

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
(317) 232-9855

**FISCAL IMPACT STATEMENT**

**LS 6299**

**BILL NUMBER: HB 1104**

**DATE PREPARED:** Feb 24, 1999

**BILL AMENDED:** Feb 24, 1999

**SUBJECT:** Non commercial beer and wine

**FISCAL ANALYST:** Kristin Breen

**PHONE NUMBER:** 232-9567

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) This bill provides that the alcoholic beverage laws do not prohibit the manufacture of beer or wine that is not offered for sale and is used only for specific personal or noncommercial uses. It provides that a brewer or winery may allow transportation to and consumption of this beer or wine on the licensed premises but may not allow sale of the product on the licensed premises. It allows a person to carry, convey, or consume this beer or wine on or about a licensed premises.

**Effective Date:** July 1, 1999.

**Explanation of State Expenditures:**

**Explanation of State Revenues:** This bill may result in a minimal decrease in the number of Class C misdemeanor cases. If fewer court cases occur and fewer fines are collected, revenue to both the Common School Fund and the state General Fund would decrease. The maximum fine for a Class C misdemeanor is \$500. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, county or municipal court (courts of record), 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

**Explanation of Local Expenditures:** This bill may decrease jail expenses by a minimal amount. A Class C misdemeanor is punishable by up to 60 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

**Explanation of Local Revenues:** If fewer court actions occur, local governments would receive less court fee revenue.

**State Agencies Affected:**

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**