



COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Public Policy, to which was referred Senate Bill No. 89, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Replace the effective date in SECTION 1 with "[EFFECTIVE
- 2 UPON PASSAGE]".
- 3 Page 8, after line 12, begin a new paragraph and insert:
- 4 **"(o) Except as provided in section 16.3 of this chapter, the**
- 5 **commission may issue to the city of Lafayette not more than three**
- 6 **(3) new three-way permits. The following apply to a permit issued**
- 7 **under this subsection:**
- 8 **(1) An applicant for a permit must be a proprietor, an owner**
- 9 **or lessee, or both, of a restaurant located within an economic**
- 10 **development area, an area needing redevelopment, or a**
- 11 **redevelopment district as established under IC 36-7-14 in the**
- 12 **city's:**
- 13 **(A) downtown redevelopment district; or**
- 14 **(B) downtown economic revitalization area.**
- 15 **(2) The cost of an initial permit is forty thousand dollars**
- 16 **(\$40,000).**
- 17 **(3) The total number of active permits issued under this**
- 18 **subsection may not exceed the three (3) new three-way**
- 19 **permits.**
- 20 **(4) The city may adopt an ordinance under IC 7.1-3-19-17**

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

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

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

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

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

20 **(p) Except as provided in section 16.3 of this chapter, the**
21 **commission may issue to the city of West Lafayette not more than**
22 **two (2) new three-way permits. The following apply to a permit**
23 **issued under this subsection:**

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

29 **(A) downtown redevelopment district; or**
30 **(B) downtown economic revitalization area.**

31 **(2) The cost of an initial permit is forty thousand dollars**
32 **(\$40,000).**

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

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

41 **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**
42 **at the permit premises for more than six (6) months, the**

1 **permit shall revert to the commission and the permit holder**
2 **is not entitled to any refund or other compensation.**

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

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

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

13 **(q) Except as provided in section 16.3 of this chapter, the**
14 **commission may issue a new three-way permit to an applicant who**
15 **is a proprietor, as owner or lessee, or both, of a restaurant located**
16 **within a transit development district established under**
17 **IC 36-7.5-4.5. The commission may issue not more than eight (8)**
18 **new three-way permits under this subsection. The following apply**
19 **to a permit issued under this subsection:**

20 **(1) The cost of an initial permit is forty thousand dollars**
21 **(\$40,000).**

22 **(2) The total number of active permits issued under this**
23 **subsection may not exceed the eight (8) new three-way**
24 **permits.**

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

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

35 **(5) Except as provided in subdivision (7), the ownership of the**
36 **permit may not be transferred.**

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

39 **(7) If the area in which the permit issued to a premises is**
40 **located is no longer designated as part of transit development**
41 **district established under IC 36-7.5-4.5, a permit issued under**
42 **this section may be renewed, and the ownership of the permit**

1 **may be transferred, but the permit may not be transferred**
2 **from the permit premises.**
3 **SECTION 2. An emergency is declared for this act.".**
 (Reference is to SB 89 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 10, Nays 0.

Senator Alting, Chairperson