

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 112 be amended to read as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 7.1-3-27 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]:
- 5 **Chapter 27. Services Between Wholesalers**
- 6 **Sec. 1. (a) An alcoholic beverage wholesaler may provide the**
- 7 **following services to another alcoholic beverage wholesaler**
- 8 **regarding any alcoholic beverage:**
- 9 (1) Receiving and storing alcoholic beverages.
- 10 (2) Insuring alcoholic beverages against risk of loss or damage
- 11 while in the possession or control of the wholesaler that is
- 12 insuring the alcoholic beverages.
- 13 (3) Preparing orders received from the wholesaler that is
- 14 selling the alcoholic beverages for delivery to retailers and
- 15 dealers.
- 16 (4) Transporting alcoholic beverages to or from retailers and
- 17 dealers.
- 18 (5) Delivering alcoholic beverages to retailers or dealers.
- 19 (6) Preparing and delivering invoices for alcoholic beverages
- 20 shipped to retailers or dealers.
- 21 (7) Preparing and collecting proof of delivery of alcoholic
- 22 beverages.
- 23 (8) Collecting, as an agent for the wholesaler that is selling the
- 24 alcoholic beverages, payments required by law to be made at
- 25 the time of delivery of the alcoholic beverages.
- 26 (9) Depositing money collected from retailers and dealers on
- 27 behalf of the wholesaler that is selling the alcoholic beverages.
- 28 (10) Maintaining records in connection with services provided
- 29 by one wholesaler to another wholesaler.
- 30 (11) Preparing and transmitting information regarding the

- 1           **services provided.**
  - 2           **(12) Making payments to the wholesaler that is selling the**
  - 3           **alcoholic beverages for loss of or damage to the wholesaler's**
  - 4           **alcoholic beverages while in the possession of the wholesaler**
  - 5           **providing the services.**
  - 6           **(13) Other services approved by the commission.**
  - 7           **(b) An alcoholic beverage wholesaler may not provide the**
  - 8           **following services to another alcoholic beverage wholesaler:**
  - 9           **(1) Soliciting or accepting orders for alcoholic beverages from**
  - 10           **retailers or dealers.**
  - 11           **(2) Providing post-delivery sales or promotional services to**
  - 12           **retailers or dealers.**
  - 13           **Sec. 2. The commission may adopt rules to establish terms and**
  - 14           **conditions applying to the services that one wholesaler may**
  - 15           **provide to another wholesaler under section 1 of this chapter.**
  - 16           **Sec. 3. This chapter does not authorize a wholesaler to:**
  - 17           **(1) acquire an interest in another wholesaler in violation of**
  - 18           **any provision of this title; or**
  - 19           **(2) otherwise violate any provision of this title.**
- (Reference is to SB 112 as printed January 21, 2011.)

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Senator MERRITT