

February 10, 2015

PROPOSED AMENDMENTS TO SENATE BILL NO. 2324

Page 1, line 1, replace "subsection" with "to amend and reenact subsections 3 and"

Page 1, line 2, after "state" insert "; and to provide a penalty"

Page 1, line 4, replace "Subsection" with "Subsections 3 and"

Page 1, line 5, replace "is" with "are"

Page 1, after line 5, insert:

- "3. For a first violation of subsection 1 or 2, the tax commissioner shall notify, by certified mail, the person and order that person to cease and desist any shipment of alcoholic beverages in violation of subsection 1 or 2 and shall assess a civil penalty of one hundred dollars for each illegal shipment. ~~The~~For a second violation of subsection 1 or 2 ~~is a class A misdemeanor,~~ the tax commissioner shall assess a civil penalty of two hundred dollars for each illegal shipment. ~~Any~~For any subsequent violation of subsection 1 or 2 ~~is a class C felony and,~~ the tax commissioner shall assess a civil penalty of five hundred dollars for each illegal shipment."

Page 1, line 19, remove "may"

Page 1, line 19, remove the overstrike over "~~the license number and name~~"

Page 1, remove the overstrike over line 20

Page 1, line 21, remove the overstrike over "~~logistics shipper,~~"

Page 1, line 23, remove "The tax commissioner may not require the records to include the"

Page 1, remove line 24

Page 2, line 1, remove "shipper."

Page 2, line 8, overstrike "For a violation, the licensed alcohol carrier is subject to"

Page 2, line 9, overstrike "the penalties in subsection 3" and insert immediately thereafter: "If the tax commissioner has provided notice to a licensed alcohol carrier that a direct shipper is not licensed, the licensed alcohol carrier must notify the direct shipper that it will not ship additional alcoholic beverages for the unlicensed direct shipper until the direct shipper obtains the required license. For each shipment made by a licensed alcohol carrier for an unlicensed direct shipper more than fifteen days after receiving notice from the tax commissioner, the licensed alcohol carrier is subject to the penalties under subsection 3. Any assessed penalty may be waived by the tax commissioner for good cause upon request by the licensed alcohol carrier"

Re-number accordingly