

## SENATE BILL No. 23

AM002306 has been incorporated into introduced printing.

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**Synopsis:** Alcoholic beverage permits for county fairs.

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IN 23—LS 6146/DI 137



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Introduced

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

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

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

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

## SENATE BILL No. 23

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

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

1        SECTION 1. IC 7.1-3-2-7, AS AMENDED BY P.L.186-2025,  
2        SECTION 276, IS AMENDED TO READ AS FOLLOWS  
3        [EFFECTIVE JULY 1, 2026]: Sec. 7. The holder of a brewer's permit  
4        or an out-of-state brewer holding either a primary source of supply  
5        permit or an out-of-state brewer's permit may do the following:  
6                (1) Manufacture beer.  
7                (2) Place beer in containers or bottles.  
8                (3) Transport beer.  
9                (4) Sell and deliver beer to a person holding a beer wholesaler's  
10          permit issued under IC 7.1-3-3.  
11          (5) If the brewer manufactures, at all of the brewer's breweries,  
12          an aggregate of not more than ninety thousand (90,000) barrels  
13          of beer in a calendar year for sale or distribution within Indiana,  
14          the permit holder may do the following:  
15                (A) Sell and deliver a total of not more than thirty thousand

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1 (30,000) barrels of beer in a calendar year to a person  
2 holding a retailer or a dealer permit under this title. The  
3 total number of barrels of beer that the permit holder may  
4 sell and deliver under this clause in a calendar year may not  
5 exceed thirty thousand (30,000) barrels of beer.  
6 (B) Be the proprietor of a restaurant that is not subject to the  
7 minimum gross food sales or the minimum projected food  
8 sales set forth in 905 IAC 1-41-2.  
9 (C) Hold a beer retailer's permit, a wine retailer's permit, or  
10 a liquor retailer's permit for a restaurant established under  
11 clause (B).  
12 (D) Transfer beer directly from the brewery to the restaurant  
13 by means of:  
14 (i) bulk containers; or  
15 (ii) a continuous flow system.  
16 (E) Install a window between the brewery and an adjacent  
17 restaurant that allows the public and the permittee to view  
18 both premises.  
19 (F) Install a doorway or other opening between the brewery  
20 and an adjacent restaurant that provides the public and the  
21 permittee with access to both premises.  
22 (G) Sell the brewery's beer by the glass for consumption on  
23 the premises. Brewers permitted to sell beer by the glass  
24 under this clause must make food available for consumption  
25 on the premises. A brewer may comply with the  
26 requirements of this clause by doing any of the following:  
27 (i) Allowing a vehicle of transportation that is a food  
28 establishment (as defined in IC 16-18-2-137) to serve  
29 food near the brewer's licensed premises.  
30 (ii) Placing menus in the brewer's premises of  
31 restaurants that will deliver food to the brewery.  
32 (iii) Providing food prepared at the brewery.  
33 (H) Sell and deliver beer to a consumer at the licensed  
34 premises of the brewer or at the residence of the consumer.  
35 Notwithstanding IC 7.1-1-3-20, the licensed premises may  
36 include the brewery parking lot or an area adjacent to the  
37 brewery that may only be used for the purpose of conveying  
38 alcoholic beverages and other nonalcoholic items to a  
39 customer subject to section 10 of this chapter, and may not  
40 be used for point of sale purposes or any other purpose. The  
41 delivery to a consumer may be made only in a quantity at

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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

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

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

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

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

28 (i) the permit holder for which the beer is  
29 manufactured must have manufactured not less than  
30 forty (40) barrels of beer produced from raw materials  
31 at the licensed premises of the permit holder in the  
32 previous calendar year; and

33 (ii) the number of barrels of beer that a permit holder  
34 manufactures under this clause may not exceed the  
35 number of barrels of beer that the permit holder  
36 produced from raw materials at the licensed premises  
37 of the permit holder in the same calendar year.

38 All records required by the federal Alcohol and Tobacco  
39 Tax and Trade Bureau regarding the number of barrels of  
40 beer produced from raw materials at the licensed premises  
41 of a permit holder must be made available to the

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1 commission upon request. The activity under this clause is  
 2 not an interest under IC 7.1-5-9.

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

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

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

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

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

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

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

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

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

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

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



1 stadium.

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

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

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

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

12 SECTION 2. IC 7.1-3-4-6, AS AMENDED BY P.L.167-2024,

13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

14 JULY 1, 2026]: Sec. 6. (a) The holder of a beer retailer's permit shall  
15 be entitled to purchase beer for sale under the permit only from a  
16 permittee entitled to sell to the beer retailer under this title. A beer  
17 retailer shall be entitled to possess beer and sell beer at retail to a  
18 customer for consumption on the licensed premises. A beer retailer also  
19 shall be entitled to sell beer to a customer and deliver beer in  
20 permissible containers to the customer on the licensed premises, or to  
21 the customer's house. This delivery may only be performed by the  
22 permit holder or an employee who holds an employee permit. The  
23 permit holder shall maintain a written record of each delivery for at  
24 least one (1) year that shows the customer's name, location of delivery,  
25 and quantity sold. Subject to subsection (g), a beer retailer also may  
26 prepare and package beer in qualified containers for sale and delivery  
27 to a customer on the licensed premises for consumption off the licensed  
28 premises.

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

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



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

42 (6) There is no fee for a permit issued to a local board under

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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 4. 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.

- (2) Bottles 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.

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1 Notwithstanding IC 7.1-1-3-20, the licensed premises may  
2 include the distillery parking lot or an area adjacent to the artisan  
3 distillery. The parking lot or adjacent area may only be used for  
4 the purpose of conveying alcoholic beverages and other  
5 nonalcoholic items to a customer subject to section 8.1 of this  
6 chapter and may not be used for point of sale purposes or any  
7 other purpose.

8 (7) Serve complimentary samples of the liquor manufactured by  
9 the artisan distiller to consumers on the premises of the distillery  
10 where the liquor was manufactured.

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

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

15 (A) individually; or

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

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

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

32 (A) Hold a beer retailer's permit, a wine retailer's permit, or  
33 a liquor retailer's permit for a restaurant.

34 (B) Transfer liquor directly from the artisan distillery to a  
35 restaurant that the artisan distiller has an interest in by  
36 means of:

37 (i) bottles;

38 (ii) bulk containers; or

39 (iii) a continuous flow system.

40 (C) Install a window between the artisan distillery and an  
41 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

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1 from raw materials at the permit holder's licensed premises  
2 in the same calendar year.

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

(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.

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

24 (1) between the artisan distillery and the storage facility; and  
25 (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.

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

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

37 (1) Civic center.  
38 (2) Convention center.  
39 (3) Sports arena.  
40 (4) Bowling center.  
41 (5) Bona fide club.

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- (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

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

4 (A) is separated in any manner from where the wine is  
5 manufactured, sold, or consumed within the farm winery  
6 premises; or

7 (B) operates under a retailer's permit.

8 (29) An artisan distillery under IC 7.1-3-27, if:

9 (A) the person who holds the artisan distiller's permit also  
10 holds a farm winery permit under IC 7.1-3-12, or  
11 IC 7.1-3-20-16.4(a) applies to the person; and

12 (B) the minor is in the company of a parent, legal guardian  
13 or custodian, or family member who is at least twenty-one  
14 (21) years of age.

15 (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.

23 (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:

31 (A) is separated in any manner from where the beer is  
32 manufactured, sold, or consumed within the small brewery  
33 premises; or

34 (B) operates under a retailer's perm

35 IC 7.1-3-2-7(5)(C).

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1       the drink if all the following conditions are met:

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

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

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

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