

SENATE BILL No. 83

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-1-3-40.5; IC 7.1-3; IC 7.1-4; IC 7.1-5; IC 31-16-12-13; IC 31-25-4.

Synopsis: Alcoholic beverage issues. Creates a supplemental dealer's permit for Sunday sales of carryout alcoholic beverages. Allows a package liquor store to sell carryout on Sunday without a supplemental dealer's permit. Establishes fees for supplemental dealer's permits that are deposited in the enforcement and administration fund of the alcohol and tobacco commission. Allows a minor in a package liquor store if the minor is an employee or is accompanied by the minor's parent or guardian. Eliminates residency requirements for package liquor store permits. Allows a sales clerk to ring up an alcoholic beverage sale at a grocery or drug store (store) in the following circumstances: (1) The sales clerk or another employee present at the store has an employee permit. (2) A person that has an ownership interest in the store acts as the sales clerk or is present at the store. With regard to a store, requires the following individuals to complete an alcohol server training course: (1) A manager. (2) An employee whose employer assigned duties require the employee to obtain an employee permit. (3) A permittee or a management representative of the permittee. Repeals a provision that limits the commodities that a package liquor store may sell.

Effective: July 1, 2017.

Boots

January 3, 2017, read first time and referred to Committee on Rules and Legislative Procedure.



First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 83

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 7.1-1-3-40.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2017]: **Sec. 40.5. "Sales clerk" means a**
4 **person who rings up or otherwise records an alcoholic beverage for**
5 **sale in the course of the person's employment in a dealer**
6 **establishment.**

7 SECTION 2. IC 7.1-3-1.5-1, AS ADDED BY P.L.161-2005,
8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2017]: Sec. 1. As used in this chapter, "alcohol server" means
10 the following:

- 11 (1) A person who works on the licensed premises of a retailer
12 permittee as a:
 - 13 (A) manager;
 - 14 (B) bartender; or
 - 15 (C) waiter or a waitress.
- 16 (2) A person who works on the licensed premises of a ~~dealer~~
17 **permittee package liquor store** as a:



- 1 (A) manager; or
 2 (B) sales clerk.
 3 **(3) A person who works on the licensed premises of a grocery**
 4 **store or drug store as:**
 5 **(A) a manager; or**
 6 **(B) an employee whose employer assigned duties require**
 7 **the person to have an employee's permit under**
 8 **IC 7.1-3-18-9(j)(1).**
- 9 SECTION 3. IC 7.1-3-1.5-2, AS ADDED BY P.L.161-2005,
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2017]: Sec. 2. As used in this chapter, "dealer permittee"
 12 means a person who holds:
 13 (1) a liquor ~~dealer~~ **dealer's** permit under IC 7.1-3-10 for a
 14 package liquor store; **or**
 15 **(2) a dealer's permit for a grocery store or drug store.**
- 16 SECTION 4. IC 7.1-3-2-9 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. An out-of-state
 18 brewer holding either a primary source of supply permit or an
 19 out-of-state brewer's permit may:
 20 (1) appoint a beer wholesaler to perform the services described in
 21 ~~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);~~
 22 **IC 7.1-3-3-5(g)(2);** and
 23 (2) provide a fee to a beer wholesaler who performs the services
 24 described in ~~IC 7.1-3-3-5(f)(1)~~ **IC 7.1-3-3-5(g)(1)** through
 25 ~~IC 7.1-3-3-5(f)(2);~~ **IC 7.1-3-3-5(g)(2).**
- 26 SECTION 5. IC 7.1-3-3-5, AS AMENDED BY P.L.153-2015,
 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2017]: Sec. 5. (a) The holder of a beer wholesaler's permit
 29 may purchase and import from the primary source of supply, possess,
 30 and sell at wholesale, beer and flavored malt beverages manufactured
 31 within or without this state.
 32 (b) A beer wholesaler permittee may possess, transport, sell, and
 33 deliver beer to:
 34 (1) another beer wholesaler authorized by the brewer to sell the
 35 brand purchased;
 36 (2) an employee;
 37 (3) a holder of a beer retailer's permit, beer dealer's permit,
 38 temporary beer permit, dining car permit, boat permit, airplane
 39 permit, ~~or~~ supplemental caterer's permit, **or supplemental**
 40 **dealer's permit;** and
 41 (4) a qualified organization for:
 42 (A) an allowable event to which IC 7.1-3-6.1 applies; or



1 (B) a charity auction to which IC 7.1-3-6.2 applies;
 2 located within this state. The sale, donation to a qualified organization,
 3 transportation, and delivery of beer shall be made only from inventory
 4 that has been located on the wholesaler's premises before the time of
 5 invoicing and delivery.

6 (c) The beer wholesaler's bona fide regular employees may purchase
 7 beer from the wholesaler in:

8 (1) bottles, cans, or any other type of permissible containers in an
 9 amount not to exceed forty-eight (48) pints; or

10 (2) one (1) keg;
 11 at any one (1) time.

12 (d) The importation, transportation, possession, sale, and delivery
 13 of beer shall be subject to the rules of the commission and subject to
 14 the same restrictions provided in this title for a person holding a
 15 brewer's permit.

