

PROPOSED AMENDMENT

SB 23 # 6

DIGEST

Permits. Amends the requirements for a local board applying for a permit from the alcohol and tobacco commission. Adds participation in an event sponsored by a local board to the activities permissible within the scope of a permit held by a farm winery, a small brewer, an artisan distiller, a beer retailer, a liquor retailer, and a wine retailer. Adds the state fair and a county fair that is issued a permit to the exceptions to the minor loitering statute.

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 7.1-3-2-7, AS AMENDED BY P.L.186-2025,
4 SECTION 276, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 7. The holder of a brewer's permit
6 or an out-of-state brewer holding either a primary source of supply
7 permit or an out-of-state brewer's permit may do the following:
8 (1) Manufacture beer.
9 (2) Place beer in containers or bottles.
10 (3) Transport beer.
11 (4) Sell and deliver beer to a person holding a beer wholesaler's
12 permit issued under IC 7.1-3-3.
13 (5) If the brewer manufactures, at all of the brewer's breweries, an
14 aggregate of not more than ninety thousand (90,000) barrels of
15 beer in a calendar year for sale or distribution within Indiana, the
16 permit holder may do the following:
17 (A) Sell and deliver a total of not more than thirty thousand
18 (30,000) barrels of beer in a calendar year to a person holding
19 a retailer or a dealer permit under this title. The total number
20 of barrels of beer that the permit holder may sell and deliver
21 under this clause in a calendar year may not exceed thirty
22 thousand (30,000) barrels of beer.
23 (B) Be the proprietor of a restaurant that is not subject to the
24 minimum gross food sales or the minimum projected food
25 sales set forth in 905 IAC 1-41-2.

- 1 (C) Hold a beer retailer's permit, a wine retailer's permit, or a
2 liquor retailer's permit for a restaurant established under clause
3 (B).
- 4 (D) Transfer beer directly from the brewery to the restaurant
5 by means of:
6 (i) bulk containers; or
7 (ii) a continuous flow system.
- 8 (E) Install a window between the brewery and an adjacent
9 restaurant that allows the public and the permittee to view both
10 premises.
- 11 (F) Install a doorway or other opening between the brewery
12 and an adjacent restaurant that provides the public and the
13 permittee with access to both premises.
- 14 (G) Sell the brewery's beer by the glass for consumption on the
15 premises. Brewers permitted to sell beer by the glass under
16 this clause must make food available for consumption on the
17 premises. A brewer may comply with the requirements of this
18 clause by doing any of the following:
19 (i) Allowing a vehicle of transportation that is a food
20 establishment (as defined in IC 16-18-2-137) to serve food
21 near the brewer's licensed premises.
22 (ii) Placing menus in the brewer's premises of restaurants
23 that will deliver food to the brewery.
24 (iii) Providing food prepared at the brewery.
- 25 (H) Sell and deliver beer to a consumer at the licensed
26 premises of the brewer or at the residence of the consumer.
27 Notwithstanding IC 7.1-1-3-20, the licensed premises may
28 include the brewery parking lot or an area adjacent to the
29 brewery that may only be used for the purpose of conveying
30 alcoholic beverages and other nonalcoholic items to a
31 customer subject to section 10 of this chapter, and may not be
32 used for point of sale purposes or any other purpose. The
33 delivery to a consumer may be made only in a quantity at any
34 one (1) time of not more than one-half (1/2) barrel, but the
35 beer may be contained in bottles or other permissible
36 containers.
- 37 (I) Sell the brewery's beer as authorized by this section for
38 carryout on Sunday in a quantity at any one (1) time of not
39 more than five hundred seventy-six (576) ounces. A brewer's
40 beer may be sold under this clause at any address for which the

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

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

5 (i) individually; or

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

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

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

17 (i) separate from the brewery; and

18 (ii) owned or leased by the permit holder.

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

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

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

27 (ii) from the separate building to the wholesaler.

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

33 (O) Receive liquor from the holder of a distiller's permit issued
34 under IC 7.1-3-7 or the holder of an artisan distiller's permit
35 under IC 7.1-3-27 that is located in the same county as the
36 brewery for the purpose of carbonating and canning the liquor.
37 Upon the completion of canning of the liquor, the product
38 must be returned to the original production facility within
39 forty-eight (48) hours. The activity under this clause is not an
40 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;

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

2 (C) an event under IC 7.1-3-6.3.

