

# 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.

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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.

(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

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.

1 (P) Receive beer from another permit holder under this  
2 subdivision for the purpose of bottling and packaging the beer.  
3 Upon completion of bottling and packaging the beer, the  
4 product must be returned to the original permit holder who  
5 manufactured the beer. The number of barrels of beer that a  
6 permit holder receives, bottles, and packages under this clause  
7 may not exceed the number of barrels of beer that the permit  
8 holder produced from raw materials at the licensed premises  
9 of the permit holder in the same calendar year. The activity  
10 under this clause is not an interest under IC 7.1-5-9.

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

15 (R) Manufacture beer for another permit holder under this  
16 subdivision. Upon completion of manufacturing the beer, the  
17 product must be transported to the permit holder for which the  
18 beer was manufactured. To qualify under this clause:  
19 (i) the permit holder for which the beer is manufactured  
20 must have manufactured not less than forty (40) barrels of  
21 beer produced from raw materials at the licensed premises  
22 of the permit holder in the previous calendar year; and  
23 (ii) the number of barrels of beer that a permit holder  
24 manufactures under this clause may not exceed the number  
25 of barrels of beer that the permit holder produced from raw  
26 materials at the licensed premises of the permit holder in the  
27 same calendar year.

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

34 (S) Sell, donate, transport, and deliver beer to a qualified  
35 organization for:  
36 (i) an allowable event under IC 7.1-3-6.1;  
37 (ii) a charity auction under IC 7.1-3-6.2; or  
38 (iii) an event under IC 7.1-3-6.3.

39 (T) With the approval of the commission under clause (J),  
40 participate in a farmers' market at which products of the permit

1 holder are displayed, promoted, and sold. The permit holder  
2 may:

3 (i) provide samples of the brewery's beer for consumption on  
4 the premises, subject to a limit of three (3) samples of not  
5 more than six (6) ounces per person; and  
6 (ii) sell six (6), twelve (12), and twenty-four (24) packs of  
7 twelve (12) ounce or sixteen (16) ounce cans of the  
8 brewery's beer in qualified containers for consumption off  
9 the premises.

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

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

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

23 (7) Provide complimentary samples of beer that are:

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

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

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

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

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

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

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

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.

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

(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.

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.

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:

(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.

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

1 commission if each employee who serves wine on the licensed  
2 premises:

3 (A) holds an employee's permit under IC 7.1-3-18-9; and  
4 (B) completes a server training program approved by the  
5 commission.

6 (3) A holder is entitled to sell the winery's wine on the licensed  
7 premises to consumers either by:

8 (A) the glass;  
9 (B) the bottle;  
10 (C) a box that contains a bag designed for storing and  
11 dispensing wine;  
12 (D) any combination of receptacles listed in clauses (A)  
13 through (C); or  
14 (E) any other container permissible under federal law.

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

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

23 (A) the bottle;  
24 (B) the can;  
25 (C) a box that contains a bag designed for storing and  
26 dispensing wine;  
27 (D) bulk container;  
28 (E) the case; or  
29 (F) any combination of receptacles listed in clauses (A)  
30 through (E);

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

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

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

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

37 (A) may allow transportation to and consumption of the wine  
38 on the licensed premises; and  
39 (B) may not sell, offer to sell, or allow the sale of the wine on  
40 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

1 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.

2 (14) A holder may sell, donate, transport, and deliver wine to a  
3 qualified organization conducting any of the following:

4 (A) An allowable event under IC 7.1-3-6.1.

5 (B) A charity auction under IC 7.1-3-6.2.

6 (C) An event under IC 7.1-3-6.3.

7 (b) With the approval of the commission, a holder of a permit under  
8 this chapter may conduct business at not more than three (3) additional  
9 locations that are separate from the winery. At the additional locations,  
10 the holder of a permit may conduct any business that is authorized at  
11 the first location, except for manufacturing wine or placing wine in  
12 bottles or containers.

13 (c) A farm winery may transfer wine from a storage facility or an  
14 additional location described in subsection (b). A farm winery may sell  
15 or transfer wine directly to a wine wholesaler from a storage facility  
16 separate from the farm winery or an additional location described in  
17 subsection (b). A farm winery may not sell or transfer wine from a  
18 storage facility to any other permittee or a consumer. The farm winery  
19 shall maintain an adequate written record of wine transferred:

20 (1) between the farm winery and the storage facility; and

21 (2) from the storage facility to the wholesaler.

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

24 (1) individually; or

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

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

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

39 (1) provide samples of the permit holder's wine for consumption  
40 on the premises, subject to a limit of three (3) samples of not

1                   more than one (1) ounce per person; and  
2                   (2) sell the permit holder's wine in a qualified container for  
3                   consumption off the premises.

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

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

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

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

35                   (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the  
36                   wine retailer may include the wine retailer parking lot or an area  
37                   adjacent to the wine retailer that may only be used for the purpose of  
38                   conveying alcoholic beverages and other nonalcoholic items to a  
39                   customer, and may not be used for point of sale purposes or any other  
40                   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:

- (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

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.

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

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

(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

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.)