16 (e) **Except as provided in subsection (f)**, the holder of a beer
 17 wholesaler's permit may purchase, import, possess, transport, sell, and
 18 deliver any commodity listed in ~~IC 7.1-3-10-5~~, **of the following**
 19 **commodities** unless prohibited by this title: ~~However~~;

20 **(1) Beer in permissible containers.**

21 **(2) Bar supplies used in the preparation for consumption of**
 22 **alcoholic beverages and in their consumption.**

23 **(3) Tobacco products.**

24 **(4) Uncooled and uniced charged water, carbonated soda,**
 25 **ginger ale, mineral water, grenadine, and flavoring extracts.**

26 **(5) Printed materials.**

27 **(6) Lottery tickets as provided in IC 4-30-9.**

28 **(7) Cooled or uncooled nonalcoholic malt beverages.**

29 **(8) Flavored malt beverage in its original package.**

30 (f) A beer wholesaler may deliver flavored malt beverages only to
 31 the holder of one (1) of the following permits:

32 (1) A beer wholesaler or wine wholesaler permit, if the wholesaler
 33 is authorized by the primary source of supply to sell the brand of
 34 flavored malt beverage purchased.

35 (2) A wine retailer's permit, wine dealer's permit, temporary wine
 36 permit, dining car wine permit, boat permit, airplane permit, or
 37 supplemental caterer's permit, **or supplemental dealer's permit.**

38 (g) A beer wholesaler may:

39 (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9
 40 and deliver the stored beer to another beer wholesaler that the
 41 out-of-state brewer authorizes to sell the beer;

42 (2) perform all necessary accounting and auditing functions



1 associated with the services described in subdivision (1); and
 2 (3) receive a fee from an out-of-state brewer for the services
 3 described in subdivisions (1) through (2).

4 SECTION 6. IC 7.1-3-5-2, AS AMENDED BY P.L.214-2016,
 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2017]: Sec. 2. (a) As used in this section, "proprietor of a
 7 package liquor store" means the person that:

- 8 (1) holds the financial investment in; and
 9 (2) exercises the financial and operational oversight of;

10 a package liquor store.

11 (b) The commission may issue a beer dealer's permit only to an
 12 applicant who is the proprietor of a drug store, grocery store, or
 13 package liquor store.

14 (c) ~~Subject to subsection (d)~~; The commission may issue a beer
 15 dealer's permit to an applicant that is a foreign corporation if:

- 16 (1) the applicant is duly admitted to do business in Indiana;
 17 (2) the sale of beer is within the applicant's corporate powers; and
 18 (3) the applicant is otherwise qualified under this title.

19 ~~(d) Except as provided under IC 7.1-3-21-5.6, the commission may~~
 20 ~~issue a beer dealer's permit under subsection (c) for the premises of a~~
 21 ~~package liquor store only if the proprietor of the package liquor store~~
 22 ~~satisfies the Indiana resident ownership requirements described in~~
 23 ~~IC 7.1-3-21-5(b), IC 7.1-3-21-5.2(b), or IC 7.1-3-21-5.4(b).~~

24 ~~(e) (d)~~ The commission shall not issue a beer dealer's permit to a
 25 person who is disqualified under the special disqualifications.
 26 However, the special disqualification listed in IC 7.1-3-4-2(a)(13) shall
 27 not apply to an applicant for a beer dealer's permit.

28 ~~(f) (e)~~ Notwithstanding subsection (b), the commission may renew
 29 a beer dealer's permit for an applicant who:

- 30 (1) held a permit before July 1, 1997; and
 31 (2) is the proprietor of a confectionery or a store that:
 32 (A) is not a drug store, grocery store, or package liquor store;
 33 (B) is in good repute; and
 34 (C) in the judgment of the commission, deals in merchandise
 35 that is not incompatible with the sale of beer.

36 SECTION 7. IC 7.1-3-8-3, AS AMENDED BY P.L.153-2015,
 37 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2017]: Sec. 3. (a) The holder of a liquor wholesaler's permit
 39 shall be entitled to sell liquor at wholesale.

40 (b) A liquor wholesaler shall be entitled to purchase liquor within
 41 this state from a person who holds an artisan distiller's permit, a
 42 distiller's permit, a rectifier's permit, or a liquor wholesaler's permit. A



1 liquor wholesaler also may purchase liquor outside this state from the
 2 primary source of supply and, from that source, may transport and
 3 import liquor into this state.

4 (c) A liquor wholesaler may sell, transport, and deliver liquor only
 5 to a person who, under this title, holds a:

- 6 (1) liquor retailer's permit;
- 7 (2) supplemental caterer's permit;
- 8 (3) liquor dealer's permit; ~~or~~
- 9 (4) liquor wholesaler's permit; **or**

10 **(5) supplemental dealer's permit.**

11 A liquor wholesaler may sell, donate, transport, and deliver liquor to a
 12 qualified organization for an allowable event to which IC 7.1-3-6.1
 13 applies or charity auction to which IC 7.1-3-6.2 applies. The sale,
 14 transportation, donation to a qualified organization, and delivery of
 15 liquor shall be made only from inventory that has been located on the
 16 wholesaler's premises before the time of invoicing and delivery, and
 17 only in permissible containers and is subject to the rules of the
 18 commission fixing the quantity which may be sold or delivered at any
 19 one (1) time.

20 (d) A liquor wholesaler's bona fide regular employees may purchase
 21 liquor from the wholesaler in an amount not to exceed eighteen (18)
 22 liters.

