
SENATE BILL No. 239

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3; IC 7.1-5; IC 34-30-2-19.5.

Synopsis: Alcoholic beverage issues. Allows a small brewery to sell and deliver beer to a consumer. Removes a provision that allows a large brewery to sell and deliver beer to a consumer. Requires an applicant for a beer wholesaler's permit to describe the premises to be used as a warehouse. Provides that a beer wholesaler's warehouse does not have to be located within the corporate limits of an incorporated city or town. Removes a provision that allows the alcohol and tobacco commission (ATC) to issue only one beer wholesaler's permit to an applicant. Prohibits a beer wholesaler from selling beer to a consumer other than an employee of the wholesaler. Allows a beer wholesaler to have an interest in another permit to sell at wholesale alcoholic beverages of any type. Allows liquor retailers and liquor dealers to provide samples of flavored malt beverages and hard cider. Establishes requirements that a wine wholesaler must meet to resell wine purchased at an estate sale. Provides a wholesaler with immunity from civil liability for product liability or negligence regarding wine the wholesaler purchased at an estate auction and resold. Eliminates residency requirements for dealers. Establishes quotas for liquor wholesaler permits and wine wholesaler permits. Allows a beer wholesaler to have an interest in a wine or liquor wholesaler's permit. Makes it a Class D felony for a wholesaler to sell a brand of alcoholic beverages that the permittee has not been authorized to sell by the brand's primary source of supply, and allows an injured permittee to bring a civil action against the wholesaler. Repeals a provision prohibiting the ATC from issuing a beer wholesaler's permit to a person who holds a wine wholesaler's permit and a liquor wholesaler's permit.

Effective: July 1, 2008.

Weatherwax

January 8, 2008, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.



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Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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SENATE BILL No. 239



A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-3-2-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. The holder of a
3 brewer's permit or an out-of-state brewer holding either a primary
4 source of supply permit or an out-of-state brewer's permit may do the
5 following:

- 6 (1) Manufacture beer.
- 7 (2) Place beer in containers or bottles.
- 8 (3) Transport beer.
- 9 (4) Sell and deliver beer to a person holding a beer wholesaler's
10 permit issued under IC 7.1-3-3.
- 11 (5) If the brewer's brewery manufactures not more than twenty
12 thousand (20,000) barrels of beer in a calendar year, do the
13 following:
 - 14 (A) Sell and deliver beer to a person holding a retailer or a
15 dealer permit under this title.
 - 16 (B) Be the proprietor of a restaurant.
 - 17 (C) Hold a beer retailer's permit, a wine retailer's permit, or a



- 1 liquor retailer's permit for a restaurant established under clause
- 2 (B).
- 3 (D) Transfer beer directly from the brewery to the restaurant
- 4 by means of:
- 5 (i) bulk containers; or
- 6 (ii) a continuous flow system.
- 7 (E) Install a window between the brewery and an adjacent
- 8 restaurant that allows the public and the permittee to view both
- 9 premises.
- 10 (F) Install a doorway or other opening between the brewery
- 11 and an adjacent restaurant that provides the public and the
- 12 permittee with access to both premises.
- 13 (G) Sell the brewery's beer by the glass for consumption on the
- 14 premises. Brewers permitted to sell beer by the glass under
- 15 this clause must furnish the minimum food requirements
- 16 prescribed by the commission.
- 17 **(H) Sell and deliver beer to a consumer at the permit**
- 18 **premises of the brewer or at the residence of the consumer.**
- 19 **The delivery to a consumer may be made only in a quantity**
- 20 **at any one (1) time of not more than one-half (1/2) barrel,**
- 21 **but the beer may be contained in bottles or other**
- 22 **permissible containers.**
- 23 (6) If the brewer's brewery manufactures more than twenty
- 24 thousand (20,000) barrels of beer in a calendar year, own a
- 25 portion of the corporate stock of another brewery that:
- 26 (A) is located in the same county as the brewer's brewery;
- 27 (B) manufactures less than twenty thousand (20,000) barrels
- 28 of beer in a calendar year; and
- 29 (C) is the proprietor of a restaurant that operates under
- 30 subdivision (5).
- 31 ~~(7) Sell and deliver beer to a consumer at the plant of the brewer~~
- 32 ~~or at the residence of the consumer. The delivery to a consumer~~
- 33 ~~shall be made only in a quantity at any one (1) time of not more~~
- 34 ~~than one-half (1/2) barrel; but the beer may be contained in bottles~~
- 35 ~~or other permissible containers.~~
- 36 ~~(8) (7) Provide complimentary samples of beer that are:~~
- 37 ~~(A) produced by the brewer; and~~
- 38 ~~(B) offered to consumers for consumption on the brewer's~~
- 39 ~~premises.~~
- 40 ~~(9) (8) Own a portion of the corporate stock of a sports~~
- 41 ~~corporation that:~~
- 42 ~~(A) manages a minor league baseball stadium located in the~~

