SENATE BILL No. 537

DIGEST OF INTRODUCED BILL

Citations Affected:  IC 7.1-3; IC 7.1-4; IC 7.1-5; IC 31-16-12-13; IC 31-25-4; IC 33-37-5-16; IC 34-28-5-5; IC 35-52-7-71.

Synopsis:  Various alcoholic beverage provisions. Allows the following to sell alcoholic beverages for carryout on Sunday from 7 a.m. until 3 a.m. the following day: (1) A package liquor store, grocery store, convenience store, or drug store. (2) A restaurant that satisfies the requirements to sell carryout. Provides the following effective July 1, 2020: (1) Allows a grocery store (which includes a convenience store) or drug store to sell cold beer. (2) Eliminates the restriction on the commodities that a package liquor store may sell. (3) Requires that a sales clerk in a grocery store or drug store, in order to sell alcoholic beverages, must be at least 21 years of age, have an employee's permit, and complete a server program. (4) Increases dealer permit fees and judgments for alcoholic beverage infractions, and deposits the amount of the increases into the alcohol and tobacco commission's enforcement and administration fund. Increases the alcohol and tobacco commission's maximum civil penalty limit for violations by some permittees. Makes stylistic changes.

Effective:  July 1, 2019; July 1, 2020.

Boots

January 14, 2019, read first time and referred to Committee on Public Policy.
SENATE BILL No. 537

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:

SECTION 1. IC 7.1-3-1-1.5, AS ADDED BY P.L.270-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1.5. (a) It is the intent of the general assembly, consistent with the character of the business test described in section 19 of this chapter, that a grocery store, convenience store, or drug store should not be given the privilege of selling cold beer for carryout. This subsection expires June 30, 2020.

(b) It is the intent of the general assembly, consistent with the character of the business test described in section 19 of this chapter, that a restaurant located within a grocery store, convenience store, or drug store should not be given the privilege of selling alcoholic beverages for carryout.

(c) The commission shall apply the intent of the general assembly, when considering the character of an applicant's business, as described in section 19 of this chapter.

SECTION 2. IC 7.1-3-1-14, AS AMENDED BY P.L.1-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 2019]
JULY 1, 2019: Sec. 14. (a) Except as otherwise specifically provided in this title, an appropriate permittee may sell alcoholic beverages each day Monday through Sunday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day.

(b) The holder of a retailer's permit may sell the appropriate alcoholic beverages as follows:

(1) Monday through Sunday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day, the holder of a retailer's permit may sell the appropriate alcoholic beverages for consumption on the licensed premises.

(2) If the holder of a retailer's permit satisfies the requirements under this title for selling alcoholic beverages for consumption off the licensed premises, the permit holder may also sell carryout

(A) Monday through Saturday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day.

(B) Sunday from noon, prevailing local time, until 8 p.m., prevailing local time.

(c) The holder of a dealer's permit may sell the appropriate alcoholic beverages for carryout at the following times:

(1) Monday through Saturday from 7 a.m., prevailing local time, until 3 a.m., prevailing local time, the following day.

(2) Sunday from noon; prevailing local time; until 8 p.m.; prevailing local time.

(d) It is lawful for the holder of a permit under this article to sell alcoholic beverages at athletic or sports events held on Sunday upon premises that:

(1) are described in section 25(a) of this chapter;

(2) are a facility used in connection with the operation of a paved track more than two (2) miles in length that is used primarily in the sport of auto racing; or

(3) are being used for a professional or an amateur tournament; beginning one (1) hour before the scheduled starting time of the event or, if the scheduled starting time of the event is 1 p.m. or later, beginning at noon.

(e) It is lawful for the holder of a valid beer, wine, or liquor wholesaler's permit to sell to the holder of a valid retailer's or dealer's permit at any time.

SECTION 3. IC 7.1-3-1.5-2, AS ADDED BY P.L.161-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. As used in this chapter, "dealer permittee" means a person who holds a liquor dealer permit under IC 7.1-3-10 a
dealer's permit for a package liquor store (before July 1, 2020) or a package liquor store, grocery store, or drug store (after June 30, 2020).

SECTION 4. IC 7.1-3-1.5-12, AS AMENDED BY P.L.269-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 12. (a) In the case of a program approved under IC 7.1-3-1.6, this section applies only to an individual providing the assistance described in IC 7.1-3-1.6-6(6).

(b) A person who trains alcohol servers without a trainer certificate under this chapter commits a Class B infraction (before July 1, 2020) or Class A infraction (after June 30, 2020).

(c) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two thousand dollars ($2,000) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer fifty percent (50%) of the judgment to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 5. IC 7.1-3-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. An out-of-state brewer holding either a primary source of supply permit or an out-of-state brewer's permit may:

(1) appoint a beer wholesaler to perform the services described in IC 7.1-3-3-5(g)(1) through IC 7.1-3-3-5(g)(2); and

(2) provide a fee to a beer wholesaler who performs the services described in IC 7.1-3-3-5(g)(1) through IC 7.1-3-3-5(g)(2).

SECTION 6. IC 7.1-3-3-5, AS AMENDED BY P.L.153-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) The holder of a beer wholesaler's permit may purchase and import from the primary source of supply, possess, and sell at wholesale, beer and flavored malt beverages manufactured within or without this state.

(b) A beer wholesaler permittee may possess, transport, sell, and deliver beer to:

(1) another beer wholesaler authorized by the brewer to sell the brand purchased;

(2) an employee;

