

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.

## SENATE ENROLLED ACT No. 23

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

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

SECTION 1. IC 7.1-3-2-7, AS AMENDED BY P.L.186-2025, SECTION 276, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. The holder of a brewer's permit or an out-of-state brewer holding either a primary source of supply permit or an out-of-state brewer's permit may do the following:

- (1) Manufacture beer.
- (2) Place beer in containers or bottles.
- (3) Transport beer.
- (4) Sell and deliver beer to a person holding a beer wholesaler's permit issued under IC 7.1-3-3.
- (5) If the brewer manufactures, at all of the brewer's breweries, an aggregate of not more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana, the permit holder may do the following:
  - (A) Sell and deliver a total of not more than thirty thousand (30,000) barrels of beer in a calendar year to a person holding a retailer or a dealer permit under this title. The total number of barrels of beer that the permit holder may sell and deliver under this clause in a calendar year may not exceed thirty thousand (30,000) barrels of beer.
  - (B) Be the proprietor of a restaurant that is not subject to the

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minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2.

(C) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant established under clause (B).

(D) Transfer beer directly from the brewery to the restaurant by means of:

- (i) bulk containers; or
- (ii) a continuous flow system.

(E) Install a window between the brewery and an adjacent restaurant that allows the public and the permittee to view both premises.

(F) Install a doorway or other opening between the brewery and an adjacent restaurant that provides the public and the permittee with access to both premises.

(G) Sell the brewery's beer by the glass for consumption on the premises. Brewers permitted to sell beer by the glass under this clause must make food available for consumption on the premises. A brewer may comply with the requirements of this clause by doing any of the following:

- (i) Allowing a vehicle of transportation that is a food establishment (as defined in IC 16-18-2-137) to serve food near the brewer's licensed premises.
- (ii) Placing menus in the brewer's premises of restaurants that will deliver food to the brewery.
- (iii) Providing food prepared at the brewery.

(H) Sell and deliver beer to a consumer at the licensed premises of the brewer or at the residence of the consumer. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the brewery parking lot or an area adjacent to the brewery that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 10 of this chapter, and may not be used for point of sale purposes or any other purpose. The delivery to a consumer may be made only in a quantity at any one (1) time of not more than one-half (1/2) barrel, but the beer may be contained in bottles or other permissible containers.

(I) Sell the brewery's beer as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than five hundred seventy-six (576) ounces. A brewer's beer may be sold under this clause at any address for which the



brewer holds a brewer's permit issued under this chapter if the address is located within the same city boundaries in which the beer was manufactured.

(J) With the approval of the commission, participate:

(i) individually; or

(ii) with other permit holders under this chapter, holders of artisan distiller's permits, holders of farm winery permits, or any combination of holders described in this item;

in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant to a holder of a permit under this chapter approval under this clause to participate in a trade show or exposition for more than seventy-five (75) days in a calendar year.

(K) Store or condition beer in a secure building that is:

(i) separate from the brewery; and

(ii) owned or leased by the permit holder.

(L) Transfer beer from a building described in clause (K) back to the brewery.

(M) Sell or transfer beer directly to a beer wholesaler from a building described in clause (K), but may not sell or transfer beer from the building to any other permittee or a consumer. The brewer shall maintain an adequate written record of the beer transferred:

(i) between the brewery and the separate building; and

(ii) from the separate building to the wholesaler.

(N) Sell the brewery's beer to the holder of a supplemental caterer's permit issued under IC 7.1-3-9.5 for on-premises consumption only at an event that is held outdoors on property that is contiguous to the brewery as approved by the commission.

(O) Receive liquor from the holder of a distiller's permit issued under IC 7.1-3-7 or the holder of an artisan distiller's permit under IC 7.1-3-27 that is located in the same county as the brewery for the purpose of carbonating and canning the liquor. Upon the completion of canning of the liquor, the product must be returned to the original production facility within forty-eight (48) hours. The activity under this clause is not an interest under IC 7.1-5-9.

