

PROPOSED AMENDMENT

HB 1052 # 31

DIGEST

Three-way permits. Provides that the alcohol and tobacco commission may issue not more than: (1) three new three-way permits to the town of Schererville; (2) three new three-way permits to the city of Lafayette; (3) two new three-way permits to the city of West Lafayette; (4) eight new three-way permits to restaurants located within a transit development district located in the city of Michigan City; (5) two new three-way permits to the city of Delphi; and (6) two new three-way permits to the city of Bloomington.

- 1 Replace the effective date in SECTION 38 with "[EFFECTIVE
2 UPON PASSAGE]".
3 Page 30, between lines 5 and 6, begin a new paragraph and insert:
4 **"(I) Except as provided in section 16.3 of this chapter, the**
5 **commission may issue to the town of Schererville not more than**
6 **three (3) new three-way permits. The following applies to a permit**
7 **issued under this subsection:**
8 **(1) An applicant for a permit must be a proprietor, an owner**
9 **or lessee, or both, of a restaurant located within an economic**
10 **development area, an area needing redevelopment, or a**
11 **redevelopment district as established under IC 36-7-14 in the**
12 **town's:**
13 **(A) downtown redevelopment district; or**
14 **(B) downtown economic revitalization area.**
15 **(2) The cost of an initial permit is forty thousand dollars**
16 **(\$40,000).**
17 **(3) The total number of active permits issued under this**
18 **subsection may not exceed the three (3) new three-way**
19 **permits.**
20 **(4) The town may adopt an ordinance under IC 7.1-3-19-17**
21 **requiring a permit holder to enter into a formal written**
22 **commitment as a condition of eligibility for a permit. As set**
23 **forth in IC 7.1-3-19-17(b), a formal written commitment is**
24 **binding on the permit holder and on any lessee or proprietor**
25 **of the permit premises.**

- 1 **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**
2 **at the permit premises for more than six (6) months, the**
3 **permit shall revert to the commission and the permit holder**
4 **is not entitled to any refund or other compensation.**
- 5 **(6) Except as provided in subdivision (8), the ownership of the**
6 **permit may not be transferred.**
- 7 **(7) The permit may not be transferred from the premises for**
8 **which the permit was issued.**
- 9 **(8) If the area in which the permit issued to a premises is**
10 **located is no longer designated an economic development**
11 **area, an area needing redevelopment, or a redevelopment**
12 **district, a permit issued under this section may be renewed,**
13 **and the ownership of the permit may be transferred, but the**
14 **permit may not be transferred from the permit premises.**
- 15 **(m) Except as provided in section 16.3 of this chapter, the**
16 **commission may issue to the city of Lafayette not more than three**
17 **(3) new three-way permits. The following apply to a permit issued**
18 **under this subsection:**
- 19 **(1) An applicant for a permit must be a proprietor, an owner**
20 **or lessee, or both, of a restaurant located within an economic**
21 **development area, an area needing redevelopment, or a**
22 **redevelopment district as established under IC 36-7-14 in the**
23 **city's:**
- 24 **(A) downtown redevelopment district; or**
25 **(B) downtown economic revitalization area.**
- 26 **(2) The cost of an initial permit is forty thousand dollars**
27 **(\$40,000).**
- 28 **(3) The total number of active permits issued under this**
29 **subsection may not exceed the three (3) new three-way**
30 **permits.**
- 31 **(4) The city may adopt an ordinance under IC 7.1-3-19-17**
32 **requiring a permit holder to enter into a formal written**
33 **commitment as a condition of eligibility for a permit. As set**
34 **forth in IC 7.1-3-19-17(b), a formal written commitment is**
35 **binding on the permit holder and on any lessee or proprietor**
36 **of the permit premises.**
- 37 **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**
38 **at the permit premises for more than six (6) months, the**
39 **permit shall revert to the commission and the permit holder**
40 **is not entitled to any refund or other compensation.**