(3) a holder of a beer retailer's permit, beer dealer's permit, temporary beer permit, dining car permit, boat permit, airplane permit, or supplemental caterer's permit; and
(4) a qualified organization for:
   (A) an allowable event to which IC 7.1-3-6.1 applies; or
   (B) a charity auction to which IC 7.1-3-6.2 applies;
located within this state. The sale, donation to a qualified organization,
transportation, and delivery of beer shall be made only from inventory
that has been located on the wholesaler's premises before the time of
invoicing and delivery.
(c) The beer wholesaler's bona fide regular employees may purchase
beer from the wholesaler in:
   (1) bottles, cans, or any other type of permissible containers in an
amount not to exceed forty-eight (48) pints; or
   (2) one (1) keg;
at any one (1) time.
(d) The importation, transportation, possession, sale, and delivery
of beer shall be subject to the rules of the commission and subject to
the same restrictions provided in this title for a person holding a
brewer's permit.
(e) Except as provided in subsection (f), the holder of a beer
wholesaler's permit may purchase, import, possess, transport, sell, and
deliver any commodity listed in IC 7.1-3-10-5; of the following
commodities unless prohibited by this title: However,
   (1) Beer in permissible containers.
   (2) Bar supplies used in the preparation for consumption of
   alcoholic beverages and in their consumption.
   (3) Tobacco products.
   (4) Uncooled and uniced charged water, carbonated soda,
   ginger ale, mineral water, grenadine, and flavoring extracts.
   (5) Printed materials.
   (6) Lottery tickets as provided in IC 4-30-9.
   (7) Cooled or uncooled nonalcoholic malt beverages.
   (8) Flavored malt beverage in its original package.
(f) A beer wholesaler may deliver flavored malt beverages only to
the holder of one (1) of the following permits:
   (1) A beer wholesaler or wine wholesaler permit, if the wholesaler
is authorized by the primary source of supply to sell the brand of
flavored malt beverage purchased.
   (2) A wine retailer's permit, wine dealer's permit, temporary wine
permit, dining car wine permit, boat permit, airplane permit, or
supplemental caterer's permit.
(f) A beer wholesaler may:
   (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9
and deliver the stored beer to another beer wholesaler that the
out-of-state brewer authorizes to sell the beer;
(2) perform all necessary accounting and auditing functions
associated with the services described in subdivision (1); and
(3) receive a fee from an out-of-state brewer for the services
described in subdivisions (1) through (2).

SECTION 7. IC 7.1-3-4-6 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) The holder of a
beer retailer's permit shall be entitled to purchase beer for sale under
his the holder's permit only from a permittee entitled to sell to him the
holder of a beer retailer's permit under this title. A beer retailer shall
be entitled to possess beer and sell it beer at retail to a customer for
consumption on the licensed premises. A beer retailer also shall be
entitled to sell beer to a customer and deliver it beer in permissible
containers to the customer on the licensed premises, or to the
customer's house.

(b) A beer retailer shall not be entitled to sell beer at wholesale. He
A beer retailer shall not be entitled to sell and deliver beer on the
street or at the curb outside the licensed premises, nor shall he the beer
retailer be entitled to sell beer at a place other than the licensed
premises. However, a beer retailer may offer food service (excluding
alcoholic beverages) to a patron who is outside the licensed premises
by transacting business through a window in the licensed premises.

(c) A beer retailer shall be entitled to sell and deliver warm or cold
beer for carry out, carryout, or for at-home delivery, in barrels or other
commercial containers in a quantity that does not exceed fifteen and
one-half (15 1/2) gallons at any one (1) time.

SECTION 8. IC 7.1-3-5-3 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) The holder of a
beer dealer's permit shall be entitled to purchase beer for sale under the
permit only from a permittee entitled to sell to a beer dealer under this
title.

(b) A beer dealer shall be entitled to possess beer and sell it beer at
retail to a customer in permissible containers only.

(c) A beer dealer may not sell beer by the drink nor for consumption
on the licensed premises nor shall a beer dealer allow it beer to be
consumed on the licensed premises.

(d) Except as provided in subsection (e), a beer dealer shall be
entitled to sell beer to a customer and deliver it beer in permissible
containers to the customer on the licensed premises, or to the
customer's residence or office. A beer dealer shall not be entitled to sell
and deliver beer on the street or at the curb outside the licensed
premises, nor shall a beer dealer be entitled to sell beer at a place other

than the licensed premises. A beer dealer shall not be entitled to sell beer and deliver beer for carryout, carryout, or for delivery to a customer's residence or office, in a quantity that exceeds eight hundred sixty-four (864) ounces in a single transaction. However, notwithstanding IC 7.1-3-10-4, a beer dealer who is licensed pursuant to IC 7.1-3-10-4 shall be entitled to sell and deliver warm or cold beer for carryout, carryout, or for delivery to a customer's residence, office, or a designated location in barrels or other commercial containers that do not exceed two thousand sixteen (2,016) ounces per container. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold.

(e) Unless a beer dealer is a grocery store or drug store, a beer dealer may not sell or deliver alcoholic beverages or any other item through a window in the licensed premises to a patron who is outside the licensed premises. A beer dealer that is a grocery store or drug store may sell any item except alcoholic beverages through a window in the licensed premises to a patron who is outside the licensed premises.

SECTION 9. IC 7.1-3-6.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) A person who:

(1) possesses a keg of beer without an identification marker required under this chapter;

(2) possesses a keg of beer with an altered identification marker;

or

(3) provides false information on a receipt required under this chapter;

commits a Class B infraction (before July 1, 2020) or Class A infraction (after June 30, 2020).

(b) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two thousand dollars ($2,000) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer fifty percent (50%) of the judgment to the auditor of state for deposit in the enforcement and administration fund.

SECTION 10. IC 7.1-3-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A package liquor store's exclusive business shall be the selling of the following commodities only:

(1) Liquor in its original package.

(2) Beer in permissible containers, if the permittee has the proper
permit.
(3) Wine in its original package.
(4) Bar supplies used in the preparation for consumption of
alcoholic beverages and in their consumption.
(5) Tobacco products.
(6) Uncooled and uniced charged water, carbonated soda, ginger
ale, mineral water, grenadine, and flavoring extracts.
(7) Printed materials.
(8) Lottery tickets as provided in IC 4-30-9.
(9) Cooled or uncooled nonalcoholic malt beverages.
(10) Flavored malt beverage in its original package.

(b) This section expires July 1, 2020.
SECTION 11. IC 7.1-3-18-9, AS AMENDED BY P.L.196-2015,
SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 9. (a) The commission may issue an employee's
permit to a person who desires to act as:
(1) a clerk in a package liquor store;
(2) an employee who serves wine at a farm winery; or
(3) a bartender, waiter, waitress, or manager in a retail
establishment, excepting dining car and boat employees.
This subsection expires July 1, 2020.
(b) This subsection is effective after June 30, 2020. The
commission may issue an employee's permit to a person who
desires to act as:
(1) a sales clerk in a package liquor store;
(2) a sales clerk who makes or assists in making alcoholic
beverage sales in a grocery store or drug store as described in
subsection (d);
(3) an employee who serves wine at a farm winery; or
(4) a bartender, waiter, waitress, or manager in a retail
establishment, excepting dining car and boat employees.
(b) (c) A permit authorized by this section is conditioned upon the
compliance by the holder with reasonable rules relating to the permit
which the commission may prescribe from time to time. The
commission may not issue an employee's permit to a person unless
the person has successfully completed a server program or trainer
program under IC 7.1-3-1.5.
(c) (d) A permit issued under this section entitles its holder to work
for any lawful employer. However, a person may work without an
employee's permit for not more than thirty (30) days from after the
date shown on a receipt for a cashier's check or money order payable
to the commission for that person's employee's permit application.
After June 30, 2020, this subsection does not authorize a sales clerk at a dealer establishment to check out or assist in checking out a sale of alcoholic beverages as described in subsection (e) without meeting the requirements of subsection (e).