(P) Receive beer from another permit holder under this subdivision for the purpose of bottling and packaging the beer.



Upon completion of bottling and packaging the beer, the product must be returned to the original permit holder who manufactured the beer. The number of barrels of beer that a permit holder receives, bottles, and packages under this clause may not exceed the number of barrels of beer that the permit holder produced from raw materials at the licensed premises of the permit holder in the same calendar year. The activity under this clause is not an interest under IC 7.1-5-9.

(Q) Sell or transfer beer directly to a food manufacturer located in Indiana that is registered with the federal Food and Drug Administration for the purpose of adding or integrating the beer into a product or recipe.

(R) Manufacture beer for another permit holder under this subdivision. Upon completion of manufacturing the beer, the product must be transported to the permit holder for which the beer was manufactured. To qualify under this clause:

- (i) the permit holder for which the beer is manufactured must have manufactured not less than forty (40) barrels of beer produced from raw materials at the licensed premises of the permit holder in the previous calendar year; and
- (ii) the number of barrels of beer that a permit holder manufactures under this clause may not exceed the number of barrels of beer that the permit holder produced from raw materials at the licensed premises of the permit holder in the same calendar year.

All records required by the federal Alcohol and Tobacco Tax and Trade Bureau regarding the number of barrels of beer produced from raw materials at the licensed premises of a permit holder must be made available to the commission upon request. The activity under this clause is not an interest under IC 7.1-5-9.

(S) Sell, donate, transport, and deliver beer to a qualified organization for:

- (i) an allowable event under IC 7.1-3-6.1;
- (ii) a charity auction under IC 7.1-3-6.2; or
- (iii) an event under IC 7.1-3-6.3.

(T) With the approval of the commission under clause (J), participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The permit holder may:

- (i) provide samples of the brewery's beer for consumption on the premises, subject to a limit of three (3) samples of not



more than six (6) ounces per person; and  
 (ii) sell six (6), twelve (12), and twenty-four (24) packs of twelve (12) ounce or sixteen (16) ounce cans of the brewery's beer in qualified containers for consumption off the premises.

**(U) Upon proper notice to the commission under IC 7.1-3-21-14.5(d)(1), participate in an event sponsored by a local board on the grounds of a county fair under IC 7.1-3-21-14.5(b).**

(6) If the brewer's brewery manufactures more than ninety thousand (90,000) barrels of beer in a calendar year for sale or distribution within Indiana, the permit holder may own a portion of the corporate stock of another brewery that:

- (A) is located in the same county as the brewer's brewery;
- (B) manufactures less than ninety thousand (90,000) barrels of beer in a calendar year; and
- (C) is the proprietor of a restaurant that operates under subdivision (5).

(7) Provide complimentary samples of beer that are:

- (A) produced by the brewer; and
- (B) offered to consumers for consumption on the brewer's premises.

(8) Own a portion of the corporate stock of a sports corporation that:

- (A) manages a minor league baseball stadium located in the same county as the brewer's brewery; and
- (B) holds a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant located in that stadium.

(9) For beer described in IC 7.1-1-2-3(a)(4):

- (A) may allow transportation to and consumption of the beer on the licensed premises; and
- (B) may not sell, offer to sell, or allow sale of the beer on the licensed premises.

(10) Sell, donate, transport, and deliver beer to a qualified organization for:

- (A) an allowable event under IC 7.1-3-6.1;
- (B) a charity auction under IC 7.1-3-6.2; or
- (C) an event under IC 7.1-3-6.3.

SECTION 2. IC 7.1-3-4-6, AS AMENDED BY P.L.167-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The holder of a beer retailer's permit shall be entitled to purchase beer for sale under the permit only from a



permittee entitled to sell to the beer retailer under this title. A beer retailer shall be entitled to possess beer and sell beer at retail to a customer for consumption on the licensed premises. A beer retailer also shall be entitled to sell beer to a customer and deliver beer in permissible containers to the customer on the licensed premises, or to the customer's house. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. Subject to subsection (g), a beer retailer also may prepare and package beer in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises.

