

HOUSE BILL No. 1291

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-14.

Synopsis: Self-service by wine retailer customer. Provides that a wine retailer whose wine sales represent at least 60% of the annual gross income from the premises may allow customers to obtain sealed bottles of wine by self-service for consumption off the licensed premises.

Effective: July 1, 2026.

Johnson B

January 6, 2026, read first time and referred to Committee on Public Policy.



Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1291

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

Be it enacted by the General Assembly of the State of Indiana:

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

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

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

(d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the wine retailer may include the wine retailer parking lot or an area adjacent to the wine retailer that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a 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 2. 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).