(e) This subsection is effective after June 30, 2020. A person who is a sales clerk in a dealer establishment may not:

(1) check out a sale of alcoholic beverages; or

(2) assist a customer in checking out a sale of alcoholic beverages at a self-automated checkout stand;

in the course of the person's employment, unless the sales clerk is at least twenty-one (21) years of age and has successfully completed a server program or trainer program under IC 7.1-3-1.5.

(d) (f) A person who, for a package liquor store dealer establishment or retail establishment, is:

(1) the sole proprietor;

(2) a partner, a general partner, or a limited partner in a partnership or limited partnership that owns the business establishment;

(3) a member of a limited liability company that owns the business establishment; or

(4) a stockholder in a corporation that owns the business establishment;

is not required to obtain an employee's permit, but must be at least twenty-one (21) years of age in order to perform any of the acts listed in subsection (a) (before July 1, 2020) or subsection (b) (after June 30, 2020).

(e) (g) An applicant may declare on the application form that the applicant will use the employee's permit only to perform volunteer service that benefits a nonprofit organization. It is unlawful for an applicant who makes a declaration under this subsection to use an employee's permit for any purpose other than to perform volunteer service that benefits a nonprofit organization.

(f) (h) The commission may not issue an employee's permit to an applicant while the applicant is serving a sentence for a conviction for operating while intoxicated, including any term of probation or parole.

(g) (i) The commission may not issue an employee's permit to an applicant who has two (2) unrelated convictions for operating while intoxicated if:

(1) the first conviction occurred less than ten (10) years before the date of the applicant's application for the permit; and

(2) the applicant completed the sentence for the second conviction, including any term of probation or parole, less than
two (2) years before the date of the applicant's application for the permit.

(h) (j) If an applicant for an employee's permit has at least three (3) unrelated convictions for operating while intoxicated in the ten (10) years immediately preceding the date of the applicant's application for the permit, the commission may not grant the issuance of the permit. If, in the ten (10) years immediately preceding the date of the applicant's application the applicant has:

(1) one (1) conviction for operating while intoxicated, and the applicant is not subject to subsection (f) (h); or

(2) two (2) unrelated convictions for operating while intoxicated, and the applicant is not subject to subsection (f) or (g); the commission may grant or deny the issuance of a permit.

(k) Except as provided under section 9.5 of this chapter, the commission shall revoke a permit issued to an employee under this section if:

(1) the employee is convicted of a Class B misdemeanor for violating IC 7.1-5-10-15(a); or

(2) the employee is convicted of operating while intoxicated after the issuance of the permit.

The commission may revoke a permit issued to an employee under this section for any violation of this title or the rules adopted by the commission.

SECTION 12. IC 7.1-3-23-3, AS AMENDED BY P.L.109-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. The commission, pursuant to section 2 of this chapter, may impose upon a permittee the following civil penalties:

(1) An amount of not more than four thousand dollars ($4,000) for each violation if the permittee is a brewer, an artisan distiller, or a distiller.

(2) An amount of not more than two thousand dollars ($2,000) for each violation if the permittee is a wholesaler of any type.

(3) An amount of not more than one thousand dollars ($1,000) or two thousand dollars ($2,000) (after June 30, 2020) for each violation if the holder of a permit of a type not listed in subdivision (1) or (2).

SECTION 13. IC 7.1-3-23-44, AS AMENDED BY P.L.150-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 44. (a) As used in this section, "bureau" refers to the child support bureau of the department of child services established by IC 31-25-3-1.

(b) As used in this section, "delinquent" has the meaning set forth
in IC 4-35-2-3.5.

(c) Upon receiving an order from the bureau (Title IV-D agency) under IC 31-25-4-32(k) or IC 31-25-4-34(f), the commission shall place on probationary status any permit issued under IC 7.1-3-18-9(a)(3) (before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020) and held by the person who is the subject of the order. The commission shall send the person a notice that does the following:

1. States that the person's permit has been placed on probationary status.
2. States that the person's permit will be suspended if the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice.
3. Describes the amount of child support that the person is in arrears.
4. Explains the procedures to:
   A. pay the person's child support arrearage in full; and
   B. establish a payment plan with the bureau to pay the arrearage, which must include an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.

(d) If the commission has not received notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the date of the notice in subsection (c), the commission shall suspend the permit issued to the person under IC 7.1-3-18-9(a)(3) (before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020).

(e) The commission may not reinstate a permit placed on probationary status or suspended under this section until the commission receives a notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g) that the person has addressed the delinquency.

SECTION 14. IC 7.1-3-26-5, AS AMENDED BY P.L.159-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A person located within Indiana or outside Indiana that wants to sell and ship wine directly to a consumer must be the holder of a direct wine seller's permit and comply with this chapter. A person that sells and ships wine directly to a consumer without holding a valid direct wine seller's permit commits a Class A infraction.

(b) The offense described in subsection (a) is:

1. a Class A misdemeanor if the seller:
   A. knowingly or intentionally violates this section; and
   B. has one (1) prior unrelated conviction or judgment for an infraction under this chapter for an act or omission that
occurred not more than ten (10) years before the act or
omission that is the basis for the most recent conviction or
judgment for an infraction; and
(2) a Level 6 felony if the seller:
(A) knowingly or intentionally violates this section; and
(B) has at least two (2) prior unrelated convictions or
judgments for infractions under this chapter for acts or
omissions that occurred not more than ten (10) years before
the act or omission that is the basis for the most recent
conviction or judgment for an infraction.

(c) This subsection applies to an infraction committed after June
30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two
thousand dollars ($2,000) shall be imposed for a Class A infraction
committed under this section. Notwithstanding IC 34-28-5-5(c), the
clerk of the court shall transfer fifty percent (50%) of the
judgment collected to the auditor of state for deposit in the
enforcement and administration fund.

