



Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

Your Committee on Public Policy, to which was referred House Bill 1052, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 4, line 7, after "games" insert "**or horse racing**".
- 2 Page 11, delete lines 5 through 26, begin a new paragraph and
- 3 insert:
- 4 "SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA CODE
- 5 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 6 1, 2026]: **Sec. 7. (a) As used in this section, "sweepstakes game"**
- 7 **means a game, contest, or promotion that:**
- 8 **(1) is available on the Internet;**
- 9 **(2) is accessible on a mobile phone, computer terminal, or**
- 10 **similar access device;**
- 11 **(3) utilizes a dual-currency or multi-currency system of**
- 12 **payment allowing a player to exchange currency for:**
- 13 **(A) a cash prize, a cash award, or cash equivalents; or**
- 14 **(B) a chance to win a cash prize, a cash award, or cash**
- 15 **equivalents; and**

1 **(4) simulates:**

2 **(A) lottery games; or**

3 **(B) casino-style gaming, including slot machines, video**
 4 **poker, table games, bingo, or sports wagering.**

5 **However, the term does not include a game, contest, or promotion**
 6 **offered by the state lottery commission.**

7 **(b) The commission may levy a civil penalty in the amount of**
 8 **one hundred thousand dollars (\$100,000) against an operator or**
 9 **individual who knowingly uses the Internet to conduct a**
 10 **sweepstakes game:**

11 **(1) in Indiana; or**

12 **(2) in a transaction directly involving a person located in**
 13 **Indiana."**

14 Page 12, between lines 3 and 4, begin a new paragraph and insert:

15 "SECTION 19. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA
 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
 18 **tetrahydrocannabinol, including hemp derived cannabinoid**
 19 **products, synthetic equivalents of the substances contained in the**
 20 **plant or in the resinous extractives of Cannabis, and synthetic**
 21 **substances, derivatives, and their isomers with a similar chemical**
 22 **structure and pharmacological activity."**

23 Page 13, between lines 39 and 40, begin a new paragraph and insert:

24 "SECTION 26. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025,
 25 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 UPON PASSAGE]: **Sec. 5. (a) The holder of a beer wholesaler's permit**
 27 **may purchase and import from the primary source of supply, possess,**
 28 **and sell at wholesale, beer and flavored malt beverages manufactured**
 29 **within or without this state.**

30 **(b) A beer wholesaler permittee may possess, transport, sell, and**
 31 **deliver beer to:**

32 **(1) another beer wholesaler authorized by the brewer to sell the**
 33 **brand purchased;**

34 **(2) an employee; and**

35 **(3) a holder of a beer retailer's permit, beer dealer's permit,**
 36 **temporary beer permit, dining car permit, boat permit, airplane**
 37 **permit, or supplemental caterer's permit; and**

38 **(4) a food manufacturer that is registered with the federal**

**Food and Drug Administration, for the purpose of adding or
integrating the beer into a product or recipe;**

located within this state. The sale, transportation, and delivery of beer shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery.

(c) The beer wholesaler's bona fide regular employees may purchase beer from the wholesaler in:

(1) bottles, cans, or any other type of permissible containers in an amount not to exceed forty-eight (48) pints; or

(2) one (1) keg;

at any one (1) time.

(d) The importation, transportation, possession, sale, and delivery of beer shall be subject to the rules of the commission and subject to the same restrictions provided in this title for a person holding a brewer's permit.

(e) The holder of a beer wholesaler's permit may purchase, import, possess, transport, sell, and deliver any commodity listed in IC 7.1-3-10-5, unless prohibited by this title. However, a beer wholesaler may deliver flavored malt beverages only to the holder of one (1) of the following permits:

(1) A beer wholesaler or wine wholesaler permit, if the wholesaler is authorized by the primary source of supply to sell the brand of flavored malt beverage purchased.

(2) A wine retailer's permit, wine dealer's permit, temporary wine permit, dining car wine permit, boat permit, airplane permit, or supplemental caterer's permit.