(b) A beer retailer shall not be entitled to sell beer at wholesale. A beer retailer shall not be entitled to sell and deliver beer on the street or at the curb outside the licensed premises, nor shall a beer retailer be entitled to sell beer at a place other than the licensed premises. However, a beer 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 beer retailer shall be entitled to sell and deliver warm or cold beer for carry out, or for at-home delivery, in barrels or other commercial containers in a quantity that does not exceed fifteen and one-half (15 1/2) gallons at any one (1) time. A beer retailer that delivers beer 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 beer retailer may include the beer retailer parking lot or an area adjacent to the beer 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 beer retailer must be packaged by the beer 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 beer retailer prepares and packages beer:

(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 beer retailer's privilege under this section of preparing and packaging beer for sale and delivery to a customer in a qualified container.

**(h) Upon proper notice to the commission under IC 7.1-3-21-14.5(d)(1), a beer retailer may participate in an event sponsored by a local board on the grounds of a county fair under IC 7.1-3-21-14.5(b).**

SECTION 3. IC 7.1-3-9-9, AS AMENDED BY P.L.167-2024, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The holder of a liquor retailer's permit shall be entitled to purchase liquor only from a permittee entitled to sell to the liquor retailer under this title. A liquor retailer shall be entitled to possess liquor and sell liquor at retail to a customer for consumption on the licensed premises. A liquor retailer also shall be entitled to sell liquor to a customer and deliver liquor in permissible containers to the customer on the licensed premises, or to the customer's house. This delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. Subject to

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subsection (g), a liquor retailer also may prepare and package liquor in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises.

(b) A liquor retailer shall not be entitled to sell liquor at wholesale. A liquor retailer shall not be entitled to sell and deliver liquor on the street or at the curb outside the licensed premises, nor shall a liquor retailer be entitled to sell liquor at a place other than the licensed premises. However, a liquor 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 liquor retailer shall not be entitled to sell and deliver liquor for carry out or for at-home delivery, in a quantity that exceeds four (4) quarts at any one (1) time. A liquor retailer that delivers liquor 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 liquor retailer may include the liquor retailer parking lot or an area adjacent to the liquor 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 liquor retailer must be packaged by the liquor 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 liquor retailer prepares and packages liquor:

- (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 liquor retailer's privilege under this section of preparing and packaging liquor for sale and delivery to a customer in a qualified container.

**(h) Upon proper notice to the commission under IC 7.1-3-21-14.5(d)(1), a liquor retailer may participate in an event sponsored by a local board on the grounds of a county fair under IC 7.1-3-21-14.5(b).**

SECTION 4. IC 7.1-3-12-5, AS AMENDED BY P.L.186-2025, SECTION 277, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The following apply to the holder of a farm winery permit:

- (1) A holder is entitled to manufacture wine and to place wine produced by the permit holder's farm winery in bottles or other permissible containers.
- (2) A holder is entitled to serve complimentary samples of the winery's wine on the licensed premises or an outside area that is contiguous to the licensed premises, as approved by the commission if each employee who serves wine on the licensed premises:
  - (A) holds an employee's permit under IC 7.1-3-18-9; and
  - (B) completes a server training program approved by the commission.
- (3) A holder is entitled to sell the winery's wine on the licensed premises to consumers either by:
  - (A) the glass;
  - (B) the bottle;
  - (C) a box that contains a bag designed for storing and dispensing wine;
  - (D) any combination of receptacles listed in clauses (A) through (C); or
  - (E) any other container permissible under federal law.



Notwithstanding IC 7.1-1-3-20, the licensed premises may include the farm winery parking lot or an area adjacent to the farm winery. The parking lot or an adjacent area may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 5.5 of this chapter, and may not be used for point of sale purposes or any other purpose.

(4) A holder is entitled to sell wine by:

- (A) the bottle;
- (B) the can;
- (C) a box that contains a bag designed for storing and dispensing wine;
- (D) bulk container;
- (E) the case; or
- (F) any combination of receptacles listed in clauses (A) through (E);

to a person who is the holder of a permit to sell wine at wholesale.

