

# PROPOSED AMENDMENT

## HB 1052 # 20

### DIGEST

New permits. Allows the alcohol and tobacco commission (commission) to issue to the city of Gary not more than 10 new three-way permits. Allows the commission to issue a beer dealer's permit, wine dealer's permit, and liquor dealer's permit to a drug store operated in the city of Westfield and a drug store operated in the town of Sellersburg.

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1       Page 19, between lines 4 and 5, begin a new paragraph and insert:  
2       "SECTION 34. IC 7.1-3-20-16.8, AS AMENDED BY THE  
3       TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
4       ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5       JULY 1, 2026]: Sec. 16.8. (a) A permit that is authorized by this  
6       section may be issued without regard to the quota provisions of  
7       IC 7.1-3-22.  
8       (b) Except as provided in section 16.3 of this chapter, the  
9       commission may issue not more than four (4) new three-way permits  
10      to sell alcoholic beverages for on-premises consumption to applicants  
11      in each of the following municipalities:  
12        (1) Whitestown.  
13        (2) Lebanon.  
14        (3) Zionsville.  
15        (4) Westfield.  
16        (5) Carmel.  
17        (6) Fishers.  
18        (7) Noblesville.  
19       (c) The following apply to permits issued under subsection (b):  
20        (1) An applicant for a permit under subsection (b) must be a  
21        proprietor, as owner or lessee, or both, of a restaurant located  
22        within an economic development area, an area needing  
23        redevelopment, or a redevelopment district as established under  
24        IC 36-7-14 in a municipality's:  
25           (A) downtown redevelopment district; or  
26           (B) downtown economic revitalization area.

10 (4) The municipality may adopt an ordinance under  
11 IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
12 written commitment as a condition of eligibility for a permit. As  
13 set forth in IC 7.1-3-19-17(b), a formal written commitment is  
14 binding on the permit holder and on any lessee or proprietor of  
15 the permit premises.

16 (5) Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business  
17 operations cease at the permit premises for more than six (6)  
18 months, the permit shall revert to the commission and the permit  
19 holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

22 (7) A permit may not be transferred from the premises for which  
23 the permit was issued.

24 (8) If the area in which the permit premises is located is no longer  
25 designated an economic development area, an area needing  
26 redevelopment, or a redevelopment district, a permit issued under  
27 this section may be renewed, and the ownership of the permit may  
28 be transferred, but the permit may not be transferred from the  
29 permit premises.

30 (d) Except as provided in section 16.3 of this chapter, in addition to  
31 the permits issued to the town of Whitestown under subsection (c), the  
32 commission may issue to the town of Whitestown not more than:

33 (1) three (3) new three-way permits; and  
34 (2) three (3) new two-way permits;

35 under this subsection.

36 (e) The following apply to permits issued under subsection (d):

37 (1) An applicant for a permit under subsection (d)(1) or (d)(2)  
38 must be a proprietor, an owner or lessee, or both, of a restaurant  
39 located within an economic development area, an area needing  
40 redevelopment, or a redevelopment district as established under

1           IC 36-7-14 in a municipality's:

2           (A) downtown redevelopment district; or

3           (B) downtown economic revitalization area.

4           (2) The cost of an initial permit is forty thousand dollars

5           (\$40,000).

6           (3) The total number of active permits issued under subsection (d)

7           may not exceed the six (6) permits allocated by permit type, as set

8           forth in that subsection.

9           (4) The municipality may adopt an ordinance under

10          IC 7.1-3-19-17 requiring a permit holder to enter into a formal

11          written commitment as a condition of eligibility for a permit. As

12          set forth in IC 7.1-3-19-17(b), a formal written commitment is

13          binding on the permit holder and on any lessee or proprietor of

14          the permit premises.

15          (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at

16          the permit premises for more than six (6) months, the permit shall

17          revert to the commission and the permit holder is not entitled to

18          any refund or other compensation.

19          (6) Except as provided in subdivision (8), the ownership of a

20          permit may not be transferred.

21          (7) A permit may not be transferred from the premises for which

22          the permit was issued.

23          (8) If the area in which the permit issued to a premises under

24          subsection (d)(1) or (d)(2) is located is no longer designated an

25          economic development area, an area needing redevelopment, or

26          a redevelopment district, a permit issued under this section may

27          be renewed, and the ownership of the permit may be transferred,

28          but the permit may not be transferred from the permit premises.

