

SENATE BILL No. 96

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-26-7.

Synopsis: Direct wine seller's permit. Eliminates the requirement that a person applying for or holding a direct wine seller's permit (excluding an Indiana farm winery) may not distribute wine in Indiana through a wholesaler: (1) within 120 days before the permit application; and (2) during the permit term.

Effective: July 1, 2019.

Boots

January 3, 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. 96

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 7.1-3-26-7, AS AMENDED BY P.L.107-2015,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 7. (a) The commission may issue a direct wine
4 seller's permit to an applicant who meets all of the following
5 requirements:
6 (1) The applicant is domiciled and has its principal place of
7 business in the United States.
8 (2) The applicant is engaged in the manufacture of wine.
9 (3) The applicant holds and acts within the scope of authority of
10 an alcoholic beverage license or permit to manufacture wine that
11 is required:
12 (A) in Indiana or the state where the applicant is domiciled;
13 and
14 (B) by the Tax and Trade Bureau of the United States
15 Department of the Treasury.
16 (4) The applicant qualifies with the secretary of state to do
17 business in Indiana and consents to the personal jurisdiction of



1 the commission and the courts of Indiana.

2 ~~(5)~~ The applicant:

- 3 (A) has not distributed wine through a wine wholesaler in
4 Indiana within the one hundred twenty (120) days immediately
5 preceding the applicant's application for a direct wine seller's
6 permit and does not distribute wine through a wine wholesaler
7 in Indiana during the term of the direct wine seller's permit; or
8 ~~(B)~~ has operated as a farm winery under IC 7.1-3-12.

9 ~~(6)~~ (5) The applicant completes documentation regarding the
10 applicant's application required by the commission.

11 (b) The commission may issue a direct wine seller's permit to an
12 applicant who:

- 13 (1) meets the requirements under subsection (a); and
14 (2) holds a permit issued under this title that allows the sale of an
15 alcoholic beverage at retail.