SECTION 15. IC 7.1-3-26-6, AS AMENDED BY P.L.107-2015,
SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 6. (a) A seller may sell and ship wine directly only
to a consumer who meets all of the following requirements:
(1) The consumer is at least twenty-one (21) years of age.
(2) The consumer has an Indiana address.
(3) The consumer intends to use wine purchased under this
chapter for personal use only and not for resale or other
commercial purposes.
(b) A seller who violates this section commits a Class A infraction.
However, the offense is:
(1) a Class A misdemeanor if the seller:
(A) knowingly or intentionally violates this section; and
(B) has one (1) prior unrelated conviction or judgment for an
infraction under this chapter for an act or omission that
occurred not more than ten (10) years before the act or
omission that is the basis for the most recent conviction or
judgment for an infraction; and
(2) a Level 6 felony if the seller:
(A) knowingly or intentionally violates this section; and
(B) has at least two (2) prior unrelated convictions or
judgments for infractions under this chapter for acts or
omissions that occurred not more than ten (10) years before
the act or omission that is the basis for the most recent
conviction or judgment for an infraction.
(c) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least three thousand dollars ($3,000) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent (60%) of the judgment collected to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 16. IC 7.1-3-26-10, AS AMENDED BY P.L.159-2014, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 2019]: Sec. 10. (a) Except as provided in subsection (b), the holder of a farm winery brandy distiller's permit that ships brandy produced under this title to a consumer commits a Class A infraction.

(b) The offense described in subsection (a) is:

(1) a Class A misdemeanor if the seller:
   (A) knowingly or intentionally violates this section; and
   (B) has one (1) prior unrelated conviction or judgment for an infraction under this chapter for an act or omission that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction; and

(2) a Level 6 felony if the seller:
   (A) knowingly or intentionally violates this section; and
   (B) has at least two (2) prior unrelated convictions or judgments for infractions under this chapter for acts or omissions that occurred not more than ten (10) years before the act or omission that is the basis for the most recent conviction or judgment for an infraction.

(c) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two thousand dollars ($2,000) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer fifty percent (50%) of the judgment collected to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 17. IC 7.1-4-4.1-12, AS AMENDED BY P.L.224-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 2019]: Sec. 12. (a) This section applies to the following biennial permits:

(1) Beer dealer's permit.
(2) Liquor dealer's permit.
(3) Malt dealer's permit.
(4) Wine dealer's permit.
(b) The commission shall charge a single fee for the issuance of any combination of dealers' permits issued for the same location. The fee is equal to the sum of the amount determined under subsection (c).

(c) An annual permit fee in the following amount is imposed on a dealer:

1. If the permit is issued:
   - (A) before July 1, 2020, five hundred dollars ($500); or
   - (B) after June 30, 2020, one thousand dollars ($1,000);
   if the dealer sells only beer, only liquor, or only wine.

2. If the permit is issued:
   - (A) before July 1, 2020, seven hundred fifty dollars ($750); or
   - (B) after June 30, 2020, one thousand two hundred fifty dollars ($1,250);
   if the dealer sells only (A) both beer and wine, but no liquor; only (B) both wine and liquor, but no beer; or (C) both only beer and liquor but no wine.

3. If the permit is issued:
   - (A) before July 1, 2020, one thousand dollars ($1,000); or
   - (B) after June 30, 2020, one thousand five hundred dollars ($1,500);
   if the dealer sells beer, wine, and liquor.

SECTION 18. IC 7.1-4-9-3, AS AMENDED BY P.L.224-2005, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Sec. 3. (a) Except as provided in subsections (b) and (c) (after June 30, 2020) the chairman shall deposit the monies collected under the authority of this chapter daily with the treasurer of the state, and not later than the fifth day of the following month shall cover them into the "excise fund" to be distributed as provided in this chapter.

(b) The chairman shall deposit the money received from the collection of the fees for a three-way permit under IC 7.1-3-20-16(f) daily with the treasurer of state, and not later than the fifth day of the following month shall transfer the money into the enforcement and administration fund of the commission under IC 7.1-4-11.

(c) This subsection applies after June 30, 2020. This subsection does not apply to a fee collected under subsection (b). The chairman shall deposit five hundred dollars ($500) of each permit fee collected under IC 7.1-4-4.1-12(c)(1)(B), IC 7.1-4-4.1-12(c)(2)(B), and IC 7.1-4-4.1-12(c)(3)(B) daily with the treasurer of state, and not later than the fifth day of the following month shall transfer the money into the enforcement and
administration fund of the commission under IC 7.1-4-11. The
permit fees collected and deposited into the enforcement and
administration fund under this subsection are in addition to, and
not in place of, other fees or distributions to the enforcement and
administration fund under this title.

SECTION 19. IC 7.1-5-2-4, AS AMENDED BY P.L.159-2014,
SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 4. (a) It is unlawful for a manufacturer of
alcoholic beverages or other permittee authorized to sell and deliver
alcoholic beverages to give, supply, furnish, or grant to the holder of a
retailer's or dealer's permit a sign, poster, or advertisement for use, or
intended to be used, outside of or on the exterior of the licensed
premises or on a building situated on the licensed premises or in
connection with them, or on premises adjacent to the licensed
premises.

(b) It is unlawful for a retail or dealer permittee to receive or accept,
or to display or permit to be displayed, a sign, poster, or advertisement
given in violation of subsection (a).

(c) A person who violates subsection (a) or (b) commits a Class C
infraction (before July 1, 2020) or Class B infraction after June 30,
2020. A person commits a separate violation for each day during which
a violation of subsection (a) or (b) continues.

(d) This subsection applies to an infraction committed after
June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at
least one thousand five hundred dollars ($1,500) shall be imposed
for a Class B infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall
transfer fifty percent (50%) of the judgment collected to the
auditor of state to be deposited in the enforcement and
administration fund.

SECTION 20. IC 7.1-5-5-11, AS AMENDED BY P.L.270-2017,
SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 11. (a) Except as provided in subsections (c), (d),
and (e), it is unlawful for a manufacturer of alcoholic beverages or a
permittee authorized to sell and deliver alcoholic beverages to:

(1) give to another permittee who purchases alcoholic beverages
from the manufacturer or permittee a gift; or

(2) except as provided in IC 7.1-3-2-9 and IC 7.1-3-3-5(f),
IC 7.1-3-3-5(g), have a business dealing with the other permittee.