(5) A holder is exempt from the provisions of IC 7.1-3-14.

(6) A holder is entitled to advertise the name and address of any retailer or dealer who sells wine produced by the permit holder's winery.

(7) A holder for wine described in IC 7.1-1-2-3(a)(4):

- (A) may allow transportation to and consumption of the wine on the licensed premises; and
- (B) may not sell, offer to sell, or allow the sale of the wine on the licensed premises.

(8) A holder is entitled to purchase and sell bulk wine as set forth in this chapter.

(9) A holder is entitled to sell wine as authorized by this section for carryout on Sunday.

(10) A holder is entitled to sell and ship the farm winery's wine to a person located in another state in accordance with the laws of the other state.

(11) A holder is entitled to sell the farm winery's wine to the holder of a supplemental caterer's permit issued under IC 7.1-3-9.5 for on-premises consumption only at an event that is held outdoors on property that is contiguous to the farm winery as approved by the commission.

(12) A holder is entitled to be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2 and the gross retail income requirements to sell carryout under IC 7.1-3-20-9.5.



A holder is entitled to conduct the following activities:

- (A) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant.
  - (B) Transfer wine directly from the farm winery to a restaurant that the farm winery has an interest in by means of:
    - (i) bottles or cans;
    - (ii) bulk containers; or
    - (iii) a continuous flow system.
  - (C) Install a window between the farm winery and an adjacent restaurant that allows the public and the holder of the permit to view both premises.
  - (D) Install a doorway or other opening between the farm winery and an adjacent restaurant that provides the public and the holder of the permit with access to both the farm winery and restaurant.
- (13) A holder that does not distribute through an Indiana wine wholesaler is entitled under the farm winery permit to sell and deliver to a person holding a wine retailer or wine dealer permit under this title a total of not more than three thousand (3,000) gallons of the farm winery's wine in a calendar year, if the farm winery has not sold in Indiana more than fifteen thousand (15,000) gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.
- (14) A holder may sell, donate, transport, and deliver wine to a qualified organization conducting any of the following:
- (A) An allowable event under IC 7.1-3-6.1.
  - (B) A charity auction under IC 7.1-3-6.2.
  - (C) An event under IC 7.1-3-6.3.
- (b) With the approval of the commission, a holder of a permit under this chapter may conduct business at not more than three (3) additional locations that are separate from the winery. At the additional locations, the holder of a permit may conduct any business that is authorized at the first location, except for manufacturing wine or placing wine in bottles or containers.
- (c) A farm winery may transfer wine from a storage facility or an additional location described in subsection (b). A farm winery may sell or transfer wine directly to a wine wholesaler from a storage facility separate from the farm winery or an additional location described in subsection (b). A farm winery may not sell or transfer wine from a storage facility to any other permittee or a consumer. The farm winery



shall maintain an adequate written record of wine transferred:

- (1) between the farm winery and the storage facility; and
- (2) from the storage facility to the wholesaler.

(d) With the approval of the commission, a holder of a permit under this chapter may:

- (1) individually; or
- (2) with other permit holders under this chapter, holders of artisan distiller's permits, holders of brewer's permits issued under IC 7.1-3-2-2(b), or any combination of holders described in this subdivision;

participate in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant approval under this subsection to a holder of a permit under this chapter for more than seventy-five (75) days in a calendar year.

(e) With the approval of the commission under subsection (d), a holder of a permit may participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The permit holder may:

- (1) provide samples of the permit holder's wine for consumption on the premises, subject to a limit of three (3) samples of not more than one (1) ounce per person; and
- (2) sell the permit holder's wine in a qualified container for consumption off the premises.

**(f) Upon proper notice to the commission under IC 7.1-3-21-14.5(d)(1), a holder of a permit under this chapter may participate in an event sponsored by a local board on the grounds of a county fair under IC 7.1-3-21-14.5(b).**

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



retailer also may prepare and package wine in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises.

