

PRINTING CODE. Deletions appear in ~~this style type~~. Insertions appear in this style type. Typeface changes are shown in **this** *style* type or in this style type.

SENATE BILL No. 23

Proposed Changes to introduced printing by AM002306

DIGEST OF PROPOSED AMENDMENT

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.

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.~~1-3-21-14~~ [1-3-2-7, AS AMENDED BY
2 P.L.186-2025, SECTION 276, IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. The holder of a
4 brewer's permit or an out-of-state brewer holding either a primary
5 source of supply permit or an out-of-state brewer's permit may do the
6 following:

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

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

holding a retailer or a dealer permit under this title. The total number of barrels of beer that the permit holder may sell and deliver under this clause in a calendar year may not exceed thirty thousand (30,000) barrels of beer.

(B) Be the proprietor of a restaurant that is not subject to the minimum gross food sales or the minimum projected food sales set forth in 905 IAC 1-41-2.

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

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

(i) bulk containers; d

(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

2026



IN 23—LS 6146/DI 137

DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

containers.

(I) Sell the brewery's beer as authorized by this section for carryout on Sunday in a quantity at any one (1) time of not more than five hundred seventy-six (576) ounces. A brewer's beer may be sold under this clause at any address for which the brewer holds a brewer's permit issued under this chapter if the address is located within the same city boundaries in which the beer was manufactured.

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

(i) individually; or

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

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

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

(i) separate from the brewery; and

(ii) owned or leased by the permit holder.

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

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

- (i) between the brewery and the separate building; and
- (ii) from the separate building to the wholesaler.

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

(O) Receive liquor from the holder of a distiller's permit issued under IC 7.1-3-7 or the holder of an artisan distiller's permit under IC 7.1-3-27 that is located in the same county as the brewery for the purpose of carbonating and canning

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

the liquor. Upon the completion of canning of the liquor, the product must be returned to the original production facility within forty-eight (48) hours. The activity under this clause is not an interest under IC 7.1-5-9.

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

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

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

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

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

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

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

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

(B) may not sell, offer to sell, or allow sale of the beer on the licensed premises.

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

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

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

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

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

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

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

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

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 purpose. Any alcoholic beverages conveyed to the customer must
 2 satisfy the following:

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

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

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

15 (1) If the grounds of the county fair are owned by a local
 16 board, upon the request of the local board.

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

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

23 (1) The permit is valid for <the scheduled dates of the county
 24 fair>[one (1) year from the date of issuance. A local board
 25 may apply for a new permit each year].

26 (2) The local board is entitled to sell alcoholic beverages on
 27 the county fair grounds to consumers by the glass.

28 (3) The local board is entitled to <permit multiple vendors
 29 with separate permits at different locations on the county
 30 fair grounds>[designate vendors that possess a valid retail or
 31 craft manufacturing permit issued by the commission] to sell
 32 alcoholic beverages to consumers by the glass[on the county
 33 fairgrounds].

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

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

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

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



- 1 ← (1) File []
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13 [1] (1) File an application with the
14 commission, including the names and
15 permit numbers of all designated vendors,
16 the dates of the local board sponsored
17 event at which alcoholic beverages will be
18 served, and] a floor plan of the premises
19 where alcoholic beverages will be served
20 and consumed]. A local board must
21 supplement the application on file] with
22 the commission[if additional vendors are
23 designated to participate in the sponsored
24 event during the term of the permit].[]
- 25 [1] (2) Provide that <service of>alcoholic <beverages>[beverage
26 service] may be performed only by servers certified under
27 IC 7.1-3-1.5.
- 28 (3) Allow sales during the times prescribed under
29 IC 7.1-3-1-14.
- 30 (4) Prohibit sales prohibited under IC 7.1-5-10-1.
- 31 (5) Operate under the rules adopted by the commission to
32 protect the public interest under IC 7.1-1-1.[
- 33 (6) Ensure alcohol service is performed only by designated
34 vendors at events sponsored by the local board.
- 35 SECTION 4. IC 7.1-3-27-8, AS AMENDED BY P.L.186-2025,
36 SECTION 285, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The holder of an artisan
38 distiller's permit may do only the following:
39 (1) Manufacture liquor, including blending liquor purchased
40 from another manufacturer with liquor the artisan distiller
41 manufactures under section 11 of this chapter.
42 (2) Bottle liquor manufactured by the artisan distiller.
43 (3) Insert liquor manufactured by the artisan distiller into a
44 container.
45 (4) Store liquor manufactured by the artisan distiller, including
46 at a facility located within ten (10) miles of the artisan distiller's
47 distillery.
48 (5) Transport, sell, and deliver liquor manufactured by the
49 artisan distiller to:
50 (A) places outside Indiana; or
51 (B) the holder of a liquor wholesaler's permit under
52 IC 7.1-3-8.
53 (6) Sell liquor manufactured by the artisan distiller to consumers
54 by the drink, bottle, container, or case from the licensed premises