(b) This section does not apply to the sale and delivery and
collection of the sale price of an alcoholic beverage in the ordinary
course of business.
(c) If the promotional program is approved under the rules adopted by the commission and is conducted in all wholesaler establishments through which the manufacturer distributes alcoholic beverages in Indiana, a manufacturer of alcoholic beverages may award bona fide promotional prizes and awards to any of the following:

(1) A person with a wholesaler's permit issued under IC 7.1-3.
(2) An employee of a person with a wholesaler's permit issued under IC 7.1-3.

(d) A manufacturer may offer on a nondiscriminatory basis bona fide incentives to wholesalers when the incentives are determined based on sales to retailers or dealers occurring during specified times for specified products. The incentive may be conditioned on the wholesaler selling a:

(1) specified product at a specified price or less than a specified price; or
(2) minimum quantity of a specified product to a single customer in a single transaction.

The incentive may not be conditioned on a wholesaler having total sales of a minimum quantity of a specified product during the applicable period.

(e) A manufacturer or a permittee authorized to sell and deliver alcoholic beverages may provide entertainment and professional and educational expenses to another permittee, unless the entertainment or professional and educational expenses are provided in exchange for an agreement to directly or indirectly purchase alcoholic beverages from a:

(1) manufacturer; or
(2) permittee authorized to sell and deliver alcoholic beverages;

to the exclusion, in whole or in part, of alcoholic beverages sold or delivered by another manufacturer or a permittee authorized to sell and deliver alcoholic beverages.

(f) A person who knowingly or intentionally violates this section commits a Class A misdemeanor.

SECTION 21. IC 7.1-5-6-3, AS AMENDED BY P.L.191-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) It is unlawful for a person to act as a clerk in a package liquor store, or as a bartender, waiter, waitress, or manager for a retailer permittee unless that person has applied for and been issued the appropriate permit. This section does not apply to dining car or boat employees, to a person described in IC 7.1-3-1.7, or to a person described in IC 7.1-3-18.9(d). IC 7.1-3-18.9(f). A person who knowingly or intentionally violates this subsection commits a
Class B misdemeanor. This subsection expires July 1, 2020.

(b) This subsection takes effect after June 30, 2020. It is unlawful for a person to act as:

1. a sales clerk who:
   A. checks out a sale of alcoholic beverages; or
   B. assists customers in checking out a sale of alcoholic beverages at a self-automated checkout stand;
   for a dealer permittee; or
2. a bartender, waiter, waitress, or manager for a retailer permittee;

unless that person has applied for and been issued an employee's permit. This subsection does not apply to a dining car or boat employee, to a person described in IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(f). A person who knowingly or intentionally violates this subsection commits a Class B misdemeanor.

(c) It is a defense to a charge under this section if, not later than thirty (30) days after being cited by the commission, the person who was cited produces evidence that the appropriate employee's permit was issued by the commission on the date of the citation.

(d) It is a defense to a charge under this section for a new applicant for a permit if, not later than thirty (30) days after being cited by the commission, the new applicant who was cited produces a receipt for a cashier's check or money order showing that an application for the appropriate employee's permit was applied for on the date of the citation.

SECTION 22. IC 7.1-5-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. (a) It is a Class C infraction (before July 1, 2020) or Class A infraction after June 30, 2020, for a minor to have in his possession false or fraudulent evidence of majority or identity with the intent to violate a provision of this title.

(b) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least one thousand five hundred dollars ($1,500) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent (60%) of the judgment collected to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 23. IC 7.1-5-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) A permittee shall
have the right to demand of a customer a signed written statement, on
a form prescribed by the commission, that the customer is not a minor.
It is a Class C infraction (before July 1, 2020) or Class A infraction
after June 30, 2020, for a minor to misrepresent his the minor's age
on the statement.

(b) This subsection applies to an infraction committed after
June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at
least one thousand five hundred dollars ($1,500) shall be imposed
for a Class A infraction committed under this section.
Notwithstanding IC 34-28-5-5(c), the clerk of the court shall
transfer sixty percent (60%) of the judgment collected to the
auditor of state to be deposited in the enforcement and
administration fund.

SECTION 24. IC 7.1-5-7-9 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) It is a Class C
infraction (before July 1, 2020) or Class A infraction after June 30,
2020, for a parent, guardian, trustee, or other person having custody of
a child under eighteen (18) years of age to take that child into a tavern,
bar, or other public place where alcoholic beverages are sold, bartered,
exchanged, given away, provided, or furnished.

(b) It is a Class C infraction (before July 1, 2020) or Class A
infraction after June 30, 2020, for a permittee to permit the parent,
guardian, trustee, or other person having custody of the child under
eighteen (18) years of age to be in or around the prohibited place with
the child.

(c) This subsection applies to an infraction committed after June
30, 2020. Notwithstanding IC 34-28-5-4, judgment of at least one
thousand five hundred dollars ($1,500) shall be imposed for a Class
A infraction committed under this section. Notwithstanding
IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent
(60%) of the judgment collected to the auditor of state to be
deposited in the enforcement and administration fund.

SECTION 25. IC 7.1-5-7-10, AS AMENDED BY P.L.159-2014,
SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 10. (a) It is a Class C infraction (before July 1,
2020) or Class A infraction after June 30, 2020, for a minor to
knowingly or intentionally be in a tavern, bar, or other public place
where alcoholic beverages are sold, bartered, exchanged, given away,
provided, or furnished.

(b) It is a Class C misdemeanor for a permittee to recklessly permit
a minor to be in the prohibited place beyond a reasonable time in which
an ordinary prudent person can check identification to confirm the age

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of a patron.

   (c) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least one thousand five hundred dollars ($1,500) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent (60%) of the judgment collected to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 26. IC 7.1-5-7-13, AS AMENDED BY P.L.270-2017, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 13. (a) Section 12 of this chapter does not prohibit the following:

   (1) The employment of a person at least eighteen (18) years of age but less than twenty-one (21) years of age on or about licensed premises where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises, for a purpose other than:

   (A) selling;
   (B) furnishing, other than serving;
   (C) consuming; or
   (D) otherwise dealing in;

   alcoholic beverages.

   (2) A person at least nineteen (19) years of age but less than twenty-one (21) years of age from ringing up a sale of alcoholic beverages in the course of the person's employment. After June 30, 2020, this subdivision applies only to a person employed by a retailer permittee.

   (3) A person who is at least nineteen (19) years of age but less than twenty-one (21) years of age and who has successfully completed an alcohol server training program certified under IC 7.1-3-1.5 from serving alcoholic beverages in a dining area or family room of a restaurant or hotel:

   (A) in the course of a person's employment as a waiter, waitress, or server; and
   (B) under the supervision of a person who:

   (i) is at least twenty-one (21) years of age;
   (ii) is present at the restaurant or hotel; and
   (iii) has successfully completed an alcohol server training program certified under IC 7.1-3-1.5 by the commission.