(f) A beer wholesaler may:

(1) store beer for an out-of-state brewer described in IC 7.1-3-2-9 and deliver the stored beer to another beer wholesaler that the out-of-state brewer authorizes to sell the beer;

(2) perform all necessary accounting and auditing functions associated with the services described in subdivision (1); and

(3) receive a fee from an out-of-state brewer for the services described in subdivisions (1) through (2).

(g) A beer wholesaler may sell, donate, transport, and deliver beer to a qualified organization for:

(1) an allowable event under IC 7.1-3-6.1;

(2) a charity auction under IC 7.1-3-6.2; or

1 (3) an event under IC 7.1-3-6.3;
2 located within this state. The sale, donation to a qualified organization,
3 transportation, and delivery of beer shall be made only from inventory
4 that has been located on the wholesaler's premises before the time of
5 invoicing and delivery.

6 SECTION 27. IC 7.1-3-14-4, AS AMENDED BY P.L.167-2024,
7 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's permit is
9 entitled to purchase wine only from a permittee entitled to sell to the
10 wine retailer under this title. A wine retailer is entitled to possess wine
11 and sell wine at retail to a customer for consumption on the licensed
12 premises. A wine retailer is also entitled to sell wine to a customer and
13 deliver wine in permissible containers to the customer on the licensed
14 premises or to the customer's house. **Except as provided in section 8**
15 **of this chapter**, this delivery may only be performed by the permit
16 holder or an employee who holds an employee permit. The permit
17 holder shall maintain a written record of each delivery for at least one
18 (1) year that shows the customer's name, location of delivery, and
19 quantity sold. Subject to subsection (g), a wine retailer also may
20 prepare and package wine in qualified containers for sale and delivery
21 to a customer on the licensed premises for consumption off the licensed
22 premises.

23 (b) A wine retailer is not entitled to sell wine at wholesale. A wine
24 retailer is not entitled to sell and deliver wine on the street or at the
25 curb outside the licensed premises, nor is the wine retailer entitled to
26 sell wine at a place other than the licensed premises. However, a wine
27 retailer may offer food service (excluding alcoholic beverages) to a
28 patron who is outside the licensed premises by transacting business
29 through a window in the licensed premises.

30 (c) A wine retailer is entitled to sell and deliver wine for carry out,
31 or for at-home delivery. A wine retailer that delivers wine to a
32 customer's residence must require the customer to provide proof of age
33 in accordance with IC 7.1-5-10-23.

34 (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the
35 wine retailer may include the wine retailer parking lot or an area
36 adjacent to the wine retailer that may only be used for the purpose of
37 conveying alcoholic beverages and other nonalcoholic items to a
38 customer, and may not be used for point of sale purposes or any other

purpose. Any alcoholic beverages conveyed to the customer must satisfy the following:

(1) Alcoholic beverages that are in the sealed original containers must be placed in a bag that is stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES".

(2) Alcoholic beverages that are prepared by the wine retailer must be packaged by the wine retailer in qualified containers that are:

(A) stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES"; or

(B) placed in a bag stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES".

(3) Placed by an employee of the permittee who is at least twenty-one (21) years of age:

(A) in the trunk of the motor vehicle; or

(B) behind the last upright seat of the motor vehicle, if the motor vehicle is not equipped with a trunk.

A retailer permittee may only convey a customer's order of alcoholic beverages to the customer, if the customer has also purchased a meal from the retailer permittee that is conveyed to the customer at the same time as the alcoholic beverages.

(e) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23.

(f) The parking lot or area where the alcoholic beverages are conveyed to the customer must be:

(1) well lit; and

(2) within clear view of the main entrance to the building of the retailer premises.

(g) If a wine retailer prepares and packages wine:

(1) for sale and delivery to a customer on the licensed premises for consumption off the licensed premises; and

(2) in a container that is not in a qualified container;

the commission may revoke the wine retailer's privilege under this section of preparing and packaging wine for sale and delivery to a customer in a qualified container.