29          (f) Except as provided in section 16.3 of this chapter, in addition to

30          the permits issued to the city of Noblesville under subsection (c), the

31          commission may issue to the city of Noblesville not more than ten (10)

32          new three-way permits under this subsection. The new three-way

33          permits may be issued as follows:

34           (1) Three (3) new three-way permits in 2024.

35           (2) Three (3) new three-way permits in 2025.

36           (3) Four (4) new three-way permits in 2026.

37          If the commission does not issue the amount of three-way permits

38          allowed in subdivisions (1) through (3) in that year, any unissued

39          permits will roll over and may be issued in a subsequent year.

40          (g) The following apply to permits issued under subsection (f):

6 (A) downtown redevelopment district; or  
7 (B) downtown economic revitalization area

10 (3) The total number of active permits issued under subsection (f)  
11 may not exceed the ten (10) new three-way permits, as set forth  
12 in that subsection.

19 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
20 the permit premises for more than six (6) months, the permit shall  
21 revert to the commission and the permit holder is not entitled to  
22 any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

25 (7) A permit may not be transferred from the premises for which  
26 the permit was issued.

27 (8) If the area in which the permit issued to a premises under  
28 subsection (f) is located is no longer designated an economic  
29 development area, an area needing redevelopment, or a  
30 redevelopment district, a permit issued under this section may be  
31 renewed, and the ownership of the permit may be transferred, but  
32 the permit may not be transferred from the permit premises.

37 (1) An applicant for a permit ~~under subsection (h)~~ must be a  
38 proprietor, an owner or lessee, or both, of a restaurant located  
39 within an economic development area, an area needing  
40 redevelopment, or a redevelopment district as established under

1           IC 36-7-14 in a municipality's:

2           (A) downtown redevelopment district; or

3           (B) downtown economic revitalization area.

4           (2) The cost of an initial permit is forty thousand dollars

5           (\$40,000).

6           (3) The total number of active permits issued under **this**

7           subsection ~~(h)~~ may not exceed the two (2) new three-way permits.

8           as set forth in that subsection.

9           (4) The municipality may adopt an ordinance under

10          IC 7.1-3-19-17 requiring a permit holder to enter into a formal

11          written commitment as a condition of eligibility for a permit. As

12          set forth in IC 7.1-3-19-17(b), a formal written commitment is

13          binding on the permit holder and on any lessee or proprietor of

14          the permit premises.

15          (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at

16          the permit premises for more than six (6) months, the permit shall

17          revert to the commission and the permit holder is not entitled to

18          any refund or other compensation.

19          (6) Except as provided in subdivision (8), the ownership of a

20          permit may not be transferred.

21          (7) A permit may not be transferred from the premises for which

22          the permit was issued.

23          (8) If the area in which the permit issued to a premises under **this**

24          subsection ~~(h)~~ is located is no longer designated an economic

25          development area, an area needing redevelopment, or a

26          redevelopment district, a permit issued under this section may be

27          renewed, and the ownership of the permit may be transferred, but

28          the permit may not be transferred from the permit premises.

29          ~~(f)~~ (i) Except as provided in section 16.3 of this chapter, the

30          commission may issue to the city of Warsaw not more than three (3)

31          new three-way permits under this subsection. ~~(k)~~ The following apply

32          to permits issued under **this** subsection: ~~(f)~~:

33           (1) An applicant for a permit ~~under subsection (f)~~ must be a

34           proprietor, an owner or lessee, or both, of a restaurant located

35           within an economic development area, an area needing

36           redevelopment, or a redevelopment district as established under

37           IC 36-7-14 in a municipality's:

38           (A) downtown redevelopment district; or

39           (B) downtown economic revitalization area.

40           (2) The cost of an initial permit is forty thousand dollars

1 (\$40,000).

(3) The total number of active permits issued under **this** subsection (f) may not exceed the three (3) new three-way permits. ~~as set forth in that subsection.~~

5 (4) The municipality may adopt an ordinance under  
6 IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
7 written commitment as a condition of eligibility for a permit. As  
8 set forth in IC 7.1-3-19-17(b), a formal written commitment is  
9 binding on the permit holder and on any lessee or proprietor of  
10 the permit premises.

11 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
12 the permit premises for more than six (6) months, the permit shall  
13 revert to the commission and the permit holder is not entitled to  
14 any refund or other compensation.

15 (6) Except as provided in subdivision (8), the ownership of a  
16 permit may not be transferred.

17 (7) A permit may not be transferred from the premises for which  
18 the permit was issued.