This subdivision does not allow a person at least nineteen (19) years of age but less than twenty-one (21) years of age to be a bartender.
(4) The employment of a person at least eighteen (18) years of age but less than twenty-one (21) years of age on or about licensed premises where alcoholic beverages are sold, furnished, or given away for consumption either on or off the licensed premises if all the following apply:
   (A) The person is employed as an assistant on a delivery truck.
   (B) The person's duties with respect to alcoholic beverages are limited to handling alcoholic beverages in connection with the loading, unloading, stowing, or storing of alcoholic beverages that are being delivered or picked up.
   (C) The person does not sell, furnish, or deal in alcoholic beverages in any manner except as expressly permitted under clause (B).
   (D) The person acts under the supervision of a driver holding a salesman's permit.
   (E) The person does not collect money for the delivery or pick up.

(b) This chapter does not prohibit a person less than twenty-one (21) years of age from being on the premises of a brewery under IC 7.1-3-2-7(5), a farm winery, including any additional locations of the farm winery under IC 7.1-3-12-5, or an artisan distillery under IC 7.1-3-27-5, if the person is:
   (1) the child, stepchild, grandchild, nephew, or niece of an owner of the:
       (A) brewery;
       (B) farm winery; or
       (C) artisan distiller; and
   (2) employed on the premises for a purpose other than:
       (A) selling;
       (B) furnishing, other than serving;
       (C) consuming; or
       (D) otherwise dealing in;
   alcoholic beverages.
A minor described in this subsection is not required to be accompanied by a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age while on the premises of the brewery or farm winery.

SECTION 27. IC 7.1-5-7-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 15. (a) A person twenty-one (21) years of age or older who knowingly or intentionally encourages, aids, or induces a minor to unlawfully possess an alcoholic beverage commits a Class C infraction (before July 1, 2020) or Class

(b) This subsection applies to an infraction committed after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least one thousand five hundred dollars ($1,500) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer sixty percent (60%) of the judgment collected to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 28. IC 7.1-5-8-11, AS ADDED BY P.L.70-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. (a) This section does not apply to the possession, purchase, or use of powdered or crystalline alcohol for bona fide research purposes by any of the following:

(1) A hospital licensed under IC 16-21.
(2) The state department of health.
(3) A state educational institution (as defined in IC 21-7-13-32).
(4) A private college or university.
(5) A pharmaceutical or biotechnology company.

(b) A person who possesses, purchases, sells, offers to sell, or uses powdered or crystalline alcohol commits a Class B infraction (before July 1, 2020) or Class A infraction after June 30, 2020.

(c) This subsection applies after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least two thousand dollars ($2,000) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer fifty percent (50%) of the judgment collected to the auditor of state to be deposited in the enforcement and administration fund.

SECTION 29. IC 7.1-5-10-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. Purchase from Non-Permittee Prohibited. (a) It is a Class C infraction (before July 1, 2020) or Class A infraction after June 30, 2020, for a person knowingly to purchase, or to agree to purchase, an alcoholic beverage from a person who does not at the time of the purchase hold a permit authorizing the seller to sell, or agree to sell, the alcoholic beverage to the purchaser.

(b) This subsection applies after June 30, 2020. Notwithstanding IC 34-28-5-4, a judgment of at least one thousand five hundred dollars ($1,500) shall be imposed for a Class A infraction committed under this section. Notwithstanding IC 34-28-5-5(c), the clerk of the court shall transfer fifty percent (50%) of the
judgment collected to the auditor of state to be deposited in the
enforcement and administration fund.

SECTION 30. IC 7.1-5-10-11, AS AMENDED BY P.L.159-2014,
SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 11. (a) It is unlawful for the holder of a beer
dealer's permit to offer or display for sale, or sell, barter, exchange or
give away a bottle, can, container, or package of beer that was iced or
cooled by the permittee before or at the time of the sale, exchange, or
gift.

(b) A person who knowingly or intentionally violates this section
commits a Class B misdemeanor.

(c) This section expires June 30, 2020.

SECTION 31. IC 31-16-12-13, AS ADDED BY P.L.80-2010,
SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 13. If a court finds that a person who holds or has
applied for an employee's permit issued under IC 7.1-3-18-9(a)(3)
(before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020) is
delinquent (as defined in IC 31-25-4-2) as a result of an intentional
violation of an order for child support, the court shall issue an order to
the alcohol and tobacco commission that:

(1) requires the person's employee's permit be suspended until
further order of the court;
(2) orders the chairman of the alcohol and tobacco commission
not to issue an employee's permit to the person who is the subject
of the order if the person does not currently hold an employee's
permit; or
(3) orders the chairman of the alcohol and tobacco commission
not to renew the employee's permit of the person who is the
subject of the order.

SECTION 32. IC 31-25-4-32, AS AMENDED BY P.L.150-2018,
SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 32. (a) When the Title IV-D agency finds that an
obligor is delinquent, the Title IV-D agency shall send, to a verified
address, a notice to the obligor that does the following:

(1) Specifies that the obligor is delinquent.
(2) Describes the amount of child support that the obligor is in
arrears.
(3) States that unless the obligor:

(A) pays the obligor's child support arrearage in full;
(B) establishes a payment plan with the Title IV-D agency to
pay the arrearage, which includes an income withholding
order; or

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(C) requests a hearing under section 33 of this chapter; within twenty (20) days after the date the notice is mailed, the Title IV-D agency shall issue an order to the bureau of motor vehicles stating that the obligor is delinquent and that the obligor's driving privileges shall be suspended.

(4) Explains that the obligor has twenty (20) days after the notice is mailed to do one (1) of the following:
   (A) Pay the obligor's child support arrearage in full.
   (B) Establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5.
   (C) Request a hearing under section 33 of this chapter.

