



# COMMITTEE REPORT

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## 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**