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**ALCOHOL AND TOBACCO COMMISSION****Nonrule Policy ATC #21**

**1. NOTICE:** Under [IC 4-22-7-7](#), this document is required to be published with the Indiana Register and is effective on its date of publication. It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register. The publication of the document will provide the general public with information about the Alcohol and Tobacco Commission's (ATC) official position concerning a specific issue.

**2. DISCLAIMER:** This nonrule policy is being established by the ATC consistent with the authority under [IC 7.1-2-3-7](#), [IC 4-36-3-3](#), and [IC 4-36-3-4](#). It is intended solely as guidance and shall be used in conjunction with applicable rules or laws. It does not replace applicable rules and laws, and, if it conflicts with these rules or laws, the rules or laws shall control.

**3. AUTHORIZED:** David E. Cook, Chairman

**4. SUPERSEDES:** New

**5. SUBJECT:** The purpose of this nonrule policy is to expedite usage of a newly issued or renewed gaming endorsement and implement a uniform procedure for a permittee to operate when the gaming endorsement is activated in the ATC licensing system.

**6. SCOPE:** A permit must be displayed in a conspicuous place on a licensed premises before the permittee is considered fully qualified to do business, but a permit is valid on the day it is issued by the commission. A type II gaming endorsement shall be affixed to the retailer's alcoholic beverage permit.

**7. POLICY:**

7.1 Pursuant to [IC 4-36-4-1](#)(b) a type II gaming endorsement shall be affixed to the retailer's alcoholic beverage permit that authorizes the retailer to sell alcoholic beverages at the tavern specified in the retailer's application.

7.2 Endorsement information, including whether the endorsement is active, is available online.

7.3 A permittee with an endorsement may begin to operate, including receiving product from a type II gaming distributor, at the time that the permittee's endorsement is active in the licensing system.

7.4 A type II gaming distributor may deliver to a permittee during the fifteen (15) day window references in Section 7.5 by verifying the status of the endorsement online.

7.5 A permittee may operate for the first fifteen (15) days after the endorsement is made active in the licensing system without the endorsement displayed.

7.6 A permittee must display the endorsement not later than fifteen (15) days after the endorsement is made active in the licensing system.

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