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- 1 same county as the brewer's brewery; and
- 2 (B) holds a beer retailer's permit, a wine retailer's permit, or a
- 3 liquor retailer's permit for a restaurant located in that stadium.
- 4 ~~(+)~~ **(9)** For beer described in IC 7.1-1-2-3(a)(4):
- 5 (A) may allow transportation to and consumption of the beer
- 6 on the licensed premises; and
- 7 (B) may not sell, offer to sell, or allow sale of the beer on the
- 8 licensed premises.

9 SECTION 2. IC 7.1-3-3-4 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. ~~(a)~~ The premises to
 11 be used as a warehouse by an applicant shall be described in the
 12 application for the permit ~~The commission shall not issue a beer~~
 13 ~~wholesaler's permit to an applicant for any other warehouse or premises~~
 14 ~~than that described in the application. The commission shall issue only~~
 15 ~~one (+) beer wholesaler's permit to an applicant, but and may be~~
 16 **located inside or outside the corporate limits of an incorporated**
 17 **city or town.** A permittee may be permitted to transfer ~~his the~~
 18 **permittee's** warehouse to another location within the county, upon
 19 application to, and approval of, the commission.

20 (b) ~~As used in this subsection, "immediate relative" means the~~
 21 ~~father, the mother, a brother, a sister, a son, or a daughter of a~~
 22 ~~wholesaler permittee. Notwithstanding subsection (a), the commission,~~
 23 ~~upon the death or legally adjudged mental incapacitation of a~~
 24 ~~wholesaler permittee, may allow the transfer of the wholesaler permit~~
 25 ~~only to an immediate relative of the wholesaler permittee who~~
 26 ~~concurrently holds a majority share in a valid wholesaler permit.~~

27 SECTION 3. IC 7.1-3-3-5, AS AMENDED BY P.L.224-2005,
 28 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2008]: Sec. 5. (a) The holder of a beer wholesaler's permit
 30 may purchase and import from the primary source of supply, possess,
 31 and sell at wholesale, beer and flavored malt beverages manufactured
 32 within or without this state.

33 (b) A beer wholesaler permittee may possess, transport, sell, and
 34 deliver beer to:

- 35 (1) another beer wholesaler authorized by the brewer to sell the
- 36 brand purchased;
- 37 (2) ~~a consumer;~~ **an employee;** or
- 38 (3) a holder of a beer retailer's permit, beer dealer's permit,
- 39 temporary beer permit, dining car permit, boat permit, airplane
- 40 permit, or supplemental caterer's permit;

41 located within this state. The sale, transportation, and delivery of beer
 42 shall be made only from inventory that has been located on the

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1 wholesaler's premises before the time of invoicing and delivery.

2 (c) ~~Delivery of beer to a consumer shall be made in barrels only~~
 3 ~~with the exception of~~ The beer wholesaler's bona fide regular
 4 employees ~~who~~ may purchase beer from the wholesaler in:

5 (1) bottles, cans, or any other type of permissible containers in an
 6 amount not to exceed forty-eight (48) pints; **or**

7 **(2) one (1) keg;**

8 at any one (1) time.

9 (d) The importation, transportation, possession, sale, and delivery
 10 of beer shall be subject to the rules of the commission and subject to
 11 the same restrictions provided in this title for a person holding a
 12 brewer's permit.

13 (e) The holder of a beer wholesaler's permit may purchase, import,
 14 possess, transport, sell, and deliver any commodity listed in
 15 IC 7.1-3-10-5, unless prohibited by this title. However, a beer
 16 wholesaler may deliver flavored malt beverages only to the holder of
 17 one (1) of the following permits:

18 (1) A beer wholesaler or wine wholesaler permit, if the wholesaler
 19 is authorized by the primary source of supply to sell the brand of
 20 flavored malt beverage purchased.

21 (2) A wine retailer's permit, wine dealer's permit, temporary wine
 22 permit, dining car wine permit, boat permit, airplane permit, or
 23 supplemental caterer's permit.

24 (f) A beer wholesaler may:

25 (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9
 26 and deliver the stored beer to another beer wholesaler that the
 27 out-of-state brewer authorizes to sell the beer;

28 (2) perform all necessary accounting and auditing functions
 29 associated with the services described in subdivision (1); and

30 (3) receive a fee from an out-of-state brewer for the services
 31 described in subdivisions (1) through (2).

