confirm the age



1 of a patron.

2 (c) **This subsection applies to an infraction committed after June**
 3 **30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least one**
 4 **thousand five hundred dollars (\$1,500) shall be imposed for a Class**
 5 **A infraction committed under this section. Notwithstanding**
 6 **IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent**
 7 **(60%) of the judgment collected to the auditor of state to be**
 8 **deposited in the enforcement and administration fund.**

9 SECTION 26. IC 7.1-5-7-13, AS AMENDED BY P.L.270-2017,
 10 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2019]: Sec. 13. (a) Section 12 of this chapter does not prohibit
 12 the following:

13 (1) The employment of a person at least eighteen (18) years of age
 14 but less than twenty-one (21) years of age on or about licensed
 15 premises where alcoholic beverages are sold, furnished, or given
 16 away for consumption either on or off the licensed premises, for
 17 a purpose other than:

- 18 (A) selling;
- 19 (B) furnishing, other than serving;
- 20 (C) consuming; or
- 21 (D) otherwise dealing in;

22 alcoholic beverages.

23 (2) A person at least nineteen (19) years of age but less than
 24 twenty-one (21) years of age from ringing up a sale of alcoholic
 25 beverages in the course of the person's employment. **After June**
 26 **30, 2020, this subdivision applies only to a person employed by**
 27 **a retailer permittee.**

28 (3) A person who is at least nineteen (19) years of age but less
 29 than twenty-one (21) years of age and who has successfully
 30 completed an alcohol server training program certified under
 31 IC 7.1-3-1.5 from serving alcoholic beverages in a dining area or
 32 family room of a restaurant or hotel:

- 33 (A) in the course of a person's employment as a waiter,
 34 waitress, or server; and
- 35 (B) under the supervision of a person who:
 - 36 (i) is at least twenty-one (21) years of age;
 - 37 (ii) is present at the restaurant or hotel; and
 - 38 (iii) has successfully completed an alcohol server training
 39 program certified under IC 7.1-3-1.5 by the commission.

40 This subdivision does not allow a person at least nineteen (19)
 41 years of age but less than twenty-one (21) years of age to be a
 42 bartender.



1 (4) The employment of a person at least eighteen (18) years of age
 2 but less than twenty-one (21) years of age on or about licensed
 3 premises where alcoholic beverages are sold, furnished, or given
 4 away for consumption either on or off the licensed premises if all
 5 the following apply:

6 (A) The person is employed as an assistant on a delivery truck.

7 (B) The person's duties with respect to alcoholic beverages are
 8 limited to handling alcoholic beverages in connection with the
 9 loading, unloading, stowing, or storing of alcoholic beverages
 10 that are being delivered or picked up.

11 (C) The person does not sell, furnish, or deal in alcoholic
 12 beverages in any manner except as expressly permitted under
 13 clause (B).

14 (D) The person acts under the supervision of a driver holding
 15 a salesman's permit.

16 (E) The person does not collect money for the delivery or pick
 17 up.

18 (b) This chapter does not prohibit a person less than twenty-one (21)
 19 years of age from being on the premises of a brewery under
 20 IC 7.1-3-2-7(5), a farm winery, including any additional locations of
 21 the farm winery under IC 7.1-3-12-5, or an artisan distillery under
 22 IC 7.1-3-27-5, if the person is:

23 (1) the child, stepchild, grandchild, nephew, or niece of an owner
 24 of the:

25 (A) brewery;

26 (B) farm winery; or

27 (C) artisan distiller; and

28 (2) employed on the premises for a purpose other than:

29 (A) selling;

30 (B) furnishing, other than serving;

31 (C) consuming; or

32 (D) otherwise dealing in;

33 alcoholic beverages.

34 A minor described in this subsection is not required to be accompanied
 35 by a parent, legal guardian or custodian, or family member who is at
 36 least twenty-one (21) years of age while on the premises of the brewery
 37 or farm winery.

