



# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 89 be amended to read as follows:

1       Page 10, between lines 31 and 32, begin a new paragraph and insert:  
2       **"(r) Except as provided in section 16.3 of this chapter, the**  
3       **commission may issue to the city of Delphi not more than two (2)**  
4       **new three-way permits. The following apply to a permit issued**  
5       **under this subsection:**

6       **(1) An applicant for a permit must be a proprietor, an owner**  
7       **or lessee, or both, of a restaurant located within an economic**  
8       **development area, an area needing redevelopment, or a**  
9       **redevelopment district as established under IC 36-7-14 in the**  
10       **city's:**

11       **(A) downtown redevelopment district; or**  
12       **(B) downtown economic revitalization area.**

13       **(2) The cost of an initial permit is forty thousand dollars**  
14       **(\$40,000).**

15       **(3) The total number of active permits issued under this**  
16       **subsection may not exceed the two (2) new three-way permits.**

17       **(4) The city may adopt an ordinance under IC 7.1-3-19-17**  
18       **requiring a permit holder to enter into a formal written**  
19       **commitment as a condition of eligibility for a permit. As set**  
20       **forth in IC 7.1-3-19-17(b), a formal written commitment is**  
21       **binding on the permit holder and on any lessee or proprietor**  
22       **of the permit premises.**

23       **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**  
24       **at the permit premises for more than six (6) months, the**  
25       **permit shall revert to the commission and the permit holder**  
26       **is not entitled to any refund or other compensation.**

27       **(6) Except as provided in subdivision (8), the ownership of the**  
28       **permit may not be transferred.**

**(7) The permit may not be transferred from the premises for which the permit was issued.**

(8) If the area in which the permit issued to a premises is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(s) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Bloomington not more than two (2) new three-way permits. The following apply to a permit issued under this subsection:

**(1) An applicant for a permit must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in the city's:**

- (A) downtown redevelopment district; or
- (B) downtown economic revitalization area.

(2) The cost of an initial permit is forty thousand dollars (\$40,000).

(3) The total number of active permits issued under this subsection may not exceed the two (2) new three-way permits.

**(4) The city may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.**

**(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.**

**(6) Except as provided in subdivision (8), the ownership of the permit may not be transferred.**

(7) The permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed,

1           **and the ownership of the permit may be transferred, but the**  
2           **permit may not be transferred from the permit premises.". (Reference is to SB 89 as printed January 23, 2026.)**

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Senator DERNULC