- 1 **(6) Except as provided in subdivision (8), the ownership of the**
 2 **permit may not be transferred.**
- 3 **(7) The permit may not be transferred from the premises for**
 4 **which the permit was issued.**
- 5 **(8) If the area in which the permit issued to a premises is**
 6 **located is no longer designated an economic development**
 7 **area, an area needing redevelopment, or a redevelopment**
 8 **district, a permit issued under this section may be renewed,**
 9 **and the ownership of the permit may be transferred, but the**
 10 **permit may not be transferred from the permit premises.**
- 11 **(n) Except as provided in section 16.3 of this chapter, the**
 12 **commission may issue to the city of West Lafayette not more than**
 13 **two (2) new three-way permits. The following apply to a permit**
 14 **issued under this subsection:**
- 15 **(1) An applicant for a permit must be a proprietor, an owner**
 16 **or lessee, or both, of a restaurant located within an economic**
 17 **development area, an area needing redevelopment, or a**
 18 **redevelopment district as established under IC 36-7-14 in the**
 19 **city's:**
- 20 **(A) downtown redevelopment district; or**
- 21 **(B) downtown economic revitalization area.**
- 22 **(2) The cost of an initial permit is forty thousand dollars**
 23 **(\$40,000).**
- 24 **(3) The total number of active permits issued under this**
 25 **subsection may not exceed the two (2) new three-way permits.**
- 26 **(4) The city may adopt an ordinance under IC 7.1-3-19-17**
 27 **requiring a permit holder to enter into a formal written**
 28 **commitment as a condition of eligibility for a permit. As set**
 29 **forth in IC 7.1-3-19-17(b), a formal written commitment is**
 30 **binding on the permit holder and on any lessee or proprietor**
 31 **of the permit premises.**
- 32 **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**
 33 **at the permit premises for more than six (6) months, the**
 34 **permit shall revert to the commission and the permit holder**
 35 **is not entitled to any refund or other compensation.**
- 36 **(6) Except as provided in subdivision (8), the ownership of the**
 37 **permit may not be transferred.**
- 38 **(7) The permit may not be transferred from the premises for**
 39 **which the permit was issued.**
- 40 **(8) If the area in which the permit issued to a premises is**

1 located is no longer designated an economic development
2 area, an area needing redevelopment, or a redevelopment
3 district, a permit issued under this section may be renewed,
4 and the ownership of the permit may be transferred, but the
5 permit may not be transferred from the permit premises.

6 (o) Except as provided in section 16.3 of this chapter, the
7 commission may issue a new three-way permit to an applicant who
8 is a proprietor, an owner or lessee, or both, of a restaurant located
9 within a transit development district established under
10 IC 36-7.5-4.5 and located in the city of Michigan City. The
11 commission may issue not more than eight (8) new three-way
12 permits under this subsection. The following apply to a permit
13 issued under this subsection:

14 (1) The cost of an initial permit is forty thousand dollars
15 (\$40,000).

16 (2) The total number of active permits issued under this
17 subsection may not exceed the eight (8) new three-way
18 permits.

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

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

29 (5) Except as provided in subdivision (7), the ownership of the
30 permit may not be transferred.

31 (6) The permit may not be transferred from the premises for
32 which the permit was issued.

33 (7) If the area in which the permit issued to a premises is
34 located is no longer designated as part of a transit
35 development district established under IC 36-7.5-4.5, a permit
36 issued under this section may be renewed, and the ownership
37 of the permit may be transferred, but the permit may not be
38 transferred from the permit premises.

39 (p) Except as provided in section 16.3 of this chapter, the
40 commission may issue to the city of Delphi not more than two (2)

1 new three-way permits. The following apply to a permit issued
2 under this subsection:

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

8 (A) downtown redevelopment district; or

9 (B) downtown economic revitalization area.

10 (2) The cost of an initial permit is forty thousand dollars
11 (\$40,000).

12 (3) The total number of active permits issued under this
13 subsection may not exceed the two (2) new three-way permits.

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

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

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

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

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

34 (q) Except as provided in section 16.3 of this chapter, the
35 commission may issue to the city of Bloomington not more than
36 two (2) new three-way permits. The following apply to a permit
37 issued under this subsection:

38 (1) An applicant for a permit must be a proprietor, an owner
39 or lessee, or both, of a restaurant located within an economic
40 development area, an area needing redevelopment, or a

- 1 redevelopment district as established under IC 36-7-14 in the
2 city's:
- 3 (A) downtown redevelopment district; or
4 (B) downtown economic revitalization area.
- 5 (2) The cost of an initial permit is forty thousand dollars
6 (\$40,000).
- 7 (3) The total number of active permits issued under this
8 subsection may not exceed the two (2) new three-way permits.
- 9 (4) The city may adopt an ordinance under IC 7.1-3-19-17
10 requiring a permit holder to enter into a formal written
11 commitment as a condition of eligibility for a permit. As set
12 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
14 of the permit premises.
- 15 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease
16 at the permit premises for more than six (6) months, the
17 permit shall revert to the commission and the permit holder
18 is not entitled to any refund or other compensation.
- 19 (6) Except as provided in subdivision (8), the ownership of the
20 permit may not be transferred.
- 21 (7) The permit may not be transferred from the premises for
22 which the permit was issued.
- 23 (8) If the area in which the permit issued to a premises is
24 located is no longer designated an economic development
25 area, an area needing redevelopment, or a redevelopment
26 district, a permit issued under this section may be renewed,
27 and the ownership of the permit may be transferred, but the
28 permit may not be transferred from the permit premises."

(Reference is to HB 1052 as reprinted January 30, 2026.)