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

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

27 (c) A beer retailer shall be entitled to sell and deliver warm or cold
28 beer for carry out, or for at-home delivery, in barrels or other
29 commercial containers in a quantity that does not exceed fifteen and
30 one-half (15 1/2) gallons at any one (1) time. A beer retailer that
31 delivers beer to a customer's residence must require the customer to
32 provide proof of age in accordance with IC 7.1-5-10-23.

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

40 (1) Alcoholic beverages that are in the sealed original containers

1 must be placed in a bag that is stamped, printed, or labeled on the
 2 outside: "CONTAINS ALCOHOLIC BEVERAGES".

3 (2) Alcoholic beverages that are prepared by the beer retailer
 4 must be packaged by the beer retailer in qualified containers that
 5 are:

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

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

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

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

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

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

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

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

24 (1) well lit; and

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

27 (g) If a beer retailer prepares and packages beer:

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

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

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

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

38 SECTION 3. IC 7.1-3-9-9, AS AMENDED BY P.L.167-2024,
 39 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2026]: Sec. 9. (a) The holder of a liquor retailer's permit shall

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

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

21 (c) A liquor retailer shall not be entitled to sell and deliver liquor for
22 carry out or for at-home delivery, in a quantity that exceeds four (4)
23 quarts at any one (1) time. A liquor retailer that delivers liquor to a
24 customer's residence must require the customer to provide proof of age
25 in accordance with IC 7.1-5-10-23.

26 (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the
27 liquor retailer may include the liquor retailer parking lot or an area
28 adjacent to the liquor retailer that may only be used for the purpose of
29 conveying alcoholic beverages and other nonalcoholic items to a
30 customer, and may not be used for point of sale purposes or any other
31 purpose. Any alcoholic beverages conveyed to the customer must
32 satisfy the following:

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

36 (2) Alcoholic beverages that are prepared by the liquor retailer
37 must be packaged by the liquor retailer in qualified containers
38 that are:

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

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

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

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

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

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

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

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

17 (1) well lit; and

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

20 (g) If a liquor retailer prepares and packages liquor:

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

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

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

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

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

35 (1) A holder is entitled to manufacture wine and to place wine
 36 produced by the permit holder's farm winery in bottles or other
 37 permissible containers.

38 (2) A holder is entitled to serve complimentary samples of the
 39 winery's wine on the licensed premises or an outside area that is
 40 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.

- 1 (8) A holder is entitled to purchase and sell bulk wine as set forth
2 in this chapter.
- 3 (9) A holder is entitled to sell wine as authorized by this section
4 for carryout on Sunday.
- 5 (10) A holder is entitled to sell and ship the farm winery's wine to
6 a person located in another state in accordance with the laws of
7 the other state.
- 8 (11) A holder is entitled to sell the farm winery's wine to the
9 holder of a supplemental caterer's permit issued under
10 IC 7.1-3-9.5 for on-premises consumption only at an event that is
11 held outdoors on property that is contiguous to the farm winery as
12 approved by the commission.
- 13 (12) A holder is entitled to be the proprietor of a restaurant that is
14 not subject to the minimum gross food sales or the minimum
15 projected food sales set forth in 905 IAC 1-41-2 and the gross
16 retail income requirements to sell carryout under IC 7.1-3-20-9.5.
17 A holder is entitled to conduct the following activities:
18 (A) Hold a beer retailer's permit, a wine retailer's permit, or a
19 liquor retailer's permit for a restaurant.
20 (B) Transfer wine directly from the farm winery to a restaurant
21 that the farm winery has an interest in by means of:
22 (i) bottles or cans;
23 (ii) bulk containers; or
24 (iii) a continuous flow system.
25 (C) Install a window between the farm winery and an adjacent
26 restaurant that allows the public and the holder of the permit
27 to view both premises.
28 (D) Install a doorway or other opening between the farm
29 winery and an adjacent restaurant that provides the public and
30 the holder of the permit with access to both the farm winery
31 and restaurant.
- 32 (13) A holder that does not distribute through an Indiana wine
33 wholesaler is entitled under the farm winery permit to sell and
34 deliver to a person holding a wine retailer or wine dealer permit
35 under this title a total of not more than three thousand (3,000)
36 gallons of the farm winery's wine in a calendar year, if the farm
37 winery has not sold in Indiana more than fifteen thousand
38 (15,000) gallons the previous calendar year. A holder that sells
39 and delivers under this subdivision shall comply with all
40 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

1 satisfy the following:

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

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

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

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

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

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

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

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

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

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

26 (1) well lit; and

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

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

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

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

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

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

40 Page 2, delete lines 1 through 2, begin a new line block indented

1 and insert:

