

Document: Proposed Rule, **Register Page Number:** 25 IR 512

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TITLE 905 ALCOHOL AND TOBACCO COMMISSION

NOTE: Under P.L.204-2001, SECTION 69, the name of the Indiana Alcoholic Beverage Commission is changed to Alcohol and Tobacco Commission, effective July 1, 2001.

Proposed Rule
LSA Document #01-258

DIGEST

Adds 905 IAC 1-48 to establish rules requiring permittees, in all instances involving off-premises sales not conducted in a package store, to obtain proper legal identification from persons seeking to purchase alcoholic beverages. Allows certain specific exceptions. Effective 30 days after filing with the secretary of state.

905 IAC 1-48

SECTION 1. 905 IAC 1-48 IS ADDED TO READ AS FOLLOWS:

Rule 48. Obtaining Proof of Age Required; Exceptions

905 IAC 1-48-1 Obtaining proof of age required; exceptions

Authority: IC 7.1-2-3-7

Affected: IC 7.1-1-3-7; IC 7.1-5-7

Sec. 1. (a) All sales for off-premises consumption shall require proper legal identification from persons seeking to purchase alcoholic beverages to determine that the person is twenty-one (21) years of age or older.

(b) The requirements of subsection (a) shall not be deemed necessary if the permittee's clerk has actual knowledge that the person attempting to purchase alcoholic beverages is twenty-one (21) years of age or older or if the clerk has articulable facts to believe that the person is twenty-eight (28) years of age or older. (*Alcohol and Tobacco Commission; 905 IAC 1-48-1*)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on November 27, 2001 at 9:00 a.m., at the Indiana Government Center-South, 302 West Washington Street, Room E112, Indianapolis, Indiana the Alcohol and Tobacco Commission will hold a public hearing on proposed new rules to require permittees, in all instances involving off-premises sales not conducted in a package store, to obtain proper legal identification from persons seeking to purchase alcoholic beverages and to allow certain specific exceptions. Copies of these rules are now on file at the Indiana Government Center-South, 302 West Washington Street, Room E114 and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Mary DePrez
Chairman
Alcohol and Tobacco Commission