
ALCOHOL AND TOBACCO COMMISSION

Nonrule Policy ATC #28

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 It shall remain in effect until the date it is superseded or deleted by the publication of a new document in the Indiana Register.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

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

3. AUTHORIZED: Jessica Allen, Chair

4. SUPERSEDES: New

5. SUBJECT: The purpose of this nonrule policy is to implement a consistent and uniform approach to the required disclosure of permit violations when applying for an alcohol permit issued by the commission.

6. SCOPE: When submitting an application for an alcohol permit (new, transfer, or renewal), an applicant or permittee must disclose all permit violations received by any individual with an interest in the application or permit within the last five (5) years.

7. POLICY:

7.1. When completing an application for an alcohol permit, the applicant or permittee is asked if anyone with an interest in the permit has committed violations of [IC 7.1](#).

7.2. To avoid confusion and implement a consistent approach to the required disclosure of permit violations when applying for an alcohol permit, it is the policy of the commission that applicants and permittees must disclose all permit violations received by any individual with an interest in the application or permit within the past five (5) years of the date of the application.

7.3. When disclosing a permit violation, the applicant or permittee shall provide information regarding the type of violation, date of the violation, a short narrative or statement of what occurred, what action or actions resulted (fine, suspension, etc.) whether by agreement or otherwise, and any action or actions taken by the permittee as a result of the violation, including any remedial measures such as additional training. This includes violations previously disclosed that occurred within five (5) years of the current application.

7.4. Under [IC 7.1-5-6-4](#), it is a Level 6 felony for a person to knowingly or intentionally falsify, or cause to be falsified, any entry, statement, account, recital, or computation, application for a permit, or paper required to be filed in connection with an application.

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