

January 30, 1998

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## SENATE BILL No. 248

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DIGEST OF SB0248 (Updated January 28, 1998 6:23 pm - DI 87)

**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.

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**Clark, Young, Lewis**

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January 8, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.  
January 29, 1998, reported favorably — Do Pass.

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SB 248—LS 6978/DI 02



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P  
Y

January 30, 1998

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

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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.

SB 248—LS 6978/DI 02



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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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SENATE MOTION

Mr. President: I move that Senators R. Young and Lewis be added as coauthors of Senate Bill 240.

SERVER

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill 248, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 248 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 8, Nays 0.

C  
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y