38 SECTION 27. IC 7.1-5-7-15 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 15. (a) A person
 40 twenty-one (21) years of age or older who knowingly or intentionally
 41 encourages, aids, or induces a minor to unlawfully possess an alcoholic
 42 beverage commits a Class C infraction (**before July 1, 2020**) or Class



1 **A infraction after June 30, 2020.**

2 (b) **This subsection applies to an infraction committed after**
 3 **June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at**
 4 **least one thousand five hundred dollars (\$1,500) shall be imposed**
 5 **for a Class A infraction committed under this section.**
 6 **Notwithstanding IC 34-28-5-5(c), the clerk of the court shall**
 7 **transfer sixty percent (60%) of the judgment collected to the**
 8 **auditor of state to be deposited in the enforcement and**
 9 **administration fund.**

10 SECTION 28. IC 7.1-5-8-11, AS ADDED BY P.L.70-2015,
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2019]: Sec. 11. (a) This section does not apply to the
 13 possession, purchase, or use of powdered or crystalline alcohol for
 14 bona fide research purposes by any of the following:

- 15 (1) A hospital licensed under IC 16-21.
- 16 (2) The state department of health.
- 17 (3) A state educational institution (as defined in IC 21-7-13-32).
- 18 (4) A private college or university.
- 19 (5) A pharmaceutical or biotechnology company.

20 (b) A person who possesses, purchases, sells, offers to sell, or uses
 21 powdered or crystalline alcohol commits a Class B infraction (**before**
 22 **July 1, 2020) or Class A infraction after June 30, 2020.**

23 (c) **This subsection applies after June 30, 2020. Notwithstanding**
 24 **IC 34-28-5-4, a judgment of at least two thousand dollars (\$2,000)**
 25 **shall be imposed for a Class A infraction committed under this**
 26 **section. Notwithstanding IC 34-28-5-5(c), the clerk of the court**
 27 **shall transfer fifty percent (50%) of the judgment collected to the**
 28 **auditor of state to be deposited in the enforcement and**
 29 **administration fund.**

30 SECTION 29. IC 7.1-5-10-7 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. ~~Purchase from~~
 32 ~~Non-Permittee Prohibited.~~ (a) It is a Class C infraction (**before July 1,**
 33 **2020) or Class A infraction after June 30, 2020,** for a person
 34 knowingly to purchase, or to agree to purchase, an alcoholic beverage
 35 from a person who does not at the time of the purchase hold a permit
 36 authorizing the seller to sell, or agree to sell, the alcoholic beverage to
 37 the purchaser.

38 (b) **This subsection applies after June 30, 2020. Notwithstanding**
 39 **IC 34-28-5-4, a judgment of at least one thousand five hundred**
 40 **dollars (\$1,500) shall be imposed for a Class A infraction**
 41 **committed under this section. Notwithstanding IC 34-28-5-5(c), the**
 42 **clerk of the court shall transfer fifty percent (50%) of the**



1 **judgment collected to the auditor of state to be deposited in the**
 2 **enforcement and administration fund.**

3 SECTION 30. IC 7.1-5-10-11, AS AMENDED BY P.L.159-2014,
 4 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2019]: Sec. 11. (a) It is unlawful for the holder of a beer
 6 dealer's permit to offer or display for sale, or sell, barter, exchange or
 7 give away a bottle, can, container, or package of beer that was iced or
 8 cooled by the permittee before or at the time of the sale, exchange, or
 9 gift.

10 (b) A person who knowingly or intentionally violates this section
 11 commits a Class B misdemeanor.

12 **(c) This section expires June 30, 2020.**

13 SECTION 31. IC 31-16-12-13, AS ADDED BY P.L.80-2010,
 14 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2019]: Sec. 13. If a court finds that a person who holds or has
 16 applied for an employee's permit issued under IC 7.1-3-18-9(a)(3)
 17 **(before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020)** is
 18 delinquent (as defined in IC 31-25-4-2) as a result of an intentional
 19 violation of an order for child support, the court shall issue an order to
 20 the alcohol and tobacco commission that:

- 21 (1) requires the person's employee's permit be suspended until
 22 further order of the court;
 23 (2) orders the chairman of the alcohol and tobacco commission
 24 not to issue an employee's permit to the person who is the subject
 25 of the order if the person does not currently hold an employee's
 26 permit; or
 27 (3) orders the chairman of the alcohol and tobacco commission
 28 not to renew the employee's permit of the person who is the
 29 subject of the order.

