

SENATE BILL No. 121

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-5-3-4.

Synopsis: Refilling of containers by home brewers. Exempts a person who manufactures wine or beer for personal use from the law prohibiting a person from refilling a container with alcoholic beverages or possessing a container that has been refilled with alcoholic beverages.

Effective: July 1, 2012.

Yoder, Holdman

January 4, 2012, read first time and referred to Committee on Public Policy.

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PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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SENATE BILL No. 121



A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 7.1-5-3-4, AS AMENDED BY P.L.64-2011,
- 2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2012]: Sec. 4. (a) This section does not apply to the following:
- 4 (1) The necessary refilling of a container by a person holding a
- 5 permit that authorizes the person to manufacture, rectify, or bottle
- 6 liquor.
- 7 (2) An establishment where alcoholic beverages are sold that is
- 8 owned, in whole or part, by an entity that holds a brewer's permit
- 9 for a brewery described under IC 7.1-3-2-7(5).
- 10 (3) An establishment where alcoholic beverages are sold that is
- 11 owned, in whole or part, by a statewide trade organization
- 12 consisting of members, each of whom ~~hold~~ **holds** a brewer's
- 13 permit for a brewery described under IC 7.1-3-2-7(5).
- 14 (4) **A person who manufactures wine or beer that is not**
- 15 **offered for sale and is used only for the purposes set forth in**
- 16 **IC 7.1-1-2-3(a)(4)(A) or IC 7.1-1-2-3(a)(4)(B).**
- 17 (b) It is unlawful for a person to:



- 1 (1) refill a bottle or container, in whole or in part, with an
- 2 alcoholic beverage; or
- 3 (2) knowingly possess a bottle or container that has been refilled,
- 4 in whole or in part, with an alcoholic beverage;
- 5 after the container of liquor has been emptied in whole or in part.

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