

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>13</b>
<b>NO:</b>	<b>1</b>

## MR. SPEAKER:

*Your Committee on Public Policy, Ethics and Veterans Affairs, to which was referred Senate Bill 353, 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:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 7.1-2-4-5 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. Composition. A local
- 5 board shall be composed of four (4) members who are qualified for
- 6 their positions according to this chapter, and who, other than the
- 7 designated representative of the commission, do not hold other
- 8 lucrative public office or employment. **However, the designated**
- 9 **representative of the commission is not a voting member of the**
- 10 **local board.**
- 11 SECTION 2. IC 7.1-2-4-16 IS AMENDED TO READ AS
- 12 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 16. ~~Quorum and~~
- 13 ~~Voting: Three (3)~~ **(a) Two (2) appointed** members of a local board
- 14 shall constitute a quorum for the transaction of business.

1 (b) A local board may take action only upon the affirmative votes  
2 of at least ~~three~~ (3) **two (2)** of its members.

3 (c) **The designated member may:**

- 4 (1) **not vote on matters before the local board; and**
- 5 (2) **serve the local board as an adviser on matters of law,**
- 6 **public record, and public policy as determined by the**
- 7 **commission."**

8 Page 2, between lines 22 and 23, begin a new paragraph and insert:

9 "SECTION 4. IC 7.1-3-1-25, AS AMENDED BY P.L.205-1999,  
10 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2000]: Sec. 25. (a) A city or county listed in this subsection  
12 that by itself or in combination with any other municipal body acquires  
13 by ownership or by lease any stadium, exhibition hall, auditorium,  
14 theater, convention center, or civic center may permit the retail sale of  
15 alcoholic beverages upon the premises if the governing board of the  
16 facility first applies for and secures the necessary permits as required  
17 by this title. The cities and counties to which this subsection applies are  
18 as follows:

- 19 (1) A consolidated city or its county.
- 20 (2) A city of the second class.
- 21 (3) A county having a population of more than one hundred thirty
- 22 thousand six hundred (130,600) but less than two hundred
- 23 thousand (200,000).
- 24 (4) A county having a population of more than three hundred
- 25 thousand (300,000) but less than four hundred thousand
- 26 (400,000).
- 27 (5) A city having a population of less than ten thousand (10,000)
- 28 that is located in a county having a population of more than four
- 29 hundred thousand (400,000) but less than seven hundred thousand
- 30 (700,000).
- 31 (6) A county having a population of more than one hundred eight
- 32 thousand nine hundred fifty (108,950) but less than one hundred
- 33 twelve thousand (112,000).
- 34 (7) A county having a population of more than one hundred eight
- 35 thousand (108,000) but less than one hundred eight thousand nine
- 36 hundred fifty (108,950).

37 (b) A county having a population of more than four hundred  
38 thousand (400,000) but less than seven hundred thousand (700,000) or

1 a township located in such a county that has established a public park  
2 with a golf course within its jurisdiction under IC 36-10-3 or  
3 IC 36-10-7 may be issued a permit for the retail sale of alcoholic  
4 beverages on the premises of any community center within the park,  
5 including a clubhouse, social center, or pavilion.

6 (c) A township that:

7 (1) is located in a county having a population of more than one  
8 hundred thousand (100,000) but less than one hundred seven  
9 thousand (107,000); and

10 (2) acquires ownership of a golf course;

11 may permit the retail sale of alcoholic beverages upon the premises of  
12 the golf course, if the governing board of the golf course first applies  
13 for and secures the necessary permits required by this title.

14 (d) A township:

15 (1) having a population of more than thirty thousand (30,000) and  
16 less than seventy-five thousand (75,000); and

17 (2) located in a county having a population of more than four  
18 hundred thousand (400,000) but less than seven hundred thousand  
19 (700,000);

20 may be issued a permit for the retail sale of alcoholic beverages on the  
21 premises of any community center or social center that is located  
22 within the township and operated by the township.

23 (e) A city that:

24 (1) has a population of:

25 (A) more than fifty-eight thousand (58,000) but less than sixty  
26 thousand (60,000); or

27 (B) more than forty thousand (40,000) but less than forty-three  
28 thousand (43,000); and

29 (2) owns a golf course;

30 may permit the retail sale of alcoholic beverages upon the premises of  
31 the golf course if the governing board of the golf course first applies for  
32 and secures the necessary permits required by this title.