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

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

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

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

16 (A) individually; or

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

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

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

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

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

38 (i) bottles;

39 (ii) bulk containers; or

40 (iii) a continuous flow system.

41 (C) Install a window between the artisan distillery and an
 42 adjacent restaurant that allows the public and the holder of



the permit to view both premises.

(D) Install a doorway or other opening between the artisan distillery and an adjacent restaurant that provides the public and the holder of the permit with access to both the artisan distillery and restaurant.

(11) A holder that does not distribute through an Indiana liquor wholesaler is entitled under the artisan distiller's permit to sell and deliver to a person holding a liquor retailer or liquor dealer permit under this title a total of not more than two thousand (2,000) gallons of the artisan distillery's liquor in a calendar year, if the artisan distiller has not sold in Indiana more than ten thousand (10,000) gallons the previous calendar year. A holder that sells and delivers under this subdivision shall comply with all provisions applicable to a wholesaler in 905 IAC 1-5.1, 905

IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.
(12) Sell, donate, transport, and deliver liquor manufactured by
the artisan distiller to a qualified organization for:

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

(13) With the approval of the commission under subdivision (9), the holder of a permit may participate in a farmers' market at which products of the permit holder are displayed, promoted, and sold. The holder of a permit:

(A) may not offer samples of liquor for consumption on the premises; and

(B) may sell its liquor in qualified containers for consumption off the premises.

(14) Manufacture liquor at the licensed premises for another holder of an artisan distiller's permit. Upon completion of the manufacturing of the liquor for another permit holder under this subdivision, the product must be transported to the permit holder for which the liquor was manufactured. To qualify under this subdivision:

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

(B) the total number of gallons of liquor that a permit holder manufactures under this subdivision may not exceed the number of gallons of liquor the permit holder produced from raw materials at the permit holder's licensed premises

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 in the same calendar year.

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

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

36 (1) Civic center.
37 (2) Convention center.
38 (3) Sports arena.
39 (4) Bowling center.
40 (5) Bona fide club.
41 (6) Drug store.
42 (7) Grocery store.

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- (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:

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 (A) is separated in any manner from where the wine is
 2 manufactured, sold, or consumed within the farm winery
 3 premises; or

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

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

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

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

12 (30) An art instruction studio under IC 7.1-5-8-4.6.

13 (31) The licensed premises of a food hall under IC 7.1-3-20-29
 14 and the food and beverage vending space of a food hall vendor
 15 permittee under IC 7.1-3-20-30. However, sections 9 and 10 of
 16 this chapter apply to a bar within the food and beverage vending
 17 space of a food hall vendor permittee under IC 7.1-3-20-30 that
 18 serves alcoholic beverages intended to be consumed while sitting
 19 or standing at the bar.

20 (32) A refreshment area designated under IC 7.1-3-31.

21 (33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of
 22 which the small brewery permit holder is the proprietor as
 23 provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by
 24 a parent, legal guardian, custodian, or family member who is at
 25 least twenty-one (21) years of age. The minor may be in any area
 26 in which the accompanying adult may be present, whether or not
 27 the area:

28 (A) is separated in any manner from where the beer is
 29 manufactured, sold, or consumed within the small brewery
 30 premises; or

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

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

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

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

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

42 (2) The purpose for being on the licensed premises is the



1 consumption of food and not the consumption of alcoholic
2 beverages.

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

8 1

M

a

r

k

u

p

2026

IN 23—LS 6146/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY