

HOUSE BILL No. 1217

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-1-3-32.7.

Synopsis: Special event equipment. Allows a primary source of supply or wholesaler to allow a permittee to use its equipment to hold and dispense alcoholic beverages to consumers during a special event.

Effective: July 1, 2023.

Manning

January 10, 2023, read first time and referred to Committee on Public Policy.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1217

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 7.1-1-3-32.7, AS ADDED BY P.L.270-2017,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 32.7. "Professional and educational expenses", for
4 purposes of IC 7.1-5-5, means one (1) or more of the following:
5 (1) A primary source of supply or wholesaler may participate in
6 retailer or dealer association activities. A primary source of
7 supply or wholesaler may do the following:
8 (A) Display its products at a convention or trade show.
9 (B) Rent display booth space if the rental fee is not excessive
10 and is the same as paid by all exhibitors.
11 (C) Provide its own hospitality that is independent from
12 association sponsored activities.
13 (D) Purchase tickets to functions and pay registration fees if
14 the payments or fees are not excessive and are the same as
15 paid by all exhibitors.
16 (E) Make payments for advertisements in programs or
17 brochures issued by retailer or dealer associations at a



- 1 convention or trade show if the total payments made are not
 2 excessive and are the same as paid by all other advertisers.
- 3 (2) A primary source of supply or wholesaler may give or sponsor
 4 educational seminars for employees of retailers or dealers either
 5 at the primary source of supply's or wholesaler's premises or at the
 6 retailer or dealer establishment. Examples of educational
 7 seminars include the following:
- 8 (A) Seminars dealing with the use of a retailer's or dealer's
 9 equipment.
- 10 (B) Training seminars for employees of retailers or dealers.
- 11 (C) Tours of a primary source of supply's or wholesaler's plant
 12 or premises.
- 13 (D) Training seminars for employees of retailers or dealers
 14 may include tasting or sampling of alcoholic beverages by the
 15 employees of retailers or dealers. The tasting or sampling of an
 16 alcoholic beverage product is limited to one (1) ounce per
 17 employee of each alcoholic beverage product offered. The
 18 alcoholic beverage to be tasted or sampled may be provided by
 19 the primary source of supply or wholesaler or may be
 20 purchased from the retailer or dealer for no more than the
 21 listed retail price. The tasting or sampling may be conducted
 22 only at a permit premises where the consumption of alcoholic
 23 beverages is permitted. Any tasting or sampling provided by
 24 a primary source of supply or wholesaler must be offered or
 25 conducted on a nondiscriminatory basis.
- 26 (E) Reasonable hospitality, such as food and alcoholic
 27 beverages, may be offered as a part of an educational seminar.
- 28 (3) Advertising specialties and consumer advertising specialties,
 29 even if not otherwise permitted by a rule of the commission, if a
 30 wholesaler or primary source of supply does not:
- 31 (A) add the name or address of the retailer or dealer to the
 32 advertising specialty or consumer advertising specialty; or
- 33 (B) pay or credit the retailer or dealer, directly or indirectly,
 34 for distribution services.
- 35 **(4) Notwithstanding any other provision of this title, a**
 36 **primary source of supply or wholesaler may allow a permittee**
 37 **on a nondiscriminatory basis to use equipment that is owned**
 38 **by the primary source of supply or wholesaler. However, a**
 39 **permittee may only use the equipment to hold and dispense**
 40 **alcoholic beverages to a consumer on a temporary basis**
 41 **during a special event.**