33 (f) A city that:

34 (1) has a population of more than thirty-three thousand eight  
35 hundred fifty (33,850) but less than thirty-five thousand (35,000);  
36 and

37 (2) owns or leases a marina;

38 may permit the retail sale of alcoholic beverages upon the premises of

1 the marina, if the governing board of the marina first applies for and  
 2 secures the necessary permits required by this title. **The permit may**  
 3 **include the carryout sale of alcoholic beverages.**

4 (g) A city listed in this subsection that owns a marina may be issued  
 5 a permit for the retail sale of alcoholic beverages on the premises of the  
 6 marina. **The permit may include the carryout sale of alcoholic**  
 7 **beverages.** However, the city must apply for and secure the necessary  
 8 permits that this title requires. This subsection applies to the following  
 9 cities:

10 (1) A city having a population of more than one hundred ten  
 11 thousand (110,000) but less than one hundred twenty thousand  
 12 (120,000).

13 (2) A city having a population of more than seventy-five thousand  
 14 (75,000) but less than ninety thousand (90,000).

15 (3) A city having a population of more than thirty-three thousand  
 16 (33,000) but less than thirty-three thousand eight hundred fifty  
 17 (33,850).

18 (4) A city having a population of more than twenty-seven  
 19 thousand (27,000) but less than thirty thousand (30,000).

20 (5) A city having a population of more than twenty-one thousand  
 21 eight hundred thirty (21,830) but less than twenty-three thousand  
 22 (23,000).

23 (h) Notwithstanding subsection (a), the commission may issue a  
 24 civic center permit to a person that:

25 (1) by the person's self or in combination with another person is  
 26 the proprietor, as owner or lessee, of an entertainment complex;  
 27 or

28 (2) has an agreement with a person described in subdivision (1)  
 29 to act as a concessionaire for the entertainment complex for the  
 30 full period for which the permit is to be issued.

31 SECTION 5. IC 7.1-3-20-24 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) This section  
 33 does not affect the requirements necessary to obtain a permit to sell  
 34 alcoholic beverages on the premises of a licensed premises.

35 (b) The commission may designate a licensed permit premises used  
 36 exclusively for catered events as a catering hall.

37 (c) Catering halls designated under this section are not required to  
 38 be open to the general public. However, if a designated catering hall

1 desires to host an event that is open to the general public, the catering  
 2 hall shall comply with the notice requirement under IC 7.1-3-9.5-2. **A**  
 3 **catering hall with a special three-way catering hall permit under**  
 4 **subsection (d) may not be open to the general public.**

5 (d) **The commission may issue a special three-way catering hall**  
 6 **permit to an applicant to sell alcoholic beverages for on premises**  
 7 **consumption on a premises that:**

8 (1) **is used only for private catered events as a catering hall;**

9 **and**

10 (2) **has accommodations for at least two hundred fifty (250)**  
 11 **individuals.**

12 **An applicant who is issued a permit under this subsection is not**  
 13 **required to obtain a restaurant permit.**

14 (e) **A permit authorized by subsection (d) may be issued without**  
 15 **regard to the quota provisions of IC 7.1-3-22.**

16 (f) **The commission shall adopt rules under IC 4-22-2 to implement**  
 17 **this section."**

18 Page 3, between lines 12 and 13, begin a new paragraph and insert:

19 SECTION 8. [EFFECTIVE UPON PASSAGE]: (a) **As used in this**  
 20 **SECTION, "committee" refers to the alcoholic beverage study**  
 21 **committee established under this SECTION.**

22 (b) **The alcoholic beverage study committee is established.**

23 (c) **The committee consists of members of the general assembly.**

24 (d) **The chairman of the legislative council shall determine the**  
 25 **number of committee members. The chairman and vice chairman**  
 26 **of the legislative council shall each appoint one-half (1/2) of the**  
 27 **members of the committee.**

28 (e) **The committee shall study issues concerning the regulation**  
 29 **of alcoholic beverages in Indiana, including the following:**

30 (1) **The alcoholic beverage permitting process.**

31 (2) **Restrictions on the issuance of alcoholic beverage permits,**  
 32 **including quotas on the issuance of alcoholic beverage**  
 33 **permits.**

34 (3) **Enforcement of alcoholic beverage statutes and the rules**  
 35 **of the Indiana alcoholic beverage commission.**

36 (4) **Any other issue determined by the committee or referred**  
 37 **to the committee by the legislative council.**

38 (f) **The committee shall operate under the policies and guidelines**

1 established by the legislative council for interim study committees.

2 (g) Each member of the committee is entitled to receive the same  
3 per diem, mileage, and travel allowances paid to legislative  
4 members of interim study committees established by the legislative  
5 council.

6 (h) The affirmative votes of a majority of the members  
7 appointed to the committee are required for the committee to take  
8 action on any measure, including final reports.

9 (i) The committee shall submit a final report to the legislative  
10 council in accordance with the policies and guidelines of the  
11 legislative council for interim study committees.

12 (j) This SECTION expires December 31, 2000."

13 Renumber all SECTIONS consecutively.

(Reference is to SB 353 as printed January 28, 2000.)

**and when so amended that said bill do pass.**

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Representative Kuzman