30 SECTION 32. IC 31-25-4-32, AS AMENDED BY P.L.150-2018,
 31 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2019]: Sec. 32. (a) When the Title IV-D agency finds that an
 33 obligor is delinquent, the Title IV-D agency shall send, to a verified
 34 address, a notice to the obligor that does the following:

- 35 (1) Specifies that the obligor is delinquent.
 36 (2) Describes the amount of child support that the obligor is in
 37 arrears.
 38 (3) States that unless the obligor:
 39 (A) pays the obligor's child support arrearage in full;
 40 (B) establishes a payment plan with the Title IV-D agency to
 41 pay the arrearage, which includes an income withholding
 42 order; or



1 (C) requests a hearing under section 33 of this chapter;
 2 within twenty (20) days after the date the notice is mailed, the
 3 Title IV-D agency shall issue an order to the bureau of motor
 4 vehicles stating that the obligor is delinquent and that the
 5 obligor's driving privileges shall be suspended.

6 (4) Explains that the obligor has twenty (20) days after the notice
 7 is mailed to do one (1) of the following:

8 (A) Pay the obligor's child support arrearage in full.

9 (B) Establish a payment plan with the Title IV-D agency to
 10 pay the arrearage, which includes an income withholding order
 11 under IC 31-16-15-2 or IC 31-16-15-2.5.

12 (C) Request a hearing under section 33 of this chapter.

13 (5) Explains that if the obligor has not satisfied any of the
 14 requirements of subdivision (4) not later than twenty (20) days
 15 after the notice is mailed, that the Title IV-D agency shall issue a
 16 notice to:

17 (A) the board or department that regulates the obligor's
 18 profession or occupation, if any, that the obligor is delinquent
 19 and that the obligor may be subject to sanctions under
 20 IC 25-1-1.2, including suspension or revocation of the
 21 obligor's professional or occupational license;

22 (B) the supreme court disciplinary commission if the obligor
 23 is licensed to practice law;

24 (C) the department of education established by IC 20-19-3-1
 25 if the obligor is a licensed teacher;

26 (D) the Indiana horse racing commission if the obligor holds
 27 or applies for a license issued under IC 4-31-6;

28 (E) the Indiana gaming commission if the obligor holds or
 29 applies for a license issued under IC 4-33 and IC 4-35;

30 (F) the commissioner of the department of insurance if the
 31 obligor holds or is an applicant for a license issued under
 32 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;

33 (G) the director of the department of natural resources if the
 34 obligor holds or is an applicant for a license issued by the
 35 department of natural resources under:

36 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);

37 (ii) IC 14-22-14 (Lake Michigan commercial fishing
 38 license);

39 (iii) IC 14-22-16 (bait dealer's license);

40 (iv) IC 14-22-17 (mussel license);

41 (v) IC 14-22-19 (fur buyer's license);

42 (vi) IC 14-24-7 (nursery dealer's license); or



- 1 (vii) IC 14-31-3 (ginseng dealer's license); or
 2 (H) the alcohol and tobacco commission if the obligor holds or
 3 applies for an employee's permit under IC 7.1-3-18-9(a)(3)
 4 **(before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30,**
 5 **2020).**
- 6 (6) Explains that the only basis for contesting the issuance of an
 7 order under subdivision (3) or (5) is a mistake of fact.
 8 (7) Explains that an obligor may contest the Title IV-D agency's
 9 determination to issue an order under subdivision (3) or (5) by
 10 making written application to the Title IV-D agency not later than
 11 twenty (20) days after the date the notice is mailed.
 12 (8) Explains the procedures to:
 13 (A) pay the obligor's child support arrearage in full; and
 14 (B) establish a payment plan with the Title IV-D agency to pay
 15 the arrearage, which must include an income withholding
 16 order under IC 31-16-15-2 or IC 31-16-15-2.5.
- 17 (b) Whenever the Title IV-D agency finds that an obligor is
 18 delinquent and has failed to:
 19 (1) pay the obligor's child support arrearage in full;
 20 (2) establish a payment plan with the Title IV-D agency to pay the
 21 arrearage, which includes an income withholding order under
 22 IC 31-16-15-2 or IC 31-16-15-2.5; or
 23 (3) request a hearing under section 33 of this chapter not later
 24 than twenty (20) days after the date the notice described in
 25 subsection (a) is mailed;
 26 the Title IV-D agency shall issue an order to the bureau of motor
 27 vehicles stating that the obligor is delinquent.
- 28 (c) An order issued under subsection (b) must require the following:
 29 (1) If the obligor who is the subject of the order holds a driving
 30 license or permit on the date the order is issued, that the driving
 31 privileges of the obligor be suspended until further order of the
 32 Title IV-D agency.
 33 (2) If the obligor who is the subject of the order does not hold a
 34 driving license or permit on the date the order is issued, that the
 35 bureau of motor vehicles may not issue a driving license or permit
 36 to the obligor until the bureau of motor vehicles receives a further
 37 order from the Title IV-D agency.
- 38 (d) The Title IV-D agency shall provide the:
 39 (1) full name;
 40 (2) date of birth;
 41 (3) verified address; and
 42 (4) Social Security number or driving license number;