32 SECTION 4. IC 7.1-3-9-11 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 11. (a) A liquor retailer
 34 may allow customers to sample the following:

35 (1) Beer.

36 (2) Wines.

37 (3) Liquors.

38 (4) Liqueurs and cordials (as defined in 27 CFR 5.22(h)).

39 **(5) Flavored malt beverages.**

40 **(6) Hard cider.**

41 (b) Sampling is permitted only:

42 (1) on the liquor retailer's permit premises; and

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- 1 (2) during the permittee's regular business hours.
- 2 (c) A liquor retailer may not charge for the samples provided to
- 3 customers.
- 4 (d) Sample size of wines may not exceed one (1) ounce.
- 5 (e) In addition to the other provisions of this section, a liquor retailer
- 6 who allows customers to sample liquors, liqueurs, or cordials shall
- 7 comply with all of the following:
- 8 (1) A liquor retailer may allow a customer to sample only a
- 9 combined total of two (2) liquor, liqueur, or cordial samples per
- 10 day.
- 11 (2) Sample size of liqueurs or cordials may not exceed one-half
- 12 (1/2) ounce.
- 13 (3) Sample size of liquors may not exceed four-tenths (0.4) ounce.
- 14 (f) A sample size of beer, **flavored malt beverages, or hard cider**
- 15 may not exceed six (6) ounces.
- 16 SECTION 5. IC 7.1-3-10-13 IS AMENDED TO READ AS
- 17 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 13. (a) A liquor dealer
- 18 permittee who is a proprietor of a package liquor store may allow
- 19 customers to sample the following:
- 20 (1) Beer.
- 21 (2) Wines.
- 22 (3) Liquors.
- 23 (4) Liqueurs and cordials (as defined in 27 CFR 5.22(h)).
- 24 (5) **Flavored malt beverages.**
- 25 (6) **Hard cider.**
- 26 (b) Sampling is permitted:
- 27 (1) only on the package liquor store permit premises; and
- 28 (2) only during the store's regular business hours.
- 29 (c) No charge may be made for the samples provided to the
- 30 customers.
- 31 (d) Sample size of wines may not exceed one (1) ounce.
- 32 (e) In addition to the other provisions of this section, a proprietor
- 33 who allows customers to sample liquors, liqueurs, or cordials shall
- 34 comply with all of the following:
- 35 (1) A proprietor may allow a customer to sample not more than a
- 36 combined total of two (2) liquor, liqueur, or cordial samples per
- 37 day.
- 38 (2) Sample size of liqueurs or cordials may not exceed one-half
- 39 (1/2) ounce.
- 40 (3) Sample size of liquors may not exceed four-tenths (0.4) ounce.
- 41 (f) Sample size of beer, **flavored malt beverages, or hard cider**
- 42 may not exceed six (6) ounces.

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1 SECTION 6. IC 7.1-3-13-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) The commission
3 may issue a wine wholesaler's permit to sell wine, or wine and brandy,
4 at wholesale to a person who:

- 5 (1) ~~notwithstanding IC 7.1-5-9-4~~, holds a beer wholesaler's
6 permit;
- 7 (2) holds a liquor wholesaler's permit; or
- 8 (3) does not hold an alcoholic beverage wholesaler's permit, but
9 meets the qualifications to hold either a beer or a liquor
10 wholesaler's permit.

11 (b) The holder of a wine wholesaler's permit under subsection (a)(1)
12 or (a)(2):

- 13 (1) is considered the same as a person who holds a wine
14 wholesaler's permit under subsection (a)(3) for purposes of
15 conducting activities and operations under the wine wholesaler's
16 permit; and
- 17 (2) may operate the beer or liquor wholesale business
18 independently of the wine wholesale business.

19 SECTION 7. IC 7.1-3-13-3.5 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2008]: Sec. 3.5. (a) As used in this section,
22 "primary source" means the primary source of wine sold at an
23 estate sale.

24 (b) A wine wholesaler may sell wine purchased by the
25 wholesaler at an estate sale only if the following requirements are
26 met:

- 27 (1) The seller of wine is a bona fide estate of an Indiana
28 decedent.
- 29 (2) The primary source is authorized to sell wine in Indiana
30 on the date the wholesaler resells the wine purchased at the
31 estate sale.
- 32 (3) The seller gives the primary source notice that the wine
33 was purchased by the wholesaler at the estate sale. The notice
34 must include:
 - 35 (A) the name of the seller;
 - 36 (B) the amount of the wine purchased at the estate sale and
37 the sale price; and
 - 38 (C) the vintage of the wine purchased by the wholesaler.
- 39 (4) The primary source authorizes the wholesaler to resell the
40 wine purchased at the estate sale.
- 41 (5) Each wine bottle has a sticker affixed to it indicating that
42 the wine was purchased from an estate.