23 SECTION 8. IC 7.1-3-10-5 IS REPEALED [EFFECTIVE JULY 1,
 24 2017]. ~~Sec. 5: A package liquor store's exclusive business shall be the~~
 25 ~~selling of the following commodities only:~~

- 26 ~~(1) Liquor in its original package.~~
- 27 ~~(2) Beer in permissible containers, if the permittee has the proper~~
 28 ~~permit.~~
- 29 ~~(3) Wine in its original package.~~
- 30 ~~(4) Bar supplies used in the preparation for consumption of~~
 31 ~~alcoholic beverages and in their consumption.~~
- 32 ~~(5) Tobacco products.~~
- 33 ~~(6) Uncooled and uniced charged water, carbonated soda, ginger~~
 34 ~~ale, mineral water, grenadine, and flavoring extracts.~~
- 35 ~~(7) Printed materials.~~
- 36 ~~(8) Lottery tickets as provided in IC 4-30-9.~~
- 37 ~~(9) Cooled or uncooled nonalcoholic malt beverages.~~
- 38 ~~(10) Flavored malt beverage in its original package.~~

39 SECTION 9. IC 7.1-3-10-14 IS ADDED TO THE INDIANA CODE
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 41 1, 2017]: **Sec. 14. The holder of a liquor dealer's permit for a**
 42 **package liquor store may sell on Sunday, as provided in**



1 **IC 7.1-3-1-14, alcoholic beverages for consumption only off the**
 2 **licensed premises.**

3 SECTION 10. IC 7.1-3-13-3, AS AMENDED BY P.L.153-2015,
 4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2017]: Sec. 3. (a) The holder of a wine wholesaler's permit
 6 may purchase, import, and transport wine, brandy, or flavored malt
 7 beverage from the primary source of supply. A wine wholesaler may
 8 export and transport wine, brandy, or flavored malt beverage by the
 9 bottle, barrel, cask, or other container, to points outside Indiana. A
 10 wine wholesaler is entitled to sell, furnish, and deliver wine or flavored
 11 malt beverage from inventory that has been located on the wholesaler's
 12 premises before the time of invoicing and delivery to a wine
 13 wholesaler, a wine retailer, a supplemental caterer, a temporary wine
 14 permittee, ~~and~~ a wine dealer, **and a supplemental dealer**, but not at
 15 retail. A wine wholesaler may sell, furnish, and deliver brandy from
 16 inventory that has been located on the wholesaler's premises before the
 17 time of invoicing and delivery, but not at retail, only to a person who
 18 holds a liquor retailer's permit, a supplemental caterer's permit, ~~or~~ a
 19 liquor dealer's permit, **or a supplemental dealer's permit**. A holder of
 20 a wine wholesaler's permit may sell wine to the wine wholesaler's bona
 21 fide regular employees. A wine wholesaler may sell, donate, and
 22 deliver wine or flavored malt beverage from inventory that has been
 23 located on the wholesaler's premises before the time of invoicing and
 24 delivery to a qualified organization that is conducting an allowable
 25 event to which IC 7.1-3-6.1 applies or a charity auction to which
 26 IC 7.1-3-6.2 applies.

27 (b) As used in this section, "brandy" means:

- 28 (1) any alcoholic distillate described in 27 CFR 5.22(d) as in
 29 effect on January 1, 1983; or
 30 (2) a beverage product that:
 31 (A) is prepared from a liquid described in subdivision (1);
 32 (B) is classified as a cordial or liqueur as defined in 27 CFR
 33 5.22(h) as in effect on January 1, 1997; and
 34 (C) meets the following requirements:
 35 (i) At least sixty-six and two-thirds percent (66 2/3%) of the
 36 product's alcohol content is composed of a substance
 37 described in subdivision (1).
 38 (ii) The product's label makes no reference to any distilled
 39 spirit other than brandy.
 40 (iii) The product's alcohol content is not less than sixteen
 41 percent (16%) by volume or thirty-two (32) degrees proof.
 42 (iv) The product contains dairy cream.



1 (v) The product's sugar, dextrose, or levulose content is at
2 least twenty percent (20%) of the product's weight.

3 (vi) The product contains caramel coloring.

4 (c) Nothing in this section allows a wine wholesaler to sell, give,
5 purchase, transport, or export beer (as defined in IC 7.1-1-3-6) unless
6 the wine wholesaler also holds a beer wholesaler's permit under
7 IC 7.1-3-3-1.

8 (d) A wine wholesaler that also holds a liquor wholesaler's permit
9 under IC 7.1-3-8 may not:

10 (1) hold a beer wholesaler's permit under IC 7.1-3-3;

11 (2) possess, sell, or transport beer; or

12 (3) sell more than one million (1,000,000) gallons of flavored
13 malt beverage during a calendar year.

14 SECTION 11. IC 7.1-3-18-9, AS AMENDED BY P.L.196-2015,
15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2017]: Sec. 9. (a) The commission may issue an employee's
17 permit to a person who desires to act as:

18 (1) a sales clerk in a package liquor store;

19 **(2) an employee at a grocery store or drug store whose**
20 **employer assigned duties require the employee to have an**
21 **employee's permit under subsection (j)(1);**

22 ~~(3)~~ (3) an employee who serves wine at a farm winery; or

23 ~~(4)~~ (4) a bartender, waiter, waitress, or manager in a retail
24 establishment, excepting dining car and boat employees.

25 (b) A permit authorized by this section is conditioned upon the
26 compliance by the holder with reasonable rules relating to the permit
27 which the commission may prescribe from time to time.

28 (c) A permit issued under this section entitles its holder to work for
29 any lawful employer. However, a person may work without an
30 employee's permit for thirty (30) days from the date shown on a receipt
31 for a cashier's check or money order payable to the commission for that
32 person's employee's permit application.