- 1 of the obligor to the bureau of motor vehicles.
- 2 (e) Whenever the Title IV-D agency finds that an obligor who is an
3 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in
4 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed to:
5
6 (1) pay the obligor's child support arrearage in full;
7 (2) establish a payment plan with the Title IV-D agency to pay the
8 arrearage, which includes an income withholding order under
9 IC 31-16-15-2 or IC 31-16-15-2.5; or
10 (3) request a hearing under section 33 of this chapter;
11 the Title IV-D agency shall issue an order to the board regulating the
12 practice of the obligor's profession or occupation stating that the
13 obligor is delinquent.
- 14 (f) An order issued under subsection (e) must direct the board or
15 department regulating the obligor's profession or occupation to impose
16 the appropriate sanctions described under IC 25-1-1.2.
- 17 (g) Whenever the Title IV-D agency finds that an obligor who is an
18 attorney or a licensed teacher is delinquent and the attorney or licensed
19 teacher has failed to:
20 (1) pay the obligor's child support arrearage in full;
21 (2) establish a payment plan with the Title IV-D agency to pay the
22 arrearage, which includes an income withholding order under
23 IC 31-16-15-2 or IC 31-16-15-2.5; or
24 (3) request a hearing under section 33 of this chapter;
25 the Title IV-D agency shall notify the supreme court disciplinary
26 commission if the obligor is an attorney, or the department of education
27 if the obligor is a licensed teacher, that the obligor is delinquent.
- 28 (h) Whenever the Title IV-D agency finds that an obligor who holds
29 a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:
30 (1) pay the obligor's child support arrearage in full;
31 (2) establish a payment plan with the Title IV-D agency to pay the
32 arrearage, which includes an income withholding order under
33 IC 31-16-15-2 or IC 31-16-15-2.5; or
34 (3) request a hearing under section 33 of this chapter;
35 the Title IV-D agency shall issue an order to the Indiana horse racing
36 commission if the obligor holds a license issued under IC 4-31-6, or to
37 the Indiana gaming commission if the obligor holds a license issued
38 under IC 4-33 or IC 4-35, stating that the obligor is delinquent and
39 directing the commission to impose the appropriate sanctions described
40 in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.
- 41 (i) Whenever the Title IV-D agency finds that an obligor who holds
42 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has



- 1 failed to:
- 2 (1) pay the obligor's child support arrearage in full;
- 3 (2) establish a payment plan with the Title IV-D agency to pay the
- 4 arrearage, which includes an income withholding order under
- 5 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 6 (3) request a hearing under section 33 of this chapter;
- 7 the Title IV-D agency shall issue an order to the commissioner of the
- 8 department of insurance stating that the obligor is delinquent and
- 9 directing the commissioner to impose the appropriate sanctions
- 10 described in IC 27-1-15.6-29 or IC 27-10-3-20.
- 11 (j) Whenever the Title IV-D agency finds that an obligor who holds
- 12 a license issued by the department of natural resources under
- 13 IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,
- 14 IC 14-24-7, or IC 14-31-3 has failed to:
- 15 (1) pay the obligor's child support arrearage in full;
- 16 (2) establish a payment plan with the Title IV-D agency to pay the
- 17 arrearage, which includes an income withholding order under
- 18 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 19 (3) request a hearing under section 33 of this chapter;
- 20 the Title IV-D agency shall issue an order to the director of the
- 21 department of natural resources stating that the obligor is delinquent
- 22 and directing the director to suspend or revoke a license issued to the
- 23 obligor by the department of natural resources as provided in
- 24 IC 14-11-3.
- 25 (k) If the Title IV-D agency finds that an obligor who holds an
- 26 employee's permit issued under IC 7.1-3-18-9(a)(3) **(before July 1,**
- 27 **2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020)** has failed to:
- 28 (1) pay the obligor's child support arrearage in full;
- 29 (2) establish a payment plan with the Title IV-D agency to pay the
- 30 arrearage, which includes an income withholding order under
- 31 IC 31-16-15-2 or IC 31-16-15-2.5; or
- 32 (3) request a hearing under section 33 of this chapter;
- 33 the Title IV-D agency shall issue an order to the alcohol and tobacco
- 34 commission stating that the obligor is delinquent and directing the
- 35 alcohol and tobacco commission to impose the appropriate sanctions
- 36 under IC 7.1-3-23-44.
- 37 (l) A person's most recent address on file with the bureau constitutes
- 38 a verified address for purposes of this section.
- 39 (m) When an obligor who was the subject of an order issued by the
- 40 Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or (k) has:
- 41 (1) paid the obligor's child support arrearage in full; or
- 42 (2) established a payment plan with the Title IV-D agency to pay