2 **"(1) The permit is valid for one (1) year from the date of**
 3 **issuance. A local board may apply for a new permit each**
 4 **year."**

5 Page 2, delete lines 5 through 7, begin a new line block indented
 6 and insert:

7 **"(3) The local board is entitled to designate vendors that**
 8 **possess a valid retail or craft manufacturing permit issued by**
 9 **the commission to sell alcoholic beverages to consumers by**
 10 **the glass on the county fairgrounds."**

11 Page 2, between lines 12 and 13, begin a new line block indented
 12 and insert:

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

15 Page 2, delete lines 15 through 16, begin a new line block indented
 16 and insert:

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

25 Page 2, line 17, delete "service of alcoholic beverages" and insert
 26 **"alcoholic beverage service".**

27 Page 2, after line 23, begin a new line block indented and insert:

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

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

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

37 (2) Bottle liquor manufactured by the artisan distiller.

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

40 (4) Store liquor manufactured by the artisan distiller, including at

1 a facility located within ten (10) miles of the artisan distiller's
2 distillery.

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

5 (A) places outside Indiana; or

6 (B) the holder of a liquor wholesaler's permit under IC 7.1-3-8.

7 (6) Sell liquor manufactured by the artisan distiller to consumers
8 by the drink, bottle, container, or case from the licensed premises
9 of the distillery where the liquor was manufactured.
10 Notwithstanding IC 7.1-1-3-20, the licensed premises may
11 include the distillery parking lot or an area adjacent to the artisan
12 distillery. The parking lot or adjacent area may only be used for
13 the purpose of conveying alcoholic beverages and other
14 nonalcoholic items to a customer subject to section 8.1 of this
15 chapter and may not be used for point of sale purposes or any
16 other purpose.

17 (7) Serve complimentary samples of the liquor manufactured by
18 the artisan distiller to consumers on the premises of the distillery
19 where the liquor was manufactured.

20 (8) Sell liquor as authorized by this section for carryout on
21 Sunday in a quantity at any one (1) time of not more than four and
22 five-tenths (4.5) liters.

23 (9) With the approval of the commission, participate:

24 (A) individually; or

25 (B) with other permit holders under this chapter, holders of
26 farm winery permits, holders of brewer's permits issued under
27 IC 7.1-3-2-2(b), or any combination of holders described in
28 this clause;

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

36 (10) Be the proprietor of a restaurant that is not subject to the
37 minimum gross food sales or the minimum projected food sales
38 set forth in 905 IAC 1-41-2 and the gross retail income
39 requirements to sell carryout under IC 7.1-3-20-9.5. A holder is
40 entitled to conduct the following activities:

- 1 (A) Hold a beer retailer's permit, a wine retailer's permit, or a
2 liquor retailer's permit for a restaurant.
- 3 (B) Transfer liquor directly from the artisan distillery to a
4 restaurant that the artisan distiller has an interest in by means
5 of:
 - 6 (i) bottles;
 - 7 (ii) bulk containers; or
 - 8 (iii) a continuous flow system.
- 9 (C) Install a window between the artisan distillery and an
10 adjacent restaurant that allows the public and the holder of the
11 permit to view both premises.
- 12 (D) Install a doorway or other opening between the artisan
13 distillery and an adjacent restaurant that provides the public
14 and the holder of the permit with access to both the artisan
15 distillery and restaurant.
- 16 (11) A holder that does not distribute through an Indiana liquor
17 wholesaler is entitled under the artisan distiller's permit to sell and
18 deliver to a person holding a liquor retailer or liquor dealer permit
19 under this title a total of not more than two thousand (2,000)
20 gallons of the artisan distillery's liquor in a calendar year, if the
21 artisan distiller has not sold in Indiana more than ten thousand
22 (10,000) gallons the previous calendar year. A holder that sells
23 and delivers under this subdivision shall comply with all
24 provisions applicable to a wholesaler in 905 IAC 1-5.1, 905
25 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.
- 26 (12) Sell, donate, transport, and deliver liquor manufactured by
27 the artisan distiller to a qualified organization for:
 - 28 (A) an allowable event under IC 7.1-3-6.1;
 - 29 (B) a charity auction under IC 7.1-3-6.2; or
 - 30 (C) an event under IC 7.1-3-6.3.
- 31 (13) With the approval of the commission under subdivision (9),
32 the holder of a permit may participate in a farmers' market at
33 which products of the permit holder are displayed, promoted, and
34 sold. The holder of a permit:
 - 35 (A) may not offer samples of liquor for consumption on the
36 premises; and
 - 37 (B) may sell its liquor in qualified containers for consumption
38 off the premises.
- 39 (14) Manufacture liquor at the licensed premises for another
40 holder of an artisan distiller's permit. Upon completion of the