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1 **(c) A wholesaler is not liable for product liability or negligence**
2 **for wine that the wholesaler purchases at an estate sale and resells.**

3 SECTION 8. IC 7.1-3-21-3, AS AMENDED BY P.L.165-2006,
4 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2008]: Sec. 3. The commission shall not issue:

- 6 (1) an alcoholic beverage retailer's ~~or dealer's~~ permit of any type;
- 7 or
- 8 (2) a liquor wholesaler's permit;

9 to a person who has not been a continuous and bona fide resident of
10 Indiana for five (5) years immediately preceding the date of the
11 application for a permit.

12 SECTION 9. IC 7.1-3-21-4, AS AMENDED BY P.L.165-2006,
13 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2008]: Sec. 4. The commission shall not issue:

- 15 (1) a liquor wholesaler's permit; or
- 16 (2) an alcoholic beverage retailer's ~~or dealer's~~ permit;

17 of any type to a partnership unless each member of the partnership
18 possesses the same qualifications as those required of an individual
19 applicant for that particular type of permit.

20 SECTION 10. IC 7.1-3-21-5, AS AMENDED BY P.L.165-2006,
21 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2008]: Sec. 5. (a) The commission shall not issue:

- 23 (1) an alcoholic beverage retailer's ~~or dealer's~~ permit of any type;
- 24 or
- 25 (2) a liquor wholesaler's permit;

26 to a corporation unless sixty percent (60%) of the outstanding common
27 stock is owned by persons who have been continuous and bona fide
28 residents of Indiana for five (5) years.

29 (b) The commission shall not issue a liquor wholesaler's permit to
30 a corporation unless at least one (1) of the stockholders shall have been
31 a resident, for at least one (1) year immediately prior to making
32 application for the permit, of the county in which the licensed premises
33 are to be situated.

34 (c) Each officer and stockholder of a corporation shall possess all
35 other qualifications required of an individual applicant for that
36 particular type of permit.

37 SECTION 11. IC 7.1-3-21-5.2, AS AMENDED BY P.L.165-2006,
38 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2008]: Sec. 5.2. (a) The commission shall not issue:

- 40 (1) an alcoholic beverage retailer's ~~or dealer's~~ permit of any type;
- 41 or
- 42 (2) a liquor wholesaler's permit;

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1 to a limited partnership unless at least sixty percent (60%) of the
2 partnership interest is owned by persons who have been continuous and
3 bona fide residents of Indiana for five (5) years.

4 (b) The commission shall not issue a liquor wholesaler's permit to
5 a limited partnership unless for at least one (1) year immediately before
6 making application for the permit, at least one (1) of the persons having
7 a partnership interest has been a resident of the county in which the
8 licensed premises are to be situated.

9 (c) Each general partner and limited partner of a limited partnership
10 must possess all other qualifications required of an individual applicant
11 for that particular type of permit.

12 SECTION 12. IC 7.1-3-21-5.4, AS AMENDED BY P.L.165-2006,
13 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2008]: Sec. 5.4. (a) The commission shall not issue:

- 15 (1) an alcoholic beverage retailer's ~~or dealer's~~ permit of any type;
- 16 or
- 17 (2) a liquor wholesaler's permit;

18 to a limited liability company unless at least sixty percent (60%) of the
19 membership interest is owned by persons who have been continuous
20 and bona fide residents of Indiana for five (5) years.

21 (b) The commission shall not issue a liquor wholesaler's permit to
22 a limited liability company unless for at least one (1) year immediately
23 before making application for the permit, at least one (1) of the persons
24 having a membership interest has been a resident of the county in
25 which the licensed premises are to be situated.

26 (c) Each manager and member of a limited liability company must
27 possess all other qualifications required of an individual applicant for
28 that particular type of permit.