1 the arrearage, which includes an income withholding order under
 2 IC 31-16-15-2 or IC 31-16-15-2.5;
 3 the Title IV-D agency shall provide notice to the appropriate entity
 4 under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has
 5 addressed the delinquency.

6 SECTION 33. IC 31-25-4-34, AS AMENDED BY P.L.150-2018,
 7 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2019]: Sec. 34. (a) As used in this section, "board" has the
 9 meaning set forth in IC 25-1-1.2-2.

10 (b) If an obligor holds a license issued by a board and requests a
 11 hearing under section 33 of this chapter but fails to appear or appears
 12 and is found to be delinquent, the Title IV-D agency shall issue an
 13 order to the board that issued the obligor's license:

- 14 (1) stating that the obligor is delinquent; and
- 15 (2) requiring the board to comply with the actions required under
 16 IC 25-1-1.2-8.

17 (c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, or
 18 IC 4-35 and requests a hearing under section 33 of this chapter but fails
 19 to appear or appears and is found to be delinquent, the Title IV-D
 20 agency shall issue an order to the:

- 21 (1) Indiana horse racing commission, if the obligor holds a license
 22 issued under IC 4-31-6; or
- 23 (2) Indiana gaming commission, if the obligor holds a license
 24 issued under IC 4-33 or IC 4-35;

25 stating that the obligor is delinquent and requiring the commission to
 26 comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or
 27 IC 4-35-6.7-2.

28 (d) If an obligor holds a license issued under IC 27-1-15.6,
 29 IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of
 30 this chapter but fails to appear or appears and is found to be delinquent,
 31 the Title IV-D agency shall issue an order to the commissioner of the
 32 department of insurance:

- 33 (1) stating that the obligor is delinquent; and
- 34 (2) requiring the commissioner to comply with the actions
 35 required under IC 27-1-15.6-29 or IC 27-10-3-20.

36 (e) If an obligor holds a license issued by the department of natural
 37 resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17,
 38 IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under
 39 section 33 of this chapter but fails to appear, or appears and is found to
 40 be delinquent, the Title IV-D agency shall issue an order to the director
 41 of the department of natural resources:

- 42 (1) stating that the obligor is delinquent; and



- 1 (2) requiring the director to suspend or revoke a license issued by
 2 the department as provided in IC 14-11-3.
- 3 (f) If an obligor:
- 4 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3)
 5 **(before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30,**
 6 **2020);** and
- 7 (2) requests a hearing under section 33 of this chapter but fails to
 8 appear or appears and is found to be delinquent;
- 9 the Title IV-D agency shall issue an order to the alcohol and tobacco
 10 commission stating that the obligor is delinquent and requiring the
 11 commission to impose the appropriate sanctions under IC 7.1-3-23-44.
- 12 (g) When an obligor who was the subject of an order issued by the
 13 Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:
- 14 (1) paid the obligor's child support arrearage in full; or
 15 (2) established a payment plan with the Title IV-D agency to pay
 16 the arrearage, which includes an income withholding order under
 17 IC 31-16-15-2 or IC 31-16-15-2.5;
- 18 the Title IV-D agency shall provide notice to the appropriate entity
 19 under subsection (b), (c), (d), (e), or (f) that the obligor has addressed
 20 the delinquency.
- 21 SECTION 34. IC 33-37-5-16, AS AMENDED BY P.L.198-2016,
 22 SECTION 664, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2019]: Sec. 16. In addition to any other duties,
 24 a clerk shall do the following:
- 25 (1) Collect and transfer additional judgments to a county auditor
 26 under IC 9-18-2-41 (before its expiration) or IC 34-28-5-17.
 27 (2) Deposit funds collected as judgments in the state highway
 28 fund under IC 9-20-18-12.
 29 (3) Deposit funds in the conservation officers fish and wildlife
 30 fund under IC 14-22.
 31 (4) Deposit funds collected as judgments in the state general fund
 32 under IC 34-28-5-4.
 33 **(5) This subdivision applies after June 30, 2020. Deposit funds**
 34 **collected as judgments in the enforcement and administration**
 35 **fund (IC 7.1-4-10) under:**
 36 **(A) IC 7.1-3-1.5-12;**
 37 **(B) IC 7.1-3-6.5-6;**
 38 **(C) IC 7.1-3-26-5;**
 39 **(D) IC 7.1-3-26-6;**
 40 **(E) IC 7.1-3-26-10;**
 41 **(F) IC 7.1-5-2-4;**
 42 **(G) IC 7.1-5-7-3;**