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

35 (1) the sole proprietor;

36 (2) a partner, a general partner, or a limited partner in a
37 partnership or limited partnership that owns the business
38 establishment;

39 (3) a member of a limited liability company that owns the
40 business establishment; or

41 (4) a stockholder in a corporation that owns the business
42 establishment;



1 is not required to obtain an employee's permit in order to perform any
2 of the acts listed in subsection (a).

3 (e) An applicant may declare on the application form that the
4 applicant will use the employee's permit only to perform volunteer
5 service that benefits a nonprofit organization. It is unlawful for an
6 applicant who makes a declaration under this subsection to use an
7 employee's permit for any purpose other than to perform volunteer
8 service that benefits a nonprofit organization.

9 (f) The commission may not issue an employee's permit to an
10 applicant while the applicant is serving a sentence for a conviction for
11 operating while intoxicated, including any term of probation or parole.

12 (g) The commission may not issue an employee's permit to an
13 applicant who has two (2) unrelated convictions for operating while
14 intoxicated if:

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

17 (2) the applicant completed the sentence for the second
18 conviction, including any term of probation or parole, less than
19 two (2) years before the date of the applicant's application for the
20 permit.

21 (h) If an applicant for an employee's permit has at least three (3)
22 unrelated convictions for operating while intoxicated in the ten (10)
23 years immediately preceding the date of the applicant's application for
24 the permit, the commission may not grant the issuance of the permit.
25 If, in the ten (10) years immediately preceding the date of the
26 applicant's application the applicant has:

27 (1) one (1) conviction for operating while intoxicated, and the
28 applicant is not subject to subsection (f); or

29 (2) two (2) unrelated convictions for operating while intoxicated,
30 and the applicant is not subject to subsection (f) or (g);

31 the commission may grant or deny the issuance of a permit.

32 (i) Except as provided under section 9.5 of this chapter, the
33 commission shall revoke a permit issued to an employee under this
34 section if:

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

37 (2) the employee is convicted of operating while intoxicated after
38 the issuance of the permit.

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

42 **(j) This subsection applies only to a grocery store or drug store.**



1 **A sales clerk may ring up a sale of alcoholic beverages only if:**

2 **(1) the sales clerk or another employee present on the permit**
 3 **premises has an employee's permit; or**

4 **(2) a person described in subsection (d) acts as the sales clerk**
 5 **or is present on the premises.**

6 SECTION 12. IC 7.1-3-21-3, AS AMENDED BY P.L.107-2015,
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2017]: Sec. 3. The commission shall not issue an alcoholic
 9 beverage retailer's ~~or dealer's~~ permit of any type to a person who has
 10 not been a continuous and bona fide resident of Indiana for five (5)
 11 years immediately preceding the date of the application for a permit.

12 SECTION 13. IC 7.1-3-21-5, AS AMENDED BY P.L.214-2016,
 13 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2017]: Sec. 5. (a) The commission shall not issue an alcoholic
 15 beverage retailer's permit of any type to a corporation unless sixty
 16 percent (60%) of the outstanding common stock is owned by persons
 17 who have been continuous and bona fide residents of Indiana for five
 18 (5) years.

19 ~~(b) The commission shall not issue an alcoholic beverage dealer's~~
 20 ~~permit of any type for the premises of a package liquor store to a~~
 21 ~~corporation unless:~~

22 ~~(1) sixty percent (60%) of the outstanding stock in the corporation~~
 23 ~~is owned by persons who have been continuous and bona fide~~
 24 ~~residents of Indiana for five (5) years; and~~

25 ~~(2) the stock described in subdivision (1) constitutes a controlling~~
 26 ~~interest in the corporation.~~

27 ~~(c) (b) Each officer and stockholder of a corporation shall possess~~
 28 ~~all other qualifications required of an individual applicant for that~~
 29 ~~particular type of permit.~~

30 SECTION 14. IC 7.1-3-21-5.2, AS AMENDED BY P.L.214-2016,
 31 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2017]: Sec. 5.2. (a) The commission shall not issue an
 33 alcoholic beverage retailer's permit of any type to a limited partnership
 34 unless at least sixty percent (60%) of the partnership interest is owned
 35 by persons who have been continuous and bona fide residents of
 36 Indiana for five (5) years.

37 ~~(b) The commission shall not issue an alcoholic beverage dealer's~~
 38 ~~permit of any type for the premises of a package liquor store to a~~
 39 ~~limited partnership unless:~~

40 ~~(1) at least sixty percent (60%) of the partnership interest is~~
 41 ~~owned by persons who have been continuous and bona fide~~
 42 ~~residents of Indiana for five (5) years; and~~