(5) Explains that if the obligor has not satisfied any of the requirements of subdivision (4) not later than twenty (20) days after the notice is mailed, that the Title IV-D agency shall issue a notice to:
   (A) the board or department that regulates the obligor's profession or occupation, if any, that the obligor is delinquent and that the obligor may be subject to sanctions under IC 25-1-1.2, including suspension or revocation of the obligor's professional or occupational license;
   (B) the supreme court disciplinary commission if the obligor is licensed to practice law;
   (C) the department of education established by IC 20-19-3-1 if the obligor is a licensed teacher;
   (D) the Indiana horse racing commission if the obligor holds or applies for a license issued under IC 4-31-6;
   (E) the Indiana gaming commission if the obligor holds or applies for a license issued under IC 4-33 and IC 4-35;
   (F) the commissioner of the department of insurance if the obligor holds or is an applicant for a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;
   (G) the director of the department of natural resources if the obligor holds or is an applicant for a license issued by the department of natural resources under:
      (i) IC 14-22-12 (fishing, hunting, and trapping licenses);
      (ii) IC 14-22-14 (Lake Michigan commercial fishing license);
      (iii) IC 14-22-16 (bait dealer's license);
      (iv) IC 14-22-17 (mussel license);
      (v) IC 14-22-19 (fur buyer's license);
      (vi) IC 14-24-7 (nursery dealer's license); or
(vii) IC 14-31-3 (ginseng dealer's license); or
(H) the alcohol and tobacco commission if the obligor holds or
applies for an employee's permit under IC 7.1-3-18-9(a)(3)
(before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30,
2020).

(6) Explains that the only basis for contesting the issuance of an
order under subdivision (3) or (5) is a mistake of fact.
(7) Explains that an obligor may contest the Title IV-D agency's
determination to issue an order under subdivision (3) or (5) by
making written application to the Title IV-D agency not later than
twenty (20) days after the date the notice is mailed.
(8) Explains the procedures to:
   (A) pay the obligor's child support arrearage in full; and
   (B) establish a payment plan with the Title IV-D agency to pay
the arrearage, which must include an income withholding
order under IC 31-16-15-2 or IC 31-16-15-2.5.

(b) Whenever the Title IV-D agency finds that an obligor is
delinquent and has failed to:
   (1) pay the obligor's child support arrearage in full;
   (2) establish a payment plan with the Title IV-D agency to pay the
arrearage, which includes an income withholding order under
IC 31-16-15-2 or IC 31-16-15-2.5; or
   (3) request a hearing under section 33 of this chapter not later
than twenty (20) days after the date the notice described in
subsection (a) is mailed;
the Title IV-D agency shall issue an order to the bureau of motor
vehicles stating that the obligor is delinquent.
(c) An order issued under subsection (b) must require the following:
   (1) If the obligor who is the subject of the order holds a driving
license or permit on the date the order is issued, that the driving
privileges of the obligor be suspended until further order of the
Title IV-D agency.
   (2) If the obligor who is the subject of the order does not hold a
driving license or permit on the date the order is issued, that the
bureau of motor vehicles may not issue a driving license or permit
to the obligor until the bureau of motor vehicles receives a further
order from the Title IV-D agency.
(d) The Title IV-D agency shall provide the:
   (1) full name;
   (2) date of birth;
   (3) verified address; and
   (4) Social Security number or driving license number;
of the obligor to the bureau of motor vehicles.

(e) Whenever the Title IV-D agency finds that an obligor who is an applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed to:

1. pay the obligor's child support arrearage in full;
2. establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
3. request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the board regulating the practice of the obligor's profession or occupation stating that the obligor is delinquent.

(f) An order issued under subsection (e) must direct the board or department regulating the obligor's profession or occupation to impose the appropriate sanctions described under IC 25-1-1.2.

(g) Whenever the Title IV-D agency finds that an obligor who is an attorney or a licensed teacher is delinquent and the attorney or licensed teacher has failed to:

1. pay the obligor's child support arrearage in full;
2. establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
3. request a hearing under section 33 of this chapter;

the Title IV-D agency shall notify the supreme court disciplinary commission if the obligor is an attorney, or the department of education if the obligor is a licensed teacher, that the obligor is delinquent.

(h) Whenever the Title IV-D agency finds that an obligor who holds a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:

1. pay the obligor's child support arrearage in full;
2. establish a payment plan with the Title IV-D agency to pay the arrearage, which includes an income withholding order under IC 31-16-15-2 or IC 31-16-15-2.5; or
3. request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the Indiana horse racing commission if the obligor holds a license issued under IC 4-31-6, or to the Indiana gaming commission if the obligor holds a license issued under IC 4-33 or IC 4-35, stating that the obligor is delinquent and directing the commission to impose the appropriate sanctions described in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.

(i) Whenever the Title IV-D agency finds that an obligor who holds a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has
failed to:

1. (1) pay the obligor's child support arrearage in full;
2. (2) establish a payment plan with the Title IV-D agency to pay the
   arrearage, which includes an income withholding order under
   IC 31-16-15-2 or IC 31-16-15-2.5; or
3. (3) request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the commissioner of the
department of insurance stating that the obligor is delinquent and
directing the commissioner to impose the appropriate sanctions
described in IC 27-1-15.6-29 or IC 27-10-3-20.

(j) Whenever the Title IV-D agency finds that an obligor who holds
a license issued by the department of natural resources under
IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17, IC 14-22-19,
IC 14-24-7, or IC 14-31-3 has failed to:

1. (1) pay the obligor's child support arrearage in full;
2. (2) establish a payment plan with the Title IV-D agency to pay the
   arrearage, which includes an income withholding order under
   IC 31-16-15-2 or IC 31-16-15-2.5; or
3. (3) request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the director of the
department of natural resources stating that the obligor is delinquent
and directing the director to suspend or revoke a license issued to the
obligor by the department of natural resources as provided in
IC 14-11-3.

(k) If the Title IV-D agency finds that an obligor who holds an
employee's permit issued under IC 7.1-3-18-9(a)(3) (before July 1,
2020) or IC 7.1-3-18-9(b)(4) (after June 30, 2020) has failed to:

1. (1) pay the obligor's child support arrearage in full;
2. (2) establish a payment plan with the Title IV-D agency to pay the
   arrearage, which includes an income withholding order under
   IC 31-16-15-2 or IC 31-16-15-2.5; or
3. (3) request a hearing under section 33 of this chapter;

the Title IV-D agency shall issue an order to the alcohol and tobacco
commission stating that the obligor is delinquent and directing the
alcohol and tobacco commission to impose the appropriate sanctions
under IC 7.1-3-23-44.

(l) A person's most recent address on file with the bureau constitutes
a verified address for purposes of this section.

