

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6110

BILL NUMBER: HB 1054

NOTE PREPARED: Jan 26, 2012

BILL AMENDED: Jan 26, 2012

SUBJECT: Alcoholic Beverage Permits in or near Historic Districts.

FIRST AUTHOR: Rep. Soliday

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill provides that a restaurant located not more than 1,000 feet (instead of 500 feet) from a historic district is eligible for a permit to sell alcoholic beverages without regard to the permit quota. It provides that not more than ten permits issued to restaurants within or not more than 1,000 feet from a historic district may be active at any time. The bill provides for a cultural center permit for a city with an indoor theater listed on the National Register of Historic Places and with a population of more than two hundred thousand but less than three hundred thousand.

Effective Date: July 1, 2012.

Explanation of State Expenditures: *Alcohol and Tobacco Commission (ATC):* This bill could increase administrative expenditures for the ATC by requiring the ATC to amend rules governing issuance of retailer permits in historic districts. The ATC's existing level of resources should be sufficient.

Explanation of State Revenues: (Revised) *Permit Fee Revenue:* This bill could increase permit fee revenue. The bill provides that a restaurant located not more than 700 feet (instead of 500 feet under current statute) from a historic district is eligible for a retailer permit regardless of the permit quota. The bill also provides for a cultural center permit for a city with an indoor theater listed on the National Register of Historic Places and with a population of more than 200,000 but less than 300,000. According to the ATC's November 2011 permit counts, there are 14 retailer permits in historic districts.

The initial fee for the permit is \$6,000. Subsequently, the annual fee for the permit is \$500 if the retailer sells only beer or only wine, \$750 if the retailer serves both beer and wine and \$1,000 if the retailer serves beer, wine, and liquor.

The fees are initially deposited in the Excise Fund and then redistributed 37% to the state General Fund; 33% to the general funds of cities, towns, and counties based on population; and 30% to the Enforcement and Administration Fund.

Explanation of Local Expenditures:

Explanation of Local Revenues: *See Explanation of State Revenues.*

State Agencies Affected: ATC.

Local Agencies Affected:

Information Sources: ATC Statewide Permit Counts.

Fiscal Analyst: Diana Agidi, 317-232-9867.