



January 29, 1999

SENATE BILL No. 98

DIGEST OF SB 98 (Updated January 28, 1999 3:09 pm - DI 75)

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

January 6, 1999, read first time and referred to Committee on Commerce and Consumer Affairs.
January 28, 1999, amended, reported favorably — Do Pass.

SB 98—LS 6548/DI 2+



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January 29, 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.

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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:
17 (1) A liquor retailer may allow a customer to sample only a

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

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SENATE MOTION

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

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SENATE MOTION

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

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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.

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