

SENATE BILL No. 219

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-21.

Synopsis: Liquor wholesalers' permits. Removes provisions establishing residency requirements for liquor wholesalers. Removes the requirement that a partnership, in order to hold a liquor wholesaler permit, must consist of members who each satisfy the individual applicant requirements for a liquor wholesaler permit.

Effective: July 1, 2015.

Boots

January 6, 2015, read first time and referred to Committee on Public Policy.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 219

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 7.1-3-21-3, AS AMENDED BY P.L.165-2006,
2 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 3. The commission shall not issue
4 (†) an alcoholic beverage retailer's or dealer's permit of any type
5 or
6 (‡) a liquor wholesaler's permit;
7 to a person who has not been a continuous and bona fide resident of
8 Indiana for five (5) years immediately preceding the date of the
9 application for a permit.

10 SECTION 2. IC 7.1-3-21-4, AS AMENDED BY P.L.165-2006,
11 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 4. The commission shall not issue
13 (†) a liquor wholesaler's permit; or
14 (‡) an alcoholic beverage retailer's or dealer's permit
15 of any type to a partnership unless each member of the partnership
16 possesses the same qualifications as those required of an individual



1 applicant for that particular type of permit.

2 SECTION 3. IC 7.1-3-21-5, AS AMENDED BY P.L.165-2006,
3 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 5. (a) The commission shall not issue

5 (1) an alcoholic beverage retailer's or dealer's permit of any type
6 or

7 (2) a liquor wholesaler's permit;
8 to a corporation unless sixty percent (60%) of the outstanding common
9 stock is owned by persons who have been continuous and bona fide
10 residents of Indiana for five (5) years.

11 (b) The commission shall not issue a liquor wholesaler's permit to
12 a corporation unless at least one (1) of the stockholders shall have been
13 a resident, for at least one (1) year immediately prior to making
14 application for the permit, of the county in which the licensed premises
15 are to be situated:

16 (c) (b) Each officer and stockholder of a corporation shall possess
17 all other qualifications required of an individual applicant for that
18 particular type of permit.

19 SECTION 4. IC 7.1-3-21-5.2, AS AMENDED BY P.L.165-2006,
20 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 5.2. (a) The commission shall not issue

22 (1) an alcoholic beverage retailer's or dealer's permit of any type
23 or

24 (2) a liquor wholesaler's permit;
25 to a limited partnership unless at least sixty percent (60%) of the
26 partnership interest is owned by persons who have been continuous and
27 bona fide residents of Indiana for five (5) years.

28 (b) The commission shall not issue a liquor wholesaler's permit to
29 a limited partnership unless for at least one (1) year immediately before
30 making application for the permit, at least one (1) of the persons having
31 a partnership interest has been a resident of the county in which the
32 licensed premises are to be situated:

33 (c) (b) Each general partner and limited partner of a limited
34 partnership must possess all other qualifications required of an
35 individual applicant for that particular type of permit.

36 SECTION 5. IC 7.1-3-21-5.4, AS AMENDED BY P.L.165-2006,
37 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2015]: Sec. 5.4. (a) The commission shall not issue

39 (1) an alcoholic beverage retailer's or dealer's permit of any type
40 or

41 (2) a liquor wholesaler's permit;
42 to a limited liability company unless at least sixty percent (60%) of the



1 membership interest is owned by persons who have been continuous
2 and bona fide residents of Indiana for five (5) years.
3 (b) The commission shall not issue a liquor wholesaler's permit to
4 a limited liability company unless for at least one (1) year immediately
5 before making application for the permit; at least one (1) of the persons
6 having a membership interest has been a resident of the county in
7 which the licensed premises are to be situated.
8 (c) (b) Each manager and member of a limited liability company
9 must possess all other qualifications required of an individual applicant
10 for that particular type of permit.

