

**Administrative Rules Oversight Committee Notice**  
**60 Day Requirement (IC 4-22-2-19)**  
LSA Document #06-195

July 17, 2006

Honorable R. Michael Young  
Administrative Rules Oversight Committee  
c/o Legislative Services Agency  
200 W. Washington St., Suite 301  
Indianapolis, Indiana 46204

Re: Notice of delay in adoption of rule that prescribes issuance, renewal and reinstatement of tobacco retail sales certificates

Dear Senator Young:

This is to notify you that pursuant to Ind. Code § 4-22-2-19, the Alcohol and Tobacco Commission ("ATC") will not begin the rulemaking process within sixty (60) days after the effective date of the statute that authorizes the rule. During the 2003 Legislative Session, Indiana Code § 7.1-3-18.5-4 (Public Law 250-2003 § 11) was added and ATC may adopt rules under Ind. Code § 4-22-2 to carry out the particular section.

This rule will establish procedures for the issuance, renewal, and reinstatement of a tobacco retail sales certificate. Due to the administration and the personnel changes, the ATC was unable to devote quality time to this rule until this year.

The ATC expects to begin the promulgation process immediately. The Notice of Intent to Adopt Rule was published in the Indiana Register on July 5, 2006, and it is noted as [20060705-IR-905060195NIA](#). The corresponding Legislative Services Agency number is 06-195.

Your understanding of these circumstances is greatly appreciated. If you have any further concerns or require additional information, please do not hesitate to contact me at 317-232-2472 or [uchoe@atc.in.gov](mailto:uchoe@atc.in.gov). Thank you.

Sincerely,

U-Jung Choe  
Executive Secretary

Cc: Dave Heath, Chairman, Alcohol and Tobacco Commission  
Phil Sachtleben, Executive Director, Legislative Services Agency

*Posted: 08/02/2006 by Legislative Services Agency*  
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