

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

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7021

BILL NUMBER: HB 1391

DATE PREPARED: Dec 28, 1998

BILL AMENDED:

SUBJECT: Penalties for sale of alcohol to minors.

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FUNDS AFFECTED: **GENERAL**
 DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill makes it a Class A misdemeanor instead of a Class C misdemeanor for a person to recklessly sell, barter, exchange, provide, or furnish an alcoholic beverage to a minor. It provides penalties on a progressive scale for retailer and dealer permittees for subsequent violations of recklessly supplying minors with alcoholic beverages.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: This bill requires the Alcoholic Beverage Commission (ABC) to fine, suspend, or fine and suspend retailer and dealer permittees for violations of recklessly supplying minors with alcoholic beverages. Under current law, the ABC may fine or suspend permittees. The maximum penalty for a retailer or dealer permittee is \$1,000 per violation. Fines are deposited in the ABC's Enforcement and Administration Fund. The ABC must use the money received from these fines for the enforcement of laws concerning the consumption of alcoholic beverages by minors.

Revenue to the Common School Fund may increase if a person is sentenced for a Class A misdemeanor rather than for a Class C misdemeanor. The maximum fine for a Class C misdemeanor is \$500, while the maximum fine for a Class A misdemeanor is \$5,000. Court fees of \$120 would remain unchanged.

Explanation of Local Expenditures: Costs to local governments could increase because the maximum term of imprisonment for a Class C misdemeanor is up to 60 days, while the maximum term for a Class A misdemeanor is up to one year. The average daily cost of housing a prisoner is an approximately \$44.

Explanation of Local Revenues: Court fees of \$120 would remain unchanged.

State Agencies Affected: Alcoholic Beverage Commission.

Local Agencies Affected: Trial courts; local law enforcement agencies.

Information Sources: Indiana Sheriffs Association.