

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6927

BILL NUMBER: SB 310

NOTE PREPARED: Jan 28, 2021

BILL AMENDED:

SUBJECT: Carryout Sales in an Economic Development Area.

FIRST AUTHOR: Sen. Charbonneau

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill allows a person who holds a restaurant permit in an economic development area and an interest in a brewery, farm winery, or artisan distillery (production facility) located on or adjacent to the restaurant, to sell alcoholic beverages for carryout that are manufactured at the production facility in a general merchandising area of the restaurant. It provides that carryout may be sold from a self-service display in the general merchandising area.

The bill provides that a minor may: (1) be in the general merchandising area; and (2) tour the production facility, if the minor is accompanied by an adult family member and the tour does not include the consumption, tasting, or sampling of alcoholic beverages. (Current law allows a minor to be on the premises of a farm winery or artisan distillery if accompanied by an adult family member, but not a brewery.)

Effective Date: July 1, 2021.

Explanation of State Expenditures: *Alcohol and Tobacco Commission (ATC):* The ATC would be required to administer and enforce the bill's provisions. The ATC should be able to do this within existing levels of staffing and resources.

Explanation of State Revenues: The provision allowing minors to be on certain premises under certain conditions could potentially reduce revenue to the state General Fund and the Enforcement and Administration Fund from fines if there are fewer violations of IC 7.1-5-7-9 and IC 7.1-5-7-10. However, any decrease in revenue would likely be small.

It is a Class C infraction for a minor to knowingly or intentionally be in a public place where alcoholic

beverages are sold. It is also a Class C infraction for a parent or guardian to take a minor into a place where alcohol is sold and for a permittee to allow a minor in these places. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. If the ATC imposes a fine, that revenue is deposited in the Enforcement and Administration Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: If there are fewer court actions filed and judgments entered, local governments could receive less revenue from court fees. However, any impact on local revenue would likely be small.

State Agencies Affected: Alcohol and Tobacco Commission.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

Fiscal Analyst: Lauren Tanselle, 317-232-9586; Jessica Harmon, 317-232-9854.