- 1 (H) IC 7.1-5-7-4;
 2 (I) IC 7.1-5-7-9;
 3 (J) IC 7.1-5-7-10;
 4 (K) IC 7.1-5-7-15;
 5 (L) IC 7.1-5-8-11; and
 6 (M) IC 7.1-5-10-7.
- 7 SECTION 35. IC 34-28-5-5, AS AMENDED BY P.L.146-2016,
 8 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2019]: Sec. 5. (a) A defendant against whom a judgment is
 10 entered is liable for costs. Costs are part of the judgment and may not
 11 be suspended except under IC 9-30-3-12. Whenever a judgment is
 12 entered against a person for the commission of two (2) or more civil
 13 violations (infractions or ordinance violations), the court may waive the
 14 person's liability for costs for all but one (1) of the violations. This
 15 subsection does not apply to judgments entered for violations
 16 constituting:
- 17 (1) Class D infractions; or
 18 (2) Class C infractions for unlawfully parking in a space reserved
 19 for a person with a physical disability under IC 5-16-9-5 or
 20 IC 5-16-9-8.
- 21 (b) If a judgment is entered:
- 22 (1) for a violation constituting:
- 23 (A) a Class D infraction; or
 24 (B) a Class C infraction for unlawfully parking in a space
 25 reserved for a person with a physical disability under
 26 IC 5-16-9-5 or IC 5-16-9-8; or
- 27 (2) in favor of the defendant in any case;
- 28 the defendant is not liable for costs.
- 29 (c) Except for costs, and except as provided in subsections (e) and
 30 (f) and IC 9-21-5-11(e), **or unless otherwise expressly provided by**
 31 **statute**, the funds collected as judgments for violations of statutes
 32 defining infractions shall be deposited in the state general fund.
- 33 (d) A judgment may be entered against a defendant under this
 34 section or section 4 of this chapter upon a finding by the court that the
 35 defendant:
- 36 (1) violated:
- 37 (A) a statute defining an infraction; or
 38 (B) an ordinance; or
- 39 (2) consents to entry of judgment for the plaintiff upon a pleading
 40 of nolo contendere for a moving traffic violation.
- 41 (e) The funds collected for an infraction judgment described in
 42 section 4(h) of this chapter shall be transferred to a dedicated county



1 fund. The money in the dedicated county fund does not revert to the
2 county general fund or state general fund and may be used, after
3 appropriation by the county fiscal body, only for the following
4 purposes:

5 (1) To pay compensation of commissioners appointed under
6 IC 33-33-49.

7 (2) To pay costs of the county's guardian ad litem program.

8 (f) The funds collected for an infraction judgment described in
9 section 4(i) of this chapter shall be transferred to a dedicated toll
10 revenue fund created as part of a project under IC 8-15.5-1-2(b)(4).
11 The money in the fund does not revert to the county general fund or
12 state general fund and may be used only to pay the cost of operating,
13 maintaining, and repairing the tolling system for a project under
14 IC 8-15.5-1-2(b)(4), including major repairs, replacements, and
15 improvements.

16 SECTION 36. IC 35-52-7-71 IS REPEALED [EFFECTIVE JULY
17 1, 2020]. ~~Sec. 71. IC 7.1-5-10-11 defines a crime concerning sales.~~