(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.

**(h) Upon proper notice to the commission under IC 7.1-3-21-14.5(d)(1), a wine retailer may participate in an event sponsored by a local board on the grounds of a county fair under IC 7.1-3-21-14.5(b).**

SECTION 6. IC 7.1-3-21-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 14.5. (a) As used in this section, "local board" means the board of directors of an agricultural fair society, association, or corporation that is organized under IC 15-14-5.**

**(b) The commission may issue a permit for the sale of alcoholic beverages on the grounds of a county fair conducted by a local board to the local board, if one (1) of the following applies:**

- (1) If the grounds of the county fair are owned by a local board, upon the request of the local board.**
- (2) If the grounds of the county fair are owned by a unit (as defined in IC 36-1-2-23), upon the approval of the legislative body (as defined in IC 36-1-2-9) of the unit and upon the request of the local board.**

**(c) A permit issued under subsection (b) is subject to the following:**

- (1) The permit is valid for one (1) year from the date of issuance. A local board may apply for a new permit each year.**
- (2) The local board is entitled to sell alcoholic beverages on the county fair grounds to consumers by the glass.**
- (3) The local board is entitled to designate vendors that possess a valid retail or craft manufacturing permit issued by the commission to sell alcoholic beverages to consumers by the glass on the county fairgrounds.**



**(4) The permit is not subject to the quota restrictions under IC 7.1-3-22-3.**

**(5) The local board is entitled to allow a minor to be present in the locations on the county fair grounds where alcoholic beverages are sold.**

**(6) There is no fee for a permit issued to a local board under this section.**

**(d) A local board issued a permit under subsection (b) must comply with the following requirements:**

**(1) File an application with the commission, including the names and permit numbers of all designated vendors, the dates of the local board sponsored event at which alcoholic beverages will be served, and a floor plan of the premises where alcoholic beverages will be served and consumed. A local board must supplement the application on file with the commission if additional vendors are designated to participate in the sponsored event during the term of the permit.**

**(2) Provide that alcoholic beverage service may be performed only by servers certified under IC 7.1-3-1.5.**

**(3) Allow sales during the times prescribed under IC 7.1-3-1-14.**

**(4) Prohibit sales prohibited under IC 7.1-5-10-1.**

**(5) Operate under the rules adopted by the commission to protect the public interest under IC 7.1-1-1.**

**(6) Ensure alcohol service is performed only by designated vendors at events sponsored by the local board.**

SECTION 7. IC 7.1-3-27-8, AS AMENDED BY P.L.186-2025, SECTION 285, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The holder of an artisan distiller's permit may do only the following:

(1) Manufacture liquor, including blending liquor purchased from another manufacturer with liquor the artisan distiller manufactures under section 11 of this chapter.

(2) Bottle liquor manufactured by the artisan distiller.

(3) Insert liquor manufactured by the artisan distiller into a container.

(4) Store liquor manufactured by the artisan distiller, including at a facility located within ten (10) miles of the artisan distiller's distillery.

(5) Transport, sell, and deliver liquor manufactured by the artisan distiller to:

(A) places outside Indiana; or



- (B) the holder of a liquor wholesaler's permit under IC 7.1-3-8.
- (6) Sell liquor manufactured by the artisan distiller to consumers by the drink, bottle, container, or case from the licensed premises of the distillery where the liquor was manufactured. Notwithstanding IC 7.1-1-3-20, the licensed premises may include the distillery parking lot or an area adjacent to the artisan distillery. The parking lot or adjacent area may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer subject to section 8.1 of this chapter and may not be used for point of sale purposes or any other purpose.
- (7) Serve complimentary samples of the liquor manufactured by the artisan distiller to consumers on the premises of the distillery where the liquor was manufactured.
- (8) Sell liquor as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than four and five-tenths (4.5) liters.
- (9) With the approval of the commission, participate:
- (A) individually; or
  - (B) with other permit holders under this chapter, holders of farm winery permits, holders of brewer's permits issued under IC 7.1-3-2-2(b), or any combination of holders described in this clause;
- in a trade show or an exposition at which products of each permit holder participant are displayed, promoted, and sold. All of the permit holders may occupy the same tent, structure, or building. The commission may not grant to a holder of a permit under this chapter approval under this subdivision to participate in a trade show or exposition for more than seventy-five (75) days in a calendar year.
- (10) Be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2 and the gross retail income requirements to sell carryout under IC 7.1-3-20-9.5. A holder is entitled to conduct the following activities:
- (A) Hold a beer retailer's permit, a wine retailer's permit, or a liquor retailer's permit for a restaurant.
  - (B) Transfer liquor directly from the artisan distillery to a restaurant that the artisan distiller has an interest in by means of:
    - (i) bottles;
    - (ii) bulk containers; or



- (iii) a continuous flow system.
  - (C) Install a window between the artisan distillery and an adjacent restaurant that allows the public and the holder of the permit to view both premises.
  - (D) Install a doorway or other opening between the artisan distillery and an adjacent restaurant that provides the public and the holder of the permit with access to both the artisan distillery and restaurant.
- (11) A holder that does not distribute through an Indiana liquor wholesaler is entitled under the artisan distiller's permit to sell and deliver to a person holding a liquor retailer or liquor dealer permit under this title a total of not more than two thousand (2,000) gallons of the artisan distillery's liquor in a calendar year, if the artisan distiller has not sold in Indiana more than ten thousand (10,000) gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.
- (12) Sell, donate, transport, and deliver liquor manufactured by the artisan distiller to a qualified organization for:
- (A) an allowable event under IC 7.1-3-6.1;
  - (B) a charity auction under IC 7.1-3-6.2; or
  - (C) an event under IC 7.1-3-6.3.
- (13) With the approval of the commission under subdivision (9), the holder of a permit may participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The holder of a permit:
- (A) may not offer samples of liquor for consumption on the premises; and
  - (B) may sell its liquor in qualified containers for consumption off the premises.
- (14) Manufacture liquor at the licensed premises for another holder of an artisan distiller's permit. Upon completion of the manufacturing of the liquor for another permit holder under this subdivision, the product must be transported to the permit holder for which the liquor was manufactured. To qualify under this subdivision:
- (A) the permit holder for which the liquor is manufactured must have manufactured not less than forty (40) gallons of liquor produced from raw materials at the permit holder's licensed premises in the previous calendar year; and
  - (B) the total number of gallons of liquor that a permit holder



manufactures under this subdivision may not exceed the number of gallons of liquor the permit holder produced from raw materials at the permit holder's licensed premises in the same calendar year.

All records required by the federal Alcohol and Tobacco Tax and Trade Bureau regarding the number of gallons of liquor produced from raw materials at the licensed premises of a permit holder must be available to the commission upon request. The activity under this subdivision is not an interest under IC 7.1-5-9.

**(15) Upon proper notice to the commission under IC 7.1-3-21-14.5(d)(1), participate in an event sponsored by a local board on the grounds of a county fair under IC 7.1-3-21-14.5(b).**

(b) The holder of an artisan distiller's permit who provides samples or sells liquor by the glass must furnish the minimum food requirements prescribed by the commission.

(c) A storage facility used by an artisan distiller under subsection (a)(4) must conform with federal laws, rules, and regulations. An artisan distiller may transfer liquor from a separate storage facility back to the artisan distillery. An artisan distiller may sell or transfer liquor directly to a liquor wholesaler from a storage facility that is separate from the artisan distillery. An artisan distiller may not sell or transfer liquor from a storage facility to any other permittee or a consumer. The artisan distiller shall maintain an adequate written record of the liquor transferred:

- (1) between the artisan distillery and the storage facility; and
- (2) from the storage facility to the liquor wholesaler.

(d) The holder of an artisan distiller's permit may transport liquor to and from a brewery located within the same county for the purposes of carbonating and canning by the brewery. The activity under this subsection is not an interest under IC 7.1-5-9.

