

Adopted Rejected

# COMMITTEE REPORT

YES: 9  
NO: 0

**MR. SPEAKER:**

*Your Committee on Public Policy, to which was referred House Bill 1320, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, delete lines 19 through 42, begin a new paragraph and
- 2 insert:
- 3 "SECTION 3. IC 7.1-3-23-9.5 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2011]: **Sec. 9.5. (a) If:**
- 6 **(1) the commission initiates a permit violation proceeding**
- 7 **against the holder of:**
- 8 **(A) a retailer permit; or**
- 9 **(B) a dealer permit for a package liquor store;**
- 10 **for a violation of IC 7.1-5-7-8; and**
- 11 **(2) the permit violation under subdivision (1) occurred**
- 12 **because an employee of the retailer or dealer permit**
- 13 **unlawfully furnished an alcoholic beverage to a minor in**
- 14 **violation of IC 7.1-5-7-8;**

1       **the commission shall also initiate a permit violation proceeding**  
2       **against the employee's employee permit under IC 7.1-3-18-9 for**  
3       **violating IC 7.1-5-7-8.**

4       **(b) This subsection applies only to a violation by an employee**  
5       **that occurs after June 30, 2011. Except as provided in subsection**  
6       **(d), if the commission finds as a result of the proceeding that the**  
7       **holder of the employee permit violated IC 7-1-5-7-8, the**  
8       **commission shall do the following:**

9           **(1) If the violation is the employee's first violation, the**  
10          **commission shall:**

11                  **(A) issue the employee a disciplinary warning; and**

12                  **(B) impose on the employee a civil penalty of one hundred**  
13                  **dollars (\$100).**

14          **(2) If the violation is the employee's second or subsequent**  
15          **violation, the commission shall:**

16                  **(A) suspend or deny the renewal of the employee's**  
17                  **employee permit under IC 7.1-3-18-9 for two (2) years**  
18                  **after the date of the violation; and**

19                  **(B) impose on the employee a civil penalty of two hundred**  
20                  **dollars (\$200).**

21          **(c) If the employee does not pay a civil penalty imposed by the**  
22          **commission under subsection (b), the commission may suspend or**  
23          **lengthen the period of the suspension of the employee's employee**  
24          **permit as set forth in section 4 of this chapter.**

25          **(d) Any violation under subsection (b) becomes inactive two (2)**  
26          **years after the date of the violation and may not be counted in**  
27          **assessing any future violations, suspensions, or civil penalties under**  
28          **this section."**

- 1 Page 3, delete lines 1 through 6.
- 2 Page 3, line 29, delete "If" and insert "**Except as provided in**
- 3 **IC 7.1-3-23-9.5(d), if**".  
(Reference is to HB 1320 as introduced.)

**and when so amended that said bill do pass.**

---

Representative Davis