(m) When an obligor who was the subject of an order issued by the
Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or (k) has:
1. (1) paid the obligor's child support arrearage in full; or
2. (2) established a payment plan with the Title IV-D agency to pay
the arrearage, which includes an income withholding order under
IC 31-16-15-2 or IC 31-16-15-2.5;
the Title IV-D agency shall provide notice to the appropriate entity
under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has
addressed the delinquency.
SECTION 33. IC 31-25-4-34, AS AMENDED BY P.L.150-2018,
SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2019]: Sec. 34. (a) As used in this section, "board" has the
meaning set forth in IC 25-1-1.2-2.
(b) If an obligor holds a license issued by a board and requests a
hearing under section 33 of this chapter but fails to appear or appears
and is found to be delinquent, the Title IV-D agency shall issue an
order to the board that issued the obligor's license:
(1) stating that the obligor is delinquent; and
(2) requiring the board to comply with the actions required under
IC 25-1-1.2-8.
(c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, or
IC 4-35 and requests a hearing under section 33 of this chapter but fails
to appear or appears and is found to be delinquent, the Title IV-D
agency shall issue an order to the:
(1) Indiana horse racing commission, if the obligor holds a license
issued under IC 4-31-6; or
(2) Indiana gaming commission, if the obligor holds a license
issued under IC 4-33 or IC 4-35;
stating that the obligor is delinquent and requiring the commission to
comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or
IC 4-35-6.7-2.
(d) If an obligor holds a license issued under IC 27-1-15.6,
IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of
this chapter but fails to appear or appears and is found to be delinquent,
the Title IV-D agency shall issue an order to the commissioner of the
department of insurance:
(1) stating that the obligor is delinquent; and
(2) requiring the commissioner to comply with the actions
required under IC 27-1-15.6-29 or IC 27-10-3-20.
(e) If an obligor holds a license issued by the department of natural
resources under IC 14-22-12, IC 14-22-14, IC 14-22-16, IC 14-22-17,
IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under
section 33 of this chapter but fails to appear, or appears and is found to
be delinquent, the Title IV-D agency shall issue an order to the director
of the department of natural resources:
(1) stating that the obligor is delinquent; and
(2) requiring the director to suspend or revoke a license issued by
the department as provided in IC 14-11-3.

(f) If an obligor:

(1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3)
(before July 1, 2020) or IC 7.1-3-18-9(b)(4) (after June 30,
2020); and

(2) requests a hearing under section 33 of this chapter but fails to
appear or appears and is found to be delinquent;

the Title IV-D agency shall issue an order to the alcohol and tobacco
commission stating that the obligor is delinquent and requiring the
commission to impose the appropriate sanctions under IC 7.1-3-23-44.

(g) When an obligor who was the subject of an order issued by the
Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:

(1) paid the obligor's child support arrearage in full; or

(2) established a payment plan with the Title IV-D agency to pay
the arrearage, which includes an income withholding order under
IC 31-16-15-2 or IC 31-16-15-2.5;

the Title IV-D agency shall provide notice to the appropriate entity
under subsection (b), (c), (d), (e), or (f) that the obligor has addressed
the delinquency.

SECTION 34. IC 33-37-5-16, AS AMENDED BY P.L.198-2016,
SECTION 664, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2019]: Sec. 16. In addition to any other duties,
a clerk shall do the following:

(1) Collect and transfer additional judgments to a county auditor
under IC 9-18-2-41 (before its expiration) or IC 34-28-5-17.

(2) Deposit funds collected as judgments in the state highway
fund under IC 9-20-18-12.

(3) Deposit funds in the conservation officers fish and wildlife
fund under IC 14-22.

(4) Deposit funds collected as judgments in the state general fund
under IC 34-28-5-4.

(5) This subdivision applies after June 30, 2020. Deposit funds
collected as judgments in the enforcement and administration
fund (IC 7.1-4-10) under:

(A) IC 7.1-3-1.5-12;

(B) IC 7.1-3-6.5-6;

(C) IC 7.1-3-26-5;

(D) IC 7.1-3-26-6;

(E) IC 7.1-3-26-10;

(F) IC 7.1-5-2-4;

(G) IC 7.1-5-7-3;
(H) IC 7.1-5-7-4;
(I) IC 7.1-5-7-9;
(J) IC 7.1-5-7-10;
(K) IC 7.1-5-7-15;
(L) IC 7.1-5-8-11; and
(M) IC 7.1-5-10-7.

SECTION 35. IC 34-28-5-5, AS AMENDED BY P.L.146-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 5. (a) A defendant against whom a judgment is entered is liable for costs. Costs are part of the judgment and may not be suspended except under IC 9-30-3-12. Whenever a judgment is entered against a person for the commission of two (2) or more civil violations (infractions or ordinance violations), the court may waive the person's liability for costs for all but one (1) of the violations. This subsection does not apply to judgments entered for violations constituting:

1. (1) Class D infractions; or
2. (2) Class C infractions for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8.

(b) If a judgment is entered:

1. (1) for a violation constituting:
   (A) a Class D infraction; or
   (B) a Class C infraction for unlawfully parking in a space reserved for a person with a physical disability under IC 5-16-9-5 or IC 5-16-9-8; or

2. (2) in favor of the defendant in any case;

the defendant is not liable for costs.

c) Except for costs, and except as provided in subsections (e) and (f) and IC 9-21-5-11(e), **or unless otherwise expressly provided by statute**, the funds collected as judgments for violations of statutes defining infractions shall be deposited in the state general fund.

(d) A judgment may be entered against a defendant under this section or section 4 of this chapter upon a finding by the court that the defendant:

1. (1) violated:
   (A) a statute defining an infraction; or
   (B) an ordinance; or

2. (2) consents to entry of judgment for the plaintiff upon a pleading of nolo contendere for a moving traffic violation.

e) The funds collected for an infraction judgment described in section 4(h) of this chapter shall be transferred to a dedicated county
fund. The money in the dedicated county fund does not revert to the county general fund or state general fund and may be used, after appropriation by the county fiscal body, only for the following purposes:

(1) To pay compensation of commissioners appointed under IC 33-33-49.

(2) To pay costs of the county's guardian ad litem program.

(f) The funds collected for an infraction judgment described in section 4(i) of this chapter shall be transferred to a dedicated toll revenue fund created as part of a project under IC 8-15.5-1-2(b)(4). The money in the fund does not revert to the county general fund or state general fund and may be used only to pay the cost of operating, maintaining, and repairing the tolling system for a project under IC 8-15.5-1-2(b)(4), including major repairs, replacements, and improvements.

SECTION 36. IC 35-52-7-71 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 71. IC 7.1-5-10-11 defines a crime concerning sales.