SECTION 28. IC 7.1-3-14-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY

1, 2026]: **Sec. 8. (a) A wine retailer may sell wine for consumption off the licensed premises from a display in a room:**

(1) where the bar is located or alcoholic beverages are stored, prepared, or dispensed for consumption on the licensed premises;

(2) that is not partitioned to create a section that is solely or primarily for package sales of wine; and

(3) that does not have a separate cash register for package sales.

(b) This subsection applies only to a wine retailer if the sale of wine on the licensed premises is at least sixty percent (60%) of the annual gross income of the premises. A wine retailer may allow a customer to obtain by self-service sealed bottles of wine for consumption off the licensed premises from a display under subsection (a).

SECTION 27. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9. The holder of a temporary wine permit shall be entitled to purchase and receive wine or mixed beverages (as defined in IC 7.1-1-3-26.2) on any day of the year, only from a lawful supplier under this title at his place of business. A lawful supplier may sell and deliver wine or mixed beverages (as defined in IC 7.1-1-3-26.2) to a temporary wine permit holder on any day of the year at his place of business. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to sell wine or mixed beverages (as defined in IC 7.1-1-3-26.2) only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a temporary beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a temporary wine permittee shall not be entitled to sell at wholesale nor for carry-out from the licensed premises."**

Page 14, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 28. IC 7.1-3-18.5-2, AS AMENDED BY P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2. (a) A person who desires a certificate must provide the following to the commission:**

(1) The applicant's name and mailing address and the address of

the premises for which the certificate is being issued.

(2) Except as provided in section 6(c) of this chapter, a fee of:

(A) two hundred dollars (\$200) **for a retail tobacco sales certificate; or**

(B) **one hundred dollars (\$100) for a wholesale tobacco sales certificate.**

(3) The name under which the applicant transacts or intends to transact business.

(4) The address of the applicant's principal place of business or headquarters, if any.

(5) The statement required under section 2.6 of this chapter.

(6) If the applicant is applying for a new certificate under section 3.2 of this chapter, a copy of each of the following:

(A) If the new ownership of the business is a business entity, the articles of incorporation, articles of organization, or any other formation documents of the business entity.

(B) If the new ownership of the business is an individual, either:

(i) the sales or purchase agreement; or

(ii) an affidavit signed by the applicant concerning the sale or purchase, on a form prescribed by the commission, that includes the name and address of the seller and purchaser.

(C) The certificate held by the previous ownership of the business.

(7) A photocopy of the owner's driver's license, identification card issued under IC 9-24-16-1, a similar card issued under the laws of another state or the federal government, or another government issued document that bears the owner's photograph and birth date. If the applicant is a business with multiple owners, the applicant must designate at least one (1) managing owner for whom a photocopy of the managing owner's identification must be provided under this subdivision.

(b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed. ~~A retail~~
An establishment may not hold more than one (1) active tobacco sales certificate for a retail location at any time. Except when the real estate for a retail location is transferred to an independent third party,

the commission shall not issue a certificate to a retail location where a tobacco sales certificate was revoked within one (1) year prior to the date of the application.

(c) A certificate holder shall conspicuously display the holder's certificate on the holder's premises where the tobacco products or electronic cigarettes are sold or distributed.

(d) Any intentional misstatement or suppression of a material fact in an application filed under this section constitutes grounds for denial **or revocation** of the certificate.

(e) A certificate may be issued only to a person who meets the following requirements:

(1) If the person is an individual, the person must be at least twenty-one (21) years of age.

(2) The person must be authorized to do business in Indiana.

(3) The person has not had an interest in a certificate revoked **or suspended** by the commission for that business location within the preceding one (1) year.

(f) The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10."

Page 15, delete lines 1 through 40.

Page 17, delete lines 29 through 33, begin a new paragraph and insert:

"(c) A wholesale tobacco sales certificate:

(1) is valid for one (1) year after the date of issuance, unless the commission suspends the wholesale tobacco sales certificate;

(2) is nontransferable; and

(3) may be issued:

(A) in conjunction with a tobacco sales certificate; or

(B) for the same location for which a tobacco sales certificate has been issued;

if the operation of each certificate occurs separately within a distinct area on the premises."