- 1 (2) the partnership interest described in subdivision (1)
2 constitutes a controlling interest in the limited partnership.
- 3 (e) (b) Each general partner and limited partner of a limited
4 partnership must possess all other qualifications required of an
5 individual applicant for that particular type of permit.
- 6 SECTION 15. IC 7.1-3-21-5.4, AS AMENDED BY P.L.214-2016,
7 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2017]: Sec. 5.4. (a) The commission shall not issue an
9 alcoholic beverage retailer's permit of any type to a limited liability
10 company unless at least sixty percent (60%) of the membership interest
11 is owned by persons who have been continuous and bona fide residents
12 of Indiana for five (5) years.
- 13 (b) The commission shall not issue an alcoholic beverage dealer's
14 permit of any type for the premises of a package liquor store to a
15 limited liability company unless:
- 16 (1) at least sixty percent (60%) of the outstanding membership
17 interest in the limited liability company is owned by persons who
18 have been continuous and bona fide residents of Indiana for five
19 (5) years; and
- 20 (2) the membership interest described in subdivision (1)
21 constitutes a controlling interest in the limited partnership.
- 22 (e) (b) Each manager and member of a limited liability company
23 must possess all other qualifications required of an individual applicant
24 for that particular type of permit.
- 25 SECTION 16. IC 7.1-3-21-5.6 IS REPEALED [EFFECTIVE JULY
26 1, 2017]. Sec. 5-6: (a) Notwithstanding section 5, 5.2, or 5.4 of this
27 chapter, the commission may renew or transfer ownership of a dealer's
28 permit of any type for the holder of a dealer's permit who:
- 29 (1) held the permit for the premises of a package liquor store
30 before January 1, 2016; and
- 31 (2) does not qualify for the permit under section 5(b), 5.2(b), or
32 5.4(b) of this chapter.
- 33 (b) The commission may transfer ownership of a dealer's permit
34 under this section only to an applicant who satisfies the Indiana
35 resident ownership requirements under this chapter.
- 36 SECTION 17. IC 7.1-3-23-44, AS ADDED BY P.L.80-2010,
37 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2017]: Sec. 44. (a) As used in this section, "bureau" refers to
39 the child support bureau of the department of child services ~~establish~~
40 **established** by IC 31-25-3-1.
- 41 (b) As used in this section, "delinquent" has the meaning set forth
42 in IC 4-35-2-3.5.



1 (c) Upon receiving an order from the bureau (Title IV-D agency)
 2 under IC 31-25-4-32(k), the commission shall send to the person who
 3 is the subject of the order a notice that includes the following
 4 information:

5 (1) The person is delinquent and subject to an order placing the
 6 person on probationary status.

7 (2) That unless the person contacts the bureau and:

8 (A) pays the person's child support arrearage in full;

9 (B) establishes a payment plan with the bureau to pay the
 10 arrearage, which includes an income withholding order under

11 IC 31-16-15-2 or IC 31-16-15-2.5; or

12 (C) requests a hearing under IC 31-25-4-33;

13 within twenty (20) days after the date the notice is mailed, the
 14 commission shall place the person on probationary status with
 15 respect to a permit issued to the person under ~~IC 7.1-3-18-9(a)(3)~~
 16 **IC 7.1-3-18-9(a)(4)**.

17 (3) The person may contest the bureau's determination that the
 18 person is delinquent and subject to an order placing the person on
 19 probationary status by making written application to the bureau
 20 within twenty (20) days after the date the notice is mailed.

21 (4) The only basis for contesting the bureau's determination that
 22 the person is delinquent and subject to an order placing the person
 23 on probationary status is a mistake of fact.

24 (5) The procedures to:

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

26 (B) establish a payment plan with the bureau to pay the
 27 arrearage, which includes an income withholding order under
 28 IC 31-16-15-2 or IC 31-16-15-2.5; and

29 (C) request a hearing under IC 31-25-4-33.

30 (6) The probation will end ten (10) business days after the date
 31 that the commission receives a notice from the bureau that the
 32 person has:

33 (A) paid the person's child support arrearage in full; or

34 (B) established a payment plan with the bureau to pay the
 35 arrearage, which includes an income withholding order under

36 IC 31-16-15-2 or IC 31-16-15-2.5.

37 (d) If the commission is advised by the bureau that the obligor either
 38 requested a hearing and failed to appear or appeared and was found to
 39 be delinquent, the commission shall send to the person who is the
 40 subject of the order a notice that states the following:

41 (1) That a permit issued to the person under ~~IC 7.1-3-18-9(a)(3)~~

42 **IC 7.1-3-18-9(a)(4)** has been placed on probationary status,



1 beginning five (5) business days after the date the notice is
 2 mailed, and that the probation will end ten (10) business days
 3 after the date that the commission receives a notice from the
 4 bureau that the person has:

5 (A) paid the person's child support arrearage in full; or

6 (B) established a payment plan with the bureau to pay the
 7 arrearage, which includes an income withholding order under
 8 IC 31-16-15-2 or IC 31-16-15-2.5.

9 (2) That if the commission is advised by the bureau that the
 10 person whose permit has been placed on probationary status has
 11 failed to:

12 (A) pay the person's child support arrearage in full; or

13 (B) establish a payment plan with the bureau to pay the
 14 arrearage, which includes an income withholding order under
 15 IC 31-16-15-2 or IC 31-16-15-2.5;

16 within twenty (20) days after the date the notice is mailed, the
 17 commission shall suspend the person's permit.

18 (e) If a person whose permit has been placed on probationary status
 19 fails to:

20 (1) pay the person's child support arrearage in full; or

21 (2) establish a payment plan with the bureau to pay the arrearage,
 22 which includes an income withholding order under IC 31-16-15-2
 23 or IC 31-16-15-2.5;

24 within twenty (20) days after the notice required under subsection (c)
 25 is mailed, the commission shall suspend the person's permit.

26 (f) The commission may not reinstate a permit placed on probation
 27 or suspended under this section until the commission receives a notice
 28 from the bureau that the person has:

29 (1) paid the person's child support arrearage in full; or

30 (2) established a payment plan with the bureau to pay the
 31 arrearage, which includes an income withholding order under
 32 IC 31-16-15-2 or IC 31-16-15-2.5.

