

PROPOSED AMENDMENT

SB 5 # 2

DIGEST

Retail permit suspension. Allows the chairman of the alcohol and tobacco commission (instead of the alcohol and tobacco commission) to suspend a retail permit without advance notice or a hearing for not longer than three days (instead of five days) if certain conditions apply. Makes various changes to the list of conditions that must be met before a retail permit is suspended without notice. Requires the alcohol and tobacco commission to give immediate notice to the permittee of a factual basis for the suspension.

- 1 Page 2, delete line 42, begin a new paragraph and insert:
2 "SECTION 3. IC 7.1-3-23-7.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: **Sec. 7.5. (a) The chairman of the**
5 **commission may suspend an alcoholic beverage retail permit**
6 **without advance notice or a hearing for a period of not longer than**
7 **three (3) business days if all of the following apply:**
8 **(1) The chairman has a reasonable belief that a felony has**
9 **been committed on the licensed premises.**
10 **(2) The permit holder failed to take reasonable action to**
11 **prevent the occurrence of a crime.**
12 **(3) Multiple crimes or violations have occurred on the**
13 **licensed premises in the last twelve (12) months.**
14 **(4) The continued operation of the licensed premises would**
15 **pose a clear and immediate danger to the safety of the**
16 **surrounding community or general public.**
17 **(b) Upon the suspension of a permit under subsection (a), the**
18 **commission shall:**
19 **(1) give immediate notice to the permittee of:**
20 **(A) a factual basis for the suspension; and**
21 **(B) the time and place of a hearing on the suspension; and**
22 **(2) hold the hearing not later than three (3) business days**
23 **after the permit is suspended.**
24 **(c) The commission is not required to consider or prove the**
25 **factors in subsection (a) to declare a public nuisance under**

- 1 **IC 7.1-2-6."**
- 2 Page 3, delete lines 1 through 34.
(Reference is to SB 5 as printed January 23, 2026.)