

SENATE BILL No. 248

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-22-10.

Synopsis: Sale and retirement of excess ABC permits. Provides that a city or town executive, with the approval of the legislative body, may purchase an alcoholic beverage commission (ABC) permit that is subject to a quota and that legally exceeds the quota (because of "grandfathering") at a price agreed to by the executive and the permit holder. Requires a city or town that purchases a permit that exists outside the quota to return the permit to the alcoholic beverage commission. Requires the commission to retire the permit.

Effective: July 1, 1998.

Clark

January 7, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.

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Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 248



A BILL FOR AN ACT to amend the Indiana Code concerning alcoholic beverages.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-3-22-10 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1998]: **Sec. 10. (a) This section applies to a permit subject to a
4 quota under this article that:**
5 (1) exceeds the permissible number of permits under the
6 quota; and
7 (2) is eligible for renewal by law despite the permit exceeding
8 the quota.
9 (b) A city or town may purchase a permit described in
10 subsection (a) from the permit holder. The purchase price must be
11 agreed to by:
12 (1) the permit holder; and
13 (2) the executive (as defined in IC 36-1-2-5) of the respective
14 city or town, with the approval of the legislative body (as
15 defined in IC 36-1-2-9) of the respective city or town.
16 (c) The executive of a city or town that purchases a permit
17 under subsection (b) shall return the permit to the commission.



COPY

1 **(d) The commission shall retire a permit received under**
2 **subsection (c) and may not issue to another person a permit**
3 **received under subsection (c).**

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