33 SECTION 18. IC 7.1-3-28 IS ADDED TO THE INDIANA CODE
 34 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2017]:

36 **Chapter 28. Supplemental Dealer's Permit**

37 **Sec. 1. This chapter does not apply to the holder of a liquor
 38 dealer's permit for a package liquor store.**

39 **Sec. 2. The commission may issue a supplemental dealer's
 40 permit only to a holder of a beer, wine, or liquor dealer's permit.
 41 A supplemental dealer's permit entitles the permittee to sell the
 42 appropriate alcoholic beverages on Sunday, as set forth in**



1 IC 7.1-3-1-14, for consumption only off the licensed premises.

2 Sec. 3. The holder of a supplemental dealer's permit is entitled
3 to:

4 (1) purchase alcoholic beverages only from a permittee
5 entitled to sell to the holder of the supplemental dealer's
6 permit under this title; and

7 (2) possess and sell only those types of alcoholic beverages
8 that the dealer may lawfully possess and sell under the permit
9 held by the dealer that qualifies the dealer to also hold a
10 supplemental dealer's permit.

11 Sec. 4. A supplemental dealer's permit, for purposes of this title,
12 is considered a separate and distinct type of dealer's permit and
13 does not affect the rights, privileges, and restrictions applicable to
14 any other type of dealer's permit. The rights, privileges, and
15 restrictions provided in this title for a supplemental dealer's permit
16 apply only on Sundays.

17 SECTION 19. IC 7.1-4-4.1-12.5 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2017]: Sec. 12.5. The following annual permit
20 fee is imposed for a supplemental dealer's permit issued under
21 IC 7.1-3-28:

22 (1) Five hundred dollars (\$500), if the dealer sells only beer,
23 only liquor, or only wine.

24 (2) Seven hundred fifty dollars (\$750), if the dealer sells:

25 (A) only beer and wine;

26 (B) only wine and liquor; or

27 (C) only beer and liquor.

28 (3) One thousand dollars (\$1,000), if the dealer sells beer,
29 wine, and liquor.

30 SECTION 20. IC 7.1-4-10-1.5 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2017]: Sec. 1.5. Not later than the fifth day
33 of each month, the treasurer of state shall transfer the
34 supplemental dealer's permit fee proceeds deposited with the
35 treasurer of state under IC 7.1-4-11-2.6 into the enforcement and
36 administration fund established under this chapter.

37 SECTION 21. IC 7.1-4-11-2.6 IS ADDED TO THE INDIANA
38 CODE AS A NEW SECTION TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2017]: Sec. 2.6. The chairman shall collect
40 the required permit fee paid for a supplemental dealer's permit
41 under IC 7.1-4-4.1-12.5 and deposit the proceeds of the fee daily
42 with the treasurer of state. The treasurer of state shall transfer the



1 **supplemental dealer's permit fee proceeds into the enforcement**
 2 **and administration fund under IC 7.1-4-10-1.5.**

3 SECTION 22. IC 7.1-5-5-11, AS AMENDED BY P.L.159-2014,
 4 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2017]: Sec. 11. (a) Except as provided in subsections (c) and
 6 (d), it is unlawful for a manufacturer of alcoholic beverages or a
 7 permittee authorized to sell and deliver alcoholic beverages to:

8 (1) give, supply, furnish, or grant to another permittee who
 9 purchases alcoholic beverages from the manufacturer or permittee
 10 a rebate, sum of money, accessory, furniture, fixture, loan of
 11 money, concession, privilege, use, title, interest, lease, or rental
 12 of premises; or

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

15 (b) This section shall not apply to the sale and delivery and
 16 collection of the sale price of an alcoholic beverage in the ordinary
 17 course of business.

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

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

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

26 (d) A manufacturer may offer on a nondiscriminatory basis bona
 27 fide incentives to wholesalers when the incentives are determined
 28 based on sales to retailers or dealers occurring during specified times
 29 for specified products. The incentive may be conditioned on the
 30 wholesaler selling a:

31 (1) specified product at a specified price or less than a specified
 32 price; or

33 (2) minimum quantity of a specified product to a single customer
 34 in a single transaction.

35 The incentive may not be conditioned on a wholesaler having total
 36 sales of a minimum quantity of a specified product during the
 37 applicable period.

38 (e) A person who knowingly or intentionally violates this section
 39 commits a Class A misdemeanor.

40 SECTION 23. IC 7.1-5-7-11, AS AMENDED BY P.L.196-2015,
 41 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2017]: Sec. 11. (a) The provisions of sections 9 and 10 of this



- 1 chapter shall not apply if the public place involved is one (1) of the
 2 following:
- 3 (1) Civic center.
 - 4 (2) Convention center.
 - 5 (3) Sports arena.
 - 6 (4) Bowling center.
 - 7 (5) Bona fide club.
 - 8 (6) Drug store.
 - 9 (7) Grocery store.
 - 10 (8) Boat.
 - 11 (9) Dining car.
 - 12 (10) Pullman car.
 - 13 (11) Club car.
 - 14 (12) Passenger airplane.
 - 15 (13) Horse racetrack facility holding a recognized meeting permit
 16 under IC 4-31-5.
 - 17 (14) Satellite facility (as defined in IC 4-31-2-20.5).
 - 18 (15) Catering hall under IC 7.1-3-20-24 that is not open to the
 19 public.
 - 20 (16) That part of a restaurant which is separate from a room in
 21 which is located a bar over which alcoholic beverages are sold or
 22 dispensed by the drink.
 - 23 (17) Entertainment complex.
 - 24 (18) Indoor golf facility.
 - 25 (19) A recreational facility such as a golf course, bowling center,
 26 or similar facility that has the recreational activity and not the sale
 27 of food and beverages as the principal purpose or function of the
 28 person's business.
 - 29 (20) A licensed premises owned or operated by a postsecondary
 30 educational institution described in IC 21-17-6-1.
 - 31 (21) An automobile racetrack.
 - 32 (22) An indoor theater under IC 7.1-3-20-26.
 - 33 (23) A senior residence facility campus (as defined in
 34 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
 35 furnished as provided under IC 7.1-3-1-29.
 - 36 (24) A hotel other than a part of a hotel that is a room in a
 37 restaurant in which a bar is located over which alcoholic
 38 beverages are sold or dispensed by the drink.
 - 39 (25) The location of an allowable event to which IC 7.1-3-6.1
 40 applies.
 - 41 (26) The location of a charity auction to which IC 7.1-3-6.2
 42 applies.



