



January 11, 2012

HOUSE BILL No. 1029

DIGEST OF HB 1029 (Updated January 11, 2012 12:57 pm - DI 14)

Citations Affected: IC 14-18.

Synopsis: Sale of alcohol on federally owned land. Provides that a lease and contract concerning the lease of federally owned land under the control and management of the department of natural resources may permit the retail sale of alcoholic beverages for consumption on the licensed premises of a public golf course if the lessee or concessionaire applies for and secures the necessary alcohol permits.

Effective: July 1, 2012.

McMillin

January 9, 2012, read first time and referred to Committee on Public Policy.
January 11, 2012, amended, reported — Do Pass.

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HB 1029—LS 6071/DI 110+



January 11, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1029

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

- 1 SECTION 1. IC 14-18-2-3 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) As used in this
3 section, "inn" means a public facility that has the following:
4 (1) At least twenty (20) rooms for the accommodation of
5 overnight guests.
6 (2) A dining room that offers table service for at least forty (40)
7 individuals at one (1) time during normal dining hours.
8 (b) A lease and contract authorized by this chapter must include in
9 its terms the following provisions and conditions:
10 (1) The legal description of the leasehold. A survey for the
11 description is not required.
12 (2) The term of the lease. The term may not exceed forty (40)
13 years with two (2) additional options to renew of thirty (30) years
14 each.
15 (3) Provision for the submission of complete plans and
16 specifications to the department for review and written approval
17 before beginning any construction.

HB 1029—LS 6071/DI 110+



- 1 (4) The manner of payment of rental.
- 2 (5) The facilities provided will be available to the public without
- 3 discrimination and at charges designed to make the facilities
- 4 available to a maximum number of the citizens of Indiana.
- 5 (6) That the rates and fees charged for goods and services on the
- 6 leased area will be in accord with those charged at similar
- 7 developments in the area.
- 8 (7) The disposition of the leasehold and improvements at the
- 9 termination of the lease.
- 10 (8) If the lease and contract concerns state owned land under the
- 11 management and control of the department, including state parks,
- 12 a prohibition on the sale or public display of alcoholic beverages
- 13 on the premises.
- 14 ~~(9) If the lease and contract concerns federally owned land under~~
- 15 ~~the control and management of the department, the~~
- 16 **(c) A lease and contract authorized by this chapter may permit in**
- 17 **its terms the retail sale of alcoholic beverages for consumption on the**
- 18 **licensed premises of an inn or a public golf course if:**
- 19 (A) for consumption on the licensed premises and
- 20 (B) if
- 21 **(1) the lease and contract concerns federally owned land**
- 22 **under the control and management of the department; and**
- 23 **(2) the lessee or concessionaire applies for and secures the**
- 24 **necessary permits required by IC 7.1.**
- 25 **The retail sale of alcoholic beverages on licensed premises**
- 26 **described in this subsection is subject to any other applicable**
- 27 **alcoholic beverage provisions under the Indiana Code and any rule**
- 28 **adopted to implement any other applicable alcoholic beverage**
- 29 **provisions under the Indiana Code.**
- 30 ~~(e)~~ **(d)** A lease and contract may prescribe other terms and
- 31 conditions that the department considers necessary and advisable to
- 32 carry out the intent and purposes of this chapter.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1029, 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:

Page 2, between lines 24 and 25, begin a new line blocked left and insert: "**The retail sale of alcoholic beverages on licensed premises described in this subsection is subject to any other applicable alcoholic beverage provisions under the Indiana Code and any rule adopted to implement any other applicable alcoholic beverage provisions under the Indiana Code.**".

and when so amended that said bill do pass.

(Reference is to HB 1029 as introduced.)

DAVIS, Chair

Committee Vote: yeas 11, nays 0.

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