

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1149 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 7.1-3-23-2, AS AMENDED BY P.L.3-2008,
4 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 2. (a) **Except as provided in IC 7.1-5-12-6(d)**,
6 the commission may:
7 (1) fine or suspend or revoke the permit of; or
8 (2) fine and suspend or revoke the permit of;
9 a permittee for the violation of a provision of this title or of a rule or
10 regulation of the commission. The commission may fine a permittee for
11 each day the violation continues if the violation is of a continuing
12 nature.
13 (b) The commission shall revoke the permit of a permittee for the
14 violation of IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4. A finding
15 that a permittee has violated IC 35-45-5-3, IC 35-45-5-3.5, or
16 IC 35-45-5-4 must be supported by a preponderance of the evidence."
17 Page 5, between lines 20 and 21, begin a new paragraph and insert:
18 "**(d) The commission may not suspend or revoke a permittee's**

- 1 **alcoholic beverage permit issued under IC 7.1-3 for a violation of**
- 2 **this chapter."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1149 as printed February 24, 2012.)

Senator LEISING