19 (8) If the area in which the permit issued to a premises under **this**  
20 subsection (f) is located is no longer designated an economic  
21 development area, an area needing redevelopment, or a  
22 redevelopment district, a permit issued under this section may be  
23 renewed, and the ownership of the permit may be transferred, but  
24 the permit may not be transferred from the permit premises.

25       ~~(f)~~ (j) Except as provided in section 16.3 of this chapter, the  
26 commission may issue to the town of Syracuse not more than one (1)  
27 new three-way permit under this subsection. ~~(m)~~ The following apply  
28 to a permit issued under **this** subsection: ~~(f)~~:

(1) An applicant for a permit under subsection (1) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:

34 (A) downtown redevelopment district; or  
35 (B) downtown economic revitalization area.

36 (2) The cost of an initial permit is forty thousand dollars  
37 (\$40,000).

38 (3) The total number of active permits issued under **this**  
39 subsection **(4)** may not exceed the one (1) new three-way permit.  
40 **as set forth in that subsection.**

1 (4) The municipality may adopt an ordinance under  
2 IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
3 written commitment as a condition of eligibility for a permit. As  
4 set forth in IC 7.1-3-19-17(b), a formal written commitment is  
5 binding on the permit holder and on any lessee or proprietor of  
6 the permit premises.

7 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
8 the permit premises for more than six (6) months, the permit shall  
9 revert to the commission and the permit holder is not entitled to  
10 any refund or other compensation.

21       (k) Except as provided in section 16.3 of this chapter, the  
22 commission may issue to the city of Gary not more than ten (10)  
23 new three-way permits under this subsection. The following apply  
24 to a permit issued under this subsection:

25                   **(1) An applicant for a permit must be a proprietor, an owner**  
26                   **or lessee, or both, of a restaurant located within an economic**  
27                   **development area, an area needing redevelopment, or a**  
28                   **redevelopment district as established under IC 36-7-14 in a**  
29                   **municipality's:**

30 (A) downtown redevelopment district; or

31 (B) downtown economic revitalization area.

37 (4) The municipality may adopt an ordinance under  
38 IC 7.1-3-19-17 requiring a permit holder to enter into a  
39 formal written commitment as a condition of eligibility for a  
40 permit. As set forth in IC 7.1-3-19-17(b), a formal written

1                   **commitment is binding on the permit holder and on any lessee**  
2                   **or proprietor of the permit premises.**

3                   **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**  
4                   **at the permit premises for more than six (6) months, the**  
5                   **permit shall revert to the commission and the permit holder**  
6                   **is not entitled to any refund or other compensation.**

7                   **(6) Except as provided in subdivision (8), the ownership of a**  
8                   **permit may not be transferred.**

9                   **(7) A permit may not be transferred from the premises for**  
10                  **which the permit was issued.**

11                  **(8) If the area in which the permit issued to a premises under**  
12                  **this subsection is located is no longer designated an economic**  
13                  **development area, an area needing redevelopment, or a**  
14                  **redevelopment district, a permit issued under this section may**  
15                  **be renewed, and the ownership of the permit may be**  
16                  **transferred, but the permit may not be transferred from the**  
17                  **permit premises.**

18                  SECTION 35. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA  
19                  CODE AS A NEW SECTION TO READ AS FOLLOWS  
20                  [EFFECTIVE JULY 1, 2026]: Sec. 4.7. (a) Notwithstanding section  
21                  4(a) through 4(c) of this chapter, the commission may issue a beer  
22                  dealer's permit, wine dealer's permit, and liquor dealer's permit to  
23                  a drug store operated in the city of Westfield.

24                  (b) Notwithstanding section 4(a) through 4(c) of this chapter, the  
25                  commission may issue a beer dealer's permit, wine dealer's permit,  
26                  and liquor dealer's permit to a drug store operated in the town of  
27                  Sellersburg.

28                  (c) The following apply to a permit issued under subsection (a)  
29                  or (b):

30                  (1) The combined initial permit cost is forty thousand dollars  
31                  (\$40,000) for all three (3) permits.

32                  (2) A permit may not be transferred from the premises for  
33                  which the permit was issued.

34                  (3) The ownership of a permit may be transferred with  
35                  approval from the commission.

36                  (4) Each permit is subject to the requirements applicable to  
37                  the permit type.".

38                  Renumber all SECTIONS consecutively.

(Reference is to HB 1052 as introduced.)