1 **(27) A package liquor store, if the requirements of subsection**
2 **(c) are met.**

3 (b) For the purpose of this subsection, "food" means meals prepared
4 on the licensed premises. It is lawful for a minor to be on licensed
5 premises in a room in which is located a bar over which alcoholic
6 beverages are sold or dispensed by the drink if all the following
7 conditions are met:

- 8 (1) The minor is eighteen (18) years of age or older.
- 9 (2) The minor is in the company of a parent, guardian, or family
10 member who is twenty-one (21) years of age or older.
- 11 (3) The purpose for being on the licensed premises is the
12 consumption of food and not the consumption of alcoholic
13 beverages.

14 **(c) It is lawful for a minor to be on the licensed premises of a**
15 **package liquor store if the minor is:**

- 16 **(1) employed under section 13(1) of this chapter; or**
- 17 **(2) in the company of the minor's parent or guardian who is**
18 **at least twenty-one (21) years of age.**

19 SECTION 24. IC 31-16-12-13, AS ADDED BY P.L.80-2010,
20 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2017]: Sec. 13. If a court finds that a person who holds or has
22 applied for an employee's permit issued under ~~IC 7.1-3-18-9(a)(3)~~
23 **IC 7.1-3-18-9(a)(4)** is delinquent (as defined in IC 31-25-4-2) as a
24 result of an intentional violation of an order for child support, the court
25 shall issue an order to the alcohol and tobacco commission that:

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

35 SECTION 25. IC 31-25-4-32, AS AMENDED BY P.L.80-2010,
36 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2017]: Sec. 32. (a) When the Title IV-D agency finds that an
38 obligor is delinquent, the Title IV-D agency shall send, to a verified
39 address, a notice to the obligor that does the following:

- 40 (1) Specifies that the obligor is delinquent.
- 41 (2) Describes the amount of child support that the obligor is in
42 arrears.



- 1 (3) States that unless the obligor:
 2 (A) pays the obligor's child support arrearage in full;
 3 (B) establishes a payment plan with the Title IV-D agency to
 4 pay the arrearage, which includes an income withholding
 5 order; or
 6 (C) requests a hearing under section 33 of this chapter;
 7 within twenty (20) days after the date the notice is mailed, the
 8 Title IV-D agency shall issue an order to the bureau of motor
 9 vehicles stating that the obligor is delinquent and that the
 10 obligor's driving privileges shall be suspended.
- 11 (4) Explains that the obligor has twenty (20) days after the notice
 12 is mailed to do one (1) of the following:
 13 (A) Pay the obligor's child support arrearage in full.
 14 (B) Establish a payment plan with the Title IV-D agency to
 15 pay the arrearage, which includes an income withholding order
 16 under IC 31-16-15-2 or IC 31-16-15-2.5.
 17 (C) Request a hearing under section 33 of this chapter.
- 18 (5) Explains that if the obligor has not satisfied any of the
 19 requirements of subdivision (4) within twenty (20) days after the
 20 notice is mailed, that the Title IV-D agency shall issue a notice to:
 21 (A) the board or department that regulates the obligor's
 22 profession or occupation, if any, that the obligor is delinquent
 23 and that the obligor may be subject to sanctions under
 24 IC 25-1-1.2, including suspension or revocation of the
 25 obligor's professional or occupational license;
 26 (B) the supreme court disciplinary commission if the obligor
 27 is licensed to practice law;
 28 (C) the department of education established by IC 20-19-3-1
 29 if the obligor is a licensed teacher;
 30 (D) the Indiana horse racing commission if the obligor holds
 31 or applies for a license issued under IC 4-31-6;
 32 (E) the Indiana gaming commission if the obligor holds or
 33 applies for a license issued under IC 4-33 and IC 4-35;
 34 (F) the commissioner of the department of insurance if the
 35 obligor holds or is an applicant for a license issued under
 36 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;
 37 (G) the director of the department of natural resources if the
 38 obligor holds or is an applicant for a license issued by the
 39 department of natural resources under:
 40 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);
 41 (ii) IC 14-22-14 (Lake Michigan commercial fishing
 42 license);



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



1 (2) date of birth;
 2 (3) verified address; and
 3 (4) Social Security number or driving license number;
 4 of the obligor to the bureau of motor vehicles.

5 (e) Whenever the Title IV-D agency finds that an obligor who is an
 6 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in
 7 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed
 8 to:

9 (1) pay the obligor's child support arrearage in full;
 10 (2) establish a payment plan with the Title IV-D agency to pay the
 11 arrearage, which includes an income withholding order under
 12 IC 31-16-15-2 or IC 31-16-15-2.5; or
 13 (3) request a hearing under section 33 of this chapter;
 14 the Title IV-D agency shall issue an order to the board regulating the
 15 practice of the obligor's profession or occupation stating that the
 16 obligor is delinquent.