29 SECTION 13. IC 7.1-3-21-6, AS AMENDED BY P.L.233-2007,
30 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2008]: Sec. 6. (a) The provisions of sections 4, 5, 5.2, and 5.4
32 of this chapter concerning retail ~~and dealer~~ partnerships, corporations,
33 limited partnerships, and limited liability companies shall not apply to
34 the issuance of:

- 35 (1) a dining car permit;
- 36 (2) a boat permit;
- 37 (3) a drug store permit;
- 38 (4) a grocery store permit;
- 39 (5) a hotel permit;
- 40 (6) an airplane permit;
- 41 (7) a gaming site permit;
- 42 (8) a horse track permit;

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- 1 (9) a satellite facility permit; or
- 2 (10) a retail permit to an establishment:
 - 3 (A) that is sufficiently served by adequate law enforcement at
 - 4 its permit location; and
 - 5 (B) whose annual gross food sales at the permit location:
 - 6 (i) exceed one hundred thousand dollars (\$100,000); or
 - 7 (ii) in the case of a new application and as proved by the
 - 8 applicant to the local board and the commission, will exceed
 - 9 two hundred thousand dollars (\$200,000) by the end of the
 - 10 two (2) year period from the date of the issuance of the
 - 11 permit.

- 12 (b) The commission shall not issue a permit listed in subsection (a)
- 13 to a foreign:
 - 14 (1) corporation;
 - 15 (2) limited partnership; or
 - 16 (3) limited liability company;

17 that is not duly qualified to do business in Indiana.

18 SECTION 14. IC 7.1-3-22-2.1 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2008]: **Sec. 2.1. (a) Except as provided in**
21 **subsection (b), the commission may issue only one (1) liquor**
22 **wholesaler's permit in each county in Indiana.**

23 **(b) The commission may issue additional liquor wholesaler's**
24 **permits on the basis of one (1) additional permit for each**
25 **thirty-five thousand (35,000) unit of population, or fraction**
26 **thereof, in a county whose population exceeds thirty-five thousand**
27 **(35,000).**

28 **(c) This section does not affect a permit issued or the right of**
29 **renewal or successive renewals of a permit issued in a county in**
30 **which the limitations under subsection (a) or (b) are exceeded, as**
31 **of June 30, 2008.**

32 SECTION 15. IC 7.1-3-22-2.2 IS ADDED TO THE INDIANA
33 CODE AS A NEW SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2008]: **Sec. 2.2. (a) Except as provided in**
35 **subsection (b), the commission may issue only one (1) wine**
36 **wholesaler's permit in each county in Indiana.**

37 **(b) The commission may issue additional wine wholesaler's**
38 **permits on the basis of one (1) additional permit for each**
39 **thirty-five thousand (35,000) unit of population, or fraction**
40 **thereof, in a county whose population exceeds thirty-five thousand**
41 **(35,000).**

42 **(c) This section does not affect a permit issued or the right of**

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1 **renewal or successive renewals of a permit issued in a county in**
2 **which the limitations under subsection (a) or (b) are exceeded, as**
3 **of June 30, 2008.**

4 SECTION 16. IC 7.1-5-9-3 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. (a) This section
6 applies to a brewer that manufactures more than twenty thousand
7 (20,000) barrels of beer in a calendar year.

8 (b) It is unlawful for the holder of a brewer's ~~or beer wholesaler's~~
9 permit to have an interest in a liquor permit of any type under this title.

10 SECTION 17. IC 7.1-5-9-4 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. ~~Except as provided~~
12 ~~in IC 7.1-3-3-4,~~ An applicant for a beer wholesaler's permit shall have
13 no interest in the following:

14 (1) A permit to manufacture or to sell at retail alcoholic beverages
15 of any kind.

16 ~~(2) Any other permit to wholesale alcoholic beverages.~~

17 ~~(3)~~ (2) Through stock ownership or otherwise, a partnership,
18 limited liability company, or corporation that holds

19 ~~(A)~~ a permit to manufacture or to sell at retail alcoholic
20 beverages of any kind. ~~or~~

21 ~~(B)~~ any other permit to wholesale alcoholic beverages of any
22 kind.

23 SECTION 18. IC 7.1-5-10-23 IS ADDED TO THE INDIANA
24 CODE AS A NEW SECTION TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2008]: Sec. 23. (a) **A wholesaler permittee**
26 **who knowingly or intentionally sells a brand of alcoholic beverages**
27 **that the wholesaler permittee has not been authorized to sell by the**
28 **brand's primary source of supply commits a Class D felony.**

29 (b) **A permittee who is injured as a result of a violation of this**
30 **section has a private right of action to bring a civil action to**
31 **recover compensatory damages against the wholesaler permittee**
32 **who violates this section.**

33 SECTION 19. IC 34-30-2-19.5 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2008]: Sec. 19.5. **IC 7.1-3-13-3.5 (Concerning**
36 **wine purchased at an estate sale and resold by a wine wholesaler).**

37 SECTION 20. IC 7.1-3-3-19 IS REPEALED [EFFECTIVE JULY
38 1, 2008].

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