



March 23, 1999

**ENGROSSED
SENATE BILL No. 98**

DIGEST OF SB0098 (Updated March 17, 1999 6:14 pm - DI 87)

Citations Affected: IC 7.1-3.

Synopsis: Sampling alcoholic beverages. Provides that alcoholic beverage retailers may allow customers to sample limited quantities of wines (if the retailer holds a two-way permit) or wines, liquors, liqueurs, and cordials (if the retailer holds a three-way permit) on the retailer's premises and during regular business hours. Provides that package liquor stores may allow customers to sample limited quantities of liquors at the store during regular business hours.

Effective: July 1, 1999.

Meeks R, Lewis, Howard

(HOUSE SPONSORS — BISCHOFF, ALDERMAN, KUZMAN)

January 6, 1999, read first time and referred to Committee on Commerce and Consumer Affairs.

January 28, 1999, amended, reported favorably — Do Pass.

February 1, 1999, read second time, ordered engrossed. Engrossed.

February 2, 1999, read third time, passed. Yeas 32, nays 15.

HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Public Policy, Ethics and Veterans Affairs.

March 22, 1999, reported — Do Pass.

C
O
P
Y

ES 98—LS 6548/DI 2+



March 23, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED SENATE BILL No. 98

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 7.1-3-9-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 11. (a) A liquor retailer may allow customers to**
4 **sample the following:**
5 (1) **Wines.**
6 (2) **Liquors.**
7 (3) **Liqueurs and cordials (as defined in 27 CFR 5.22(h)).**
8 **(b) Sampling is permitted only:**
9 (1) **on the liquor retailer's permit premises; and**
10 (2) **during the permittee's regular business hours.**
11 **(c) A liquor retailer may not charge for the samples provided to**
12 **customers.**
13 **(d) Sample size of wines may not exceed one (1) ounce.**
14 **(e) In addition to the other provisions of this section, a liquor**
15 **retailer who allows customers to sample liquors, liqueurs, or**
16 **cordials shall comply with all of the following:**

ES 98—LS 6548/DI 2+



C
O
P
Y

- 1 **(1) A liquor retailer may allow a customer to sample only a**
 2 **combined total of two (2) liquor, liqueur, or cordial samples**
 3 **per day.**
 4 **(2) Sample size of liqueurs or cordials may not exceed**
 5 **one-half (1/2) ounce.**
 6 **(3) Sample size of liquors may not exceed four-tenths (0.4)**
 7 **ounce.**
 8 SECTION 2. IC 7.1-3-10-13 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 13. (a) A liquor dealer
 10 permittee who is a proprietor of a package liquor store may allow
 11 customers to sample **the following:**
 12 **(1) Wines. and**
 13 **(2) Liquors.**
 14 **(3) Liqueurs and cordials (as defined in 27 CFR 5.22(h)).**
 15 (b) Sampling is permitted:
 16 (1) only on the package liquor store permit premises; and
 17 (2) only during the store's regular business hours.
 18 (c) No charge may be made for the samples provided to the
 19 customers.
 20 (d) Sample size **of wines** may not exceed one (1) ounce.
 21 (e) In addition to the other provisions of this section, a proprietor
 22 who allows customers to sample **liquors**, liqueurs, or cordials shall
 23 comply with all of the following:
 24 (1) A proprietor may ~~not~~ allow a customer to sample ~~more than~~
 25 **not more than a combined total of two (2) liquor, liqueur, or**
 26 **cordial samples per day.**
 27 (2) Sample size of liqueurs or cordials may not exceed one-half
 28 (1/2) ounce.
 29 **(3) Sample size of liquors may not exceed four-tenths (0.4)**
 30 **ounce.**
 31 SECTION 3. IC 7.1-3-14-7 IS ADDED TO THE INDIANA CODE
 32 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
 33 1, 1999]: **Sec. 7. (a) A wine retailer may allow customers to sample**
 34 **wines.**
 35 **(b) Sampling is permitted:**
 36 **(1) only on the wine retailer's permit premises; and**
 37 **(2) only during the permittee's regular business hours.**
 38 **(c) A wine retailer may not charge for the samples provided to**
 39 **the customers.**
 40 **(d) Sample size may not exceed one (1) ounce.**



C
O
P
Y

SENATE MOTION

Mr. President: I move that Senator Lewis be added as coauthor of Senate Bill 98.

MEEKS R

SENATE MOTION

Mr. President: I move that Senator Howard be added as coauthor of Senate Bill 98.

MEEKS R

C
o
p
y



COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Consumer Affairs, to which was referred Senate Bill No. 98, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 3, delete "liquors,".

Page 2, line 3, after "liqueurs" delete ",,".

Page 2, between lines 4 and 5, begin a new line block indented and insert:

"(3) Sample size of liquors may not exceed four-tenths (0.4) ounce."

Page 2, line 24, delete "liquors,".

Page 2, line 24, after "liqueurs" delete ",,".

Page 2, between lines 25 and 26, begin a new line block indented and insert:

"(3) Sample size of liquors may not exceed four-tenths (0.4) ounce."

and when so amended that said bill do pass.

(Reference is to SB 98 as introduced.)

MILLS, Chairperson

Committee Vote: Yeas 10, Nays 0.

C
O
P
Y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred Senate Bill 98, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KUZMAN, Chair

Committee Vote: yeas 13, nays 1.

C
o
p
y