Page 19, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 34. IC 7.1-3-20-16.8, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16.8. (a) A permit that is authorized by this

section may be issued without regard to the quota provisions of IC 7.1-3-22.

(b) Except as provided in section 16.3 of this chapter, the commission may issue not more than four (4) new three-way permits to sell alcoholic beverages for on-premises consumption to applicants in each of the following municipalities:

(1) Whitestown.

(2) Lebanon.

(3) Zionsville.

(4) Westfield.

(5) Carmel.

(6) Fishers.

(7) Noblesville.

(c) The following apply to permits issued under subsection (b):

(1) An applicant for a permit under subsection (b) must be a proprietor, as 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:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

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

(3) The total number of active permits issued under subsection (b) may not exceed twenty-four (24) permits at any time. If any of the permits issued under subsection (b) are revoked or not renewed, the commission may issue only enough new permits to bring the total number of permits to twenty-four (24) active permits, with not more than four (4) in each municipality listed in subsection (b)(1) through (b)(6).

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

(5) Notwithstanding ~~IC 7.1-3-1-3.5~~ and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6)

months, the permit shall revert to the commission and the permit 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.

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

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

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

(1) three (3) new three-way permits; and

(2) three (3) new two-way permits;

under this subsection.

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

(1) An applicant for a permit under subsection (d)(1) or (d)(2) 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:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

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

(3) The total number of active permits issued under subsection (d) may not exceed the six (6) permits allocated by permit type, as set forth in that subsection.

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

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

1 the permit premises for more than six (6) months, the permit shall
 2 revert to the commission and the permit holder is not entitled to
 3 any refund or other compensation.

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

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

8 (8) If the area in which the permit issued to a premises under
 9 subsection (d)(1) or (d)(2) is located is no longer designated an
 10 economic development area, an area needing redevelopment, or
 11 a redevelopment district, a permit issued under this section may
 12 be renewed, and the ownership of the permit may be transferred,
 13 but the permit may not be transferred from the permit premises.

14 (f) Except as provided in section 16.3 of this chapter, in addition to
 15 the permits issued to the city of Noblesville under subsection (c), the
 16 commission may issue to the city of Noblesville not more than ten (10)
 17 new three-way permits under this subsection. The new three-way
 18 permits may be issued as follows:

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

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

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

22 If the commission does not issue the amount of three-way permits
 23 allowed in subdivisions (1) through (3) in that year, any unissued
 24 permits will roll over and may be issued in a subsequent year.

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

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

31 (A) downtown redevelopment district; or

32 (B) downtown economic revitalization area.

33 (2) The cost of an initial permit is forty thousand dollars
 34 (\$40,000).

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

38 (4) The municipality may adopt an ordinance under

IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit 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.

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

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

(h) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Delphi not more than two (2) new three-way permits under this subsection. ~~(i) The following apply to permits issued under this subsection: (h):~~

(1) An applicant for a permit ~~under subsection (h)~~ 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:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

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

(3) The total number of active permits issued under **this** subsection ~~(h)~~ may not exceed the two (2) new three-way permits. ~~as set forth in that subsection.~~

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As

1 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 2 binding on the permit holder and on any lessee or proprietor of
 3 the permit premises.

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

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

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

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

18 ~~(j)~~ **(i)** Except as provided in section 16.3 of this chapter, the
 19 commission may issue to the city of Warsaw not more than three (3)
 20 new three-way permits under this subsection. ~~(k)~~ The following apply
 21 to permits issued under **this** subsection: ~~(j)~~:

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

27 (A) downtown redevelopment district; or

28 (B) downtown economic revitalization area.

29 (2) The cost of an initial permit is forty thousand dollars
 30 (\$40,000).

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

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

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

the permit premises for more than six (6) months, the permit shall revert to the commission and the permit 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.