17 (f) An order issued under subsection (e) must direct the board or
 18 department regulating the obligor's profession or occupation to impose
 19 the appropriate sanctions described under IC 25-1-1.2.

20 (g) Whenever the Title IV-D agency finds that an obligor who is an
 21 attorney or a licensed teacher is delinquent and the attorney or licensed
 22 teacher has failed to:

23 (1) pay the obligor's child support arrearage in full;
 24 (2) establish a payment plan with the Title IV-D agency to pay the
 25 arrearage, which includes an income withholding order under
 26 IC 31-16-15-2 or IC 31-16-15-2.5; or
 27 (3) request a hearing under section 33 of this chapter;
 28 the Title IV-D agency shall notify the supreme court disciplinary
 29 commission if the obligor is an attorney, or the department of education
 30 if the obligor is a licensed teacher, that the obligor is delinquent.

31 (h) Whenever the Title IV-D agency finds that an obligor who holds
 32 a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:

33 (1) pay the obligor's child support arrearage in full;
 34 (2) establish a payment plan with the Title IV-D agency to pay the
 35 arrearage, which includes an income withholding order under
 36 IC 31-16-15-2 or IC 31-16-15-2.5; or
 37 (3) request a hearing under section 33 of this chapter;
 38 the Title IV-D agency shall issue an order to the Indiana horse racing
 39 commission if the obligor holds a license issued under IC 4-31-6, or to
 40 the Indiana gaming commission if the obligor holds a license issued
 41 under IC 4-33 or IC 4-35, stating that the obligor is delinquent and
 42 directing the commission to impose the appropriate sanctions described



1 in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

2 (i) Whenever the Title IV-D agency finds that an obligor who holds
3 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has
4 failed to:

5 (1) pay the obligor's child support arrearage in full;

6 (2) establish a payment plan with the Title IV-D agency to pay the
7 arrearage, which includes an income withholding order under
8 IC 31-16-15-2 or IC 31-16-15-2.5; or

9 (3) request a hearing under section 33 of this chapter;

10 the Title IV-D agency shall issue an order to the commissioner of the
11 department of insurance stating that the obligor is delinquent and
12 directing the commissioner to impose the appropriate sanctions
13 described in IC 27-1-15.6-29 or IC 27-10-3-20.

14 (j) Whenever the Title IV-D agency finds that an obligor who holds
15 a license issued by the department of natural resources under
16 IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,
17 IC 14-24-7, or IC 14-31-3 has failed to:

18 (1) pay the obligor's child support arrearage in full;

19 (2) establish a payment plan with the Title IV-D agency to pay the
20 arrearage, which includes an income withholding order under
21 IC 31-16-15-2 or IC 31-16-15-2.5; or

22 (3) request a hearing under section 33 of this chapter;

23 the Title IV-D agency shall issue an order to the director of the
24 department of natural resources stating that the obligor is delinquent
25 and directing the director to suspend or revoke a license issued to the
26 obligor by the department of natural resources as provided in
27 IC 14-11-3.

28 (k) If the Title IV-D agency finds that an obligor who holds an
29 employee's permit issued under ~~IC 7.1-3-18-9(a)(3)~~
30 **IC 7.1-3-18-9(a)(4)** has failed to:

31 (1) pay the obligor's child support arrearage in full;

32 (2) establish a payment plan with the Title IV-D agency to pay the
33 arrearage, which includes an income withholding order under
34 IC 31-16-15-2 or IC 31-16-15-2.5; or

35 (3) request a hearing under section 33 of this chapter;

36 the Title IV-D agency shall issue an order to the alcohol and tobacco
37 commission stating that the obligor is delinquent and directing the
38 alcohol and tobacco commission to impose the appropriate sanctions
39 under IC 7.1-3-23-44.

40 (l) A person's most recent address on file with the bureau constitutes
41 a verified address for purposes of this section.

42 SECTION 26. IC 31-25-4-34, AS AMENDED BY P.L.80-2010,



1 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2017]: Sec. 34. (a) As used in this section, "board" has the
3 meaning set forth in IC 25-1-1.2-2.

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

8 (1) stating that the obligor is delinquent; and

9 (2) requiring the board to comply with the actions required under
10 IC 25-1-1.2-8(b).

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

15 (1) Indiana horse racing commission, if the obligor holds a license
16 issued under IC 4-31-6; or

17 (2) Indiana gaming commission, if the obligor holds a license
18 issued under IC 4-33 or IC 4-35;

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

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

27 (1) stating that the obligor is delinquent; and

28 (2) requiring the commissioner to comply with the actions
29 required under IC 27-1-15.6-29 or IC 27-10-3-20.

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

36 (1) stating that the obligor is delinquent; and

37 (2) requiring the director to suspend or revoke a license issued by
38 the department as provided in IC 14-11-3.

39 (f) If an obligor:

40 (1) holds an employee's permit issued under ~~IC 7.1-3-18-9(a)(3);~~
41 **IC 7.1-3-18-9(a)(4);** and

42 (2) requests a hearing under section 33 of this chapter but fails to



1 appear or appears and is found to be delinquent;
2 the Title IV-D agency shall issue an order to the alcohol and tobacco
3 commission stating that the obligor is delinquent and requiring the
4 commission to impose the appropriate sanctions under IC 7.1-3-23-44.