(e) An artisan distiller who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 8. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this chapter shall not apply if the public place involved is one (1) of the following:

- (1) Civic center.
- (2) Convention center.
- (3) Sports arena.
- (4) Bowling center.

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- (5) Bona fide club.
- (6) Drug store.
- (7) Grocery store.
- (8) Boat.
- (9) Dining car.
- (10) Pullman car.
- (11) Club car.
- (12) Passenger airplane.
- (13) Horse racetrack facility holding a recognized meeting permit under IC 4-31-5.
- (14) Satellite facility (as defined in IC 4-31-2.1-36).
- (15) Catering hall under IC 7.1-3-20-24 that is not open to the public.
- (16) That part of a restaurant which is separate from a room in which is located a bar over which alcoholic beverages are sold or dispensed by the drink.
- (17) Entertainment complex.
- (18) Indoor golf facility.
- (19) A recreational facility such as a golf course, bowling center, or similar facility that has the recreational activity and not the sale of food and beverages as the principal purpose or function of the person's business.
- (20) A licensed premises owned or operated by a postsecondary educational institution described in IC 21-17-6-1.
- (21) An automobile racetrack.
- (22) An indoor theater under IC 7.1-3-20-26.
- (23) A senior residence facility campus (as defined in IC 7.1-3-1-29(c)) at which alcoholic beverages are given or furnished as provided under IC 7.1-3-1-29.
- (24) A hotel other than a part of a hotel that is a room in a restaurant in which a bar is located over which alcoholic beverages are sold or dispensed by the drink.
- (25) The location of an allowable event to which IC 7.1-3-6.1 applies.
- (26) The location of a charity auction to which IC 7.1-3-6.2 applies.
- (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.
- (28) A farm winery and any additional locations of the farm winery under IC 7.1-3-12, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at



least twenty-one (21) years of age and the minor is accompanied by the adult in any area that the adult may be present whether or not the area:

- (A) is separated in any manner from where the wine is manufactured, sold, or consumed within the farm winery premises; or
  - (B) operates under a retailer's permit.
- (29) An artisan distillery under IC 7.1-3-27, if:
- (A) the person who holds the artisan distiller's permit also holds a farm winery permit under IC 7.1-3-12, or IC 7.1-3-20-16.4(a) applies to the person; and
  - (B) the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.
- (30) An art instruction studio under IC 7.1-5-8-4.6.
- (31) The licensed premises of a food hall under IC 7.1-3-20-29 and the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30. However, sections 9 and 10 of this chapter apply to a bar within the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30 that serves alcoholic beverages intended to be consumed while sitting or standing at the bar.
- (32) A refreshment area designated under IC 7.1-3-31.
- (33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of which the small brewery permit holder is the proprietor as provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by a parent, legal guardian, custodian, or family member who is at least twenty-one (21) years of age. The minor may be in any area in which the accompanying adult may be present, whether or not the area:
- (A) is separated in any manner from where the beer is manufactured, sold, or consumed within the small brewery premises; or
  - (B) operates under a retailer's permit as provided in IC 7.1-3-2-7(5)(C).
- (34) The state fair under IC 7.1-3-21-14.**
- (35) A county fair issued a permit under IC 7.1-3-21-14.5.**
- (b) For the purpose of this subsection, "food" means meals prepared on the licensed premises. It is lawful for a minor to be on licensed premises in a room, outdoor patio, or terrace in which is located a bar over which alcoholic beverages are sold or dispensed by the drink if all the following conditions are met:



(1) The minor is in the company of a parent, guardian, or family member who is at least twenty-one (21) years of age.

(2) The purpose for being on the licensed premises is the consumption of food and not the consumption of alcoholic beverages.

(3) The minor, accompanied by the parent, guardian, or family member who is at least twenty-one (21) years of age, must be seated at a table or booth in the bar area and shall not be seated at the bar over which alcoholic beverages are sold or dispensed by the drink.



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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