

**TITLE 905 ALCOHOL AND TOBACCO
COMMISSION**

Proposed Rule
LSA Document #03-279

DIGEST

Adds 905 IAC 1-46 to establish rules regulating the placement of tobacco sales certificates issued under IC 7.1-3-18.5, et seq. and to provide penalties for noncompliance. Effective 30 days after filing with the secretary of state.

905 IAC 1-46

SECTION 1. 905 IAC 1-46 IS ADDED TO READ AS FOLLOWS:

Rule 46. Tobacco Retail Sales Certificates

905 IAC 1-46-1 Display of sales certificate

Authority: IC 7.1-2-3-7; IC 7.1-3-18.5-4

Affected: IC 7.1-3-18.5

Sec. 1. A tobacco retail sales certificate issued under IC 7.1-3-18.5 must be prominently displayed in a manner clearly visible from the main entrance to the area where tobacco sales are conducted. (*Alcohol and Tobacco Commission; 905 IAC 1-46-1*)

905 IAC 1-46-2 Penalty for noncompliance

Authority: IC 7.1-2-3-7; IC 7.1-3-23-2; IC 7.1-3-23-3

Affected: IC 7.1-3-18.5

Sec. 2. (a) A tobacco retailer who fails to display a tobacco retailer sales certificate in the manner prescribed in section 1 of this rule may be fined in an amount of up to one hundred dollars (\$100) for each offense.

(b) Each day in which a violation of this rule remains uncorrected is a separate offense.

(c) Each location at which a violation of this rule remains uncorrected is a separate offense. (*Alcohol and Tobacco Commission; 905 IAC 1-46-2*)

Notice of Public Hearing

Under IC 4-22-2-24, notice is hereby given that on January 26, 2004 at 10:00 a.m., at the Indiana Government Center-South, 302 West Washington Street, Room E114, Indianapolis, Indiana the Alcohol and Tobacco Commission will hold a public hearing on a proposed new rule governing the display of tobacco retail sales certificates. 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.

Mark C. Webb
Executive Secretary
Alcohol and Tobacco Commission