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

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

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

(1) An applicant for a permit 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:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

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

(3) The total number of active permits issued under this subsection may not exceed the ten (10) new three-way permits.

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

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder

1 is not entitled to any refund or other compensation.

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

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

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

13 SECTION 35. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA
14 CODE AS A NEW SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: Sec. 4.7. (a) Notwithstanding section
16 4(a) through 4(c) of this chapter, the commission may issue a beer
17 dealer's permit, wine dealer's permit, and liquor dealer's permit to
18 a drug store operated in the city of Westfield.

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

23 (c) The following apply to a permit issued under subsection (a)
24 or (b):

25 (1) The combined initial permit cost is forty thousand dollars
26 (\$40,000) for all three (3) permits.

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

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

31 (4) Each permit is subject to the requirements applicable to
32 the permit type."

33 Page 19, between lines 25 and 26, begin a new paragraph and insert:

34 "SECTION 36. IC 7.1-5-7-8.1 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2026]: Sec. 8.1. (a) It is a Class B
37 misdemeanor for a person to recklessly, knowingly, or
38 intentionally:

- (1) sell, in person or online;
- (2) barter;
- (3) exchange;
- (4) provide; or
- (5) furnish;

a product or substance containing THC to a minor.

(b) However, the offense described in subsection (a) is:

- (1) a Class A misdemeanor if the person has a prior unrelated conviction under this section; and
- (2) a Level 6 felony if the consumption, ingestion, or use of the THC is the proximate cause of the serious bodily injury or death of any person.

(c) A website owned, managed, or operated by a person who distributes or sells THC directly to consumers must, before completing a purchase, verify the age of an individual purchasing THC by:

- (1) using a reliable online age verification service; or
- (2) obtaining and examining a copy of a government issued identification."

Page 22, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 38. IC 7.1-5-7-17, AS ADDED BY P.L.94-2008, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) Notwithstanding any other law, an enforcement officer vested with full police powers and duties may engage a person who is:

- (1) at least eighteen (18) years of age; and
- (2) less than twenty-one (21) years of age;

to receive or purchase alcoholic beverages **or** THC as part of an enforcement action under this article.

(b) The initial or contemporaneous receipt or purchase of an alcoholic beverage **or** THC under this section by a person described in subsection (a) must:

- (1) occur under the direction of an enforcement officer vested with full police powers and duties; and
- (2) be a part of the enforcement action."

Page 22, delete lines 28 through 42.

Delete pages 23 through 26.

Page 27, delete lines 1 through 9.

- 1 Page 29, delete lines 13 through 42.
 2 Page 30, delete lines 1 through 25.
 3 Page 31, after line 6, begin a new paragraph and insert:
 4 "SECTION 46. IC 35-47-2.5-4, AS AMENDED BY P.L.190-2006,
 5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 4. (a) **This section does not apply to an item**
 7 **defined as an antique firearm pursuant to 18 U.S.C. 921(a)(16).**
 8 **(b)** A dealer may not sell, rent, trade, or transfer from the dealer's
 9 inventory a handgun to a person until the dealer has done all of the
 10 following:
 11 (1) Obtained from the prospective purchaser a completed and
 12 signed Form 4473 as specified in section 3 of this chapter.
 13 (2) Contacted NICS:
 14 (A) by telephone; or
 15 (B) electronically;
 16 to request a background check on the prospective purchaser.
 17 (3) Received authorization from NICS to transfer the handgun to
 18 the prospective purchaser.
 19 ~~(b)~~ **(c)** The dealer shall record the NICS transaction number on
 20 Form 4473 and retain Form 4473 for auditing purposes.
 21 SECTION 49. IC 35-52-7-40.1 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2026]: **Sec. 40.1. IC 7.1-5-7-8.1 defines a**
 24 **crime concerning THC.**
 25 SECTION 48. **An emergency is declared for this act."**
 26 Renumber all SECTIONS consecutively.
 (Reference is to HB 1052 as introduced.)

and when so amended that said bill do pass.

Representative Manning