1 manufacturing of the liquor for another permit holder under this
 2 subdivision, the product must be transported to the permit holder
 3 for which the liquor was manufactured. To qualify under this
 4 subdivision:

5 (A) the permit holder for which the liquor is manufactured
 6 must have manufactured not less than forty (40) gallons of
 7 liquor produced from raw materials at the permit holder's
 8 licensed premises in the previous calendar year; and

9 (B) the total number of gallons of liquor that a permit holder
 10 manufactures under this subdivision may not exceed the
 11 number of gallons of liquor the permit holder produced from
 12 raw materials at the permit holder's licensed premises in the
 13 same calendar year.

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

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

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

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

35 (1) between the artisan distillery and the storage facility; and

36 (2) from the storage facility to the liquor wholesaler.

37 (d) The holder of an artisan distiller's permit may transport liquor to
 38 and from a brewery located within the same county for the purposes of
 39 carbonating and canning by the brewery. The activity under this
 40 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.
- (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.

- 1 (24) A hotel other than a part of a hotel that is a room in a
- 2 restaurant in which a bar is located over which alcoholic
- 3 beverages are sold or dispensed by the drink.
- 4 (25) The location of an allowable event to which IC 7.1-3-6.1
- 5 applies.
- 6 (26) The location of a charity auction to which IC 7.1-3-6.2
- 7 applies.
- 8 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the
- 9 minor is in the company of a parent, legal guardian or custodian,
- 10 or family member who is at least twenty-one (21) years of age.
- 11 (28) A farm winery and any additional locations of the farm
- 12 winery under IC 7.1-3-12, if the minor is in the company of a
- 13 parent, legal guardian or custodian, or family member who is at
- 14 least twenty-one (21) years of age and the minor is accompanied
- 15 by the adult in any area that the adult may be present whether or
- 16 not the area:
 - 17 (A) is separated in any manner from where the wine is
 - 18 manufactured, sold, or consumed within the farm winery
 - 19 premises; or
 - 20 (B) operates under a retailer's permit.
- 21 (29) An artisan distillery under IC 7.1-3-27, if:
 - 22 (A) the person who holds the artisan distiller's permit also
 - 23 holds a farm winery permit under IC 7.1-3-12, or
 - 24 IC 7.1-3-20-16.4(a) applies to the person; and
 - 25 (B) the minor is in the company of a parent, legal guardian or
 - 26 custodian, or family member who is at least twenty-one (21)
 - 27 years of age.
- 28 (30) An art instruction studio under IC 7.1-5-8-4.6.
- 29 (31) The licensed premises of a food hall under IC 7.1-3-20-29
- 30 and the food and beverage vending space of a food hall vendor
- 31 permittee under IC 7.1-3-20-30. However, sections 9 and 10 of
- 32 this chapter apply to a bar within the food and beverage vending
- 33 space of a food hall vendor permittee under IC 7.1-3-20-30 that
- 34 serves alcoholic beverages intended to be consumed while sitting
- 35 or standing at the bar.
- 36 (32) A refreshment area designated under IC 7.1-3-31.
- 37 (33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of
- 38 which the small brewery permit holder is the proprietor as
- 39 provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by a
- 40 parent, legal guardian, custodian, or family member who is at

1 least twenty-one (21) years of age. The minor may be in any area
 2 in which the accompanying adult may be present, whether or not
 3 the area:

4 (A) is separated in any manner from where the beer is
 5 manufactured, sold, or consumed within the small brewery
 6 premises; or

7 (B) operates under a retailer's permit as provided in
 8 IC 7.1-3-2-7(5)(C).

9 **(34) The state fair under IC 7.1-3-21-14.**

10 **(35) A county fair issued a permit under IC 7.1-3-21-14.5.**

11 (b) For the purpose of this subsection, "food" means meals prepared
 12 on the licensed premises. It is lawful for a minor to be on licensed
 13 premises in a room, outdoor patio, or terrace in which is located a bar
 14 over which alcoholic beverages are sold or dispensed by the drink if all
 15 the following conditions are met:

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

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

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

26 Renumber all SECTIONS consecutively.

(Reference is to SB 23 as introduced.)