

SENATE BILL No. 272

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-23-20.5.

Synopsis: Alcoholic beverage licenses. Permits the alcohol and tobacco commission to suspend, revoke, or refuse to renew the alcohol permit of a person who provides adult entertainment if an adult performer has ever been convicted of a criminal offense.

Effective: July 1, 2014.

Buck

January 13, 2014, read first time and referred to Committee on Public Policy.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 272

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 7.1-3-23-20.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: **Sec. 20.5. (a) As used in this section,**
4 **"adult entertainment" means adult oriented entertainment in**
5 **which performers disrobe or perform in an unclothed state for**
6 **entertainment.**
7 **(b) This section applies to the holder of a retailer's permit that**
8 **provides adult entertainment on the licensed premises.**
9 **(c) The commission may revoke, suspend, or refuse to renew the**
10 **permit of a retailer permittee if a performer who provides adult**
11 **entertainment on the licensed premises has ever been convicted of**
12 **a criminal offense. For purposes of this section, it does not matter**
13 **whether the performer is:**
14 **(1) employed by the retail permit holder; or**
15 **(2) an independent contractor.**
16 **In addition, it does not matter whether the performer is**



- 1 **compensated by wages, tips, or otherwise.**
- 2 **(d) In considering whether to revoke, suspend, or refuse to**
- 3 **renew a retailer's permit under this section, the commission shall**
- 4 **consider the following:**
- 5 **(1) Whether the criminal offense committed by the performer**
- 6 **was committed on the premises of the retail permit holder's**
- 7 **establishment.**
- 8 **(2) Whether the holder of the retailer's permit knew or should**
- 9 **have known of the criminal offense.**
- 10 **(3) The seriousness of the criminal offense.**
- 11 **(4) The extent to which the criminal offense may affect the**
- 12 **patrons of the licensed establishment.**

