
SENATE BILL No. 89

AM008903 has been incorporated into introduced printing.

Synopsis: Three-way permits for Schererville.

M
e
r
g
e
d

2026

IN 89—LS 6357/DI 87



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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. 89

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 7.1-3-20-16.8, AS AMENDED BY THE
2 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
3 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 16.8. (a) A permit that is authorized by this
5 section may be issued without regard to the quota provisions of
6 IC 7.1-3-22.

7 (b) Except as provided in section 16.3 of this chapter, the
8 commission may issue not more than four (4) new three-way permits
9 to sell alcoholic beverages for on-premises consumption to applicants
10 in each of the following municipalities:

- 11 (1) Whitestown.
- 12 (2) Lebanon.
- 13 (3) Zionsville.
- 14 (4) Westfield.
- 15 (5) Carmel.

2026

IN 89—LS 6357/DI 87



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 (6) Fishers.
2 (7) Noblesville.

3 (c) The following apply to permits issued under subsection (b):
4 (1) An applicant for a permit under subsection (b) must be a
5 proprietor, as owner or lessee, or both, of a restaurant located
6 within an economic development area, an area needing
7 redevelopment, or a redevelopment district as established under
8 IC 36-7-14 in a municipality's:
9 (A) downtown redevelopment district; or
10 (B) downtown economic revitalization area.
11 (2) The cost of an initial permit is forty thousand dollars
12 (\$40,000).
13 (3) The total number of active permits issued under subsection
14 (b) may not exceed twenty-four (24) permits at any time. If any
15 of the permits issued under subsection (b) are revoked or not
16 renewed, the commission may issue only enough new permits to
17 bring the total number of permits to twenty-four (24) active
18 permits, with not more than four (4) in each municipality listed
19 in subsection (b)(1) through (b)(6).
20 (4) The municipality may adopt an ordinance under
21 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
22 written commitment as a condition of eligibility for a permit. As
23 set forth in IC 7.1-3-19-17(b), a formal written commitment is
24 binding on the permit holder and on any lessee or proprietor of
25 the permit premises.
26 (5) Notwithstanding ~~IC 7.1-3-1-3.5~~ and IC 7.1-3-1.1, if business
27 operations cease at the permit premises for more than six (6)
28 months, the permit shall revert to the commission and the permit
29 holder is not entitled to any refund or other compensation.
30 (6) Except as provided in subdivision (8), the ownership of a
31 permit may not be transferred.
32 (7) A permit may not be transferred from the premises for which
33 the permit was issued.
34 (8) If the area in which the permit premises is located is no
35 longer designated an economic development area, an area
36 needing redevelopment, or a redevelopment district, a permit
37 issued under this section may be renewed, and the ownership of
38 the permit may be transferred, but the permit may not be
39 transferred from the permit premises.

40 (d) Except as provided in section 16.3 of this chapter, in addition
41 to the permits issued to the town of Whitestown under subsection (c),

2026

IN 89—LS 6357/DI 87



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 the commission may issue to the town of Whitestown not more than:
2 (1) three (3) new three-way permits; and
3 (2) three (3) new two-way permits;
4 under this subsection.
5 (e) The following apply to permits issued under subsection (d):
6 (1) An applicant for a permit under subsection (d)(1) or (d)(2)
7 must be a proprietor, an owner or lessee, or both, of a restaurant
8 located within an economic development area, an area needing
9 redevelopment, or a redevelopment district as established under
10 IC 36-7-14 in a municipality'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 subsection
16 (d) may not exceed the six (6) permits allocated by permit type,
17 as set forth in that subsection.
18 (4) The municipality may adopt an ordinance under
19 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
20 written commitment as a condition of eligibility for a permit. As
21 set forth in IC 7.1-3-19-17(b), a formal written commitment is
22 binding on the permit holder and on any lessee or proprietor of
23 the permit premises.
24 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
25 the permit premises for more than six (6) months, the permit
26 shall revert to the commission and the permit holder is not
27 entitled to any refund or other compensation.
28 (6) Except as provided in subdivision (8), the ownership of a
29 permit may not be transferred.
30 (7) A permit may not be transferred from the premises for which
31 the permit was issued.
32 (8) If the area in which the permit issued to a premises under
33 subsection (d)(1) or (d)(2) is located is no longer designated an
34 economic development area, an area needing redevelopment, or
35 a redevelopment district, a permit issued under this section may
36 be renewed, and the ownership of the permit may be transferred,
37 but the permit may not be transferred from the permit premises.
38 (f) Except as provided in section 16.3 of this chapter, in addition
39 to the permits issued to the city of Noblesville under subsection (c), the
40 commission may issue to the city of Noblesville not more than ten (10)
41 new three-way permits under this subsection. The new three-way

M
e
r
g
e
d



1 permits may be issued as follows:

2 (1) Three (3) new three-way permits in 2024.

3 (2) Three (3) new three-way permits in 2025.

4 (3) Four (4) new three-way permits in 2026.

5 If the commission does not issue the amount of three-way permits
6 allowed in subdivisions (1) through (3) in that year, any unissued
7 permits will roll over and may be issued in a subsequent year.

8 (g) The following apply to permits issued under subsection (f):

9 (1) An applicant for a permit under subsection (f) must be a
10 proprietor, an owner or lessee, or both, of a restaurant located
11 within an economic development area, an area needing
12 redevelopment, or a redevelopment district as established under
13 IC 36-7-14 in a municipality's:

14 (A) downtown redevelopment district; or

15 (B) downtown economic revitalization area.

16 (2) The cost of an initial permit is forty thousand dollars
17 (\$40,000).

18 (3) The total number of active permits issued under subsection
19 (f) may not exceed the ten (10) new three-way permits, as set
20 forth in that subsection.

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

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

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

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

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

41 (h) Except as provided in section 16.3 of this chapter, the



1 commission may issue to the city of Delphi not more than two (2) new
2 three-way permits under this subsection.

3 (i) The following apply to permits issued under subsection (h):

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

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

11 (2) The cost of an initial permit is forty thousand dollars
12 (\$40,000).

13 (3) The total number of active permits issued under subsection
14 (h) may not exceed the two (2) new three-way permits, as set
15 forth in that subsection.

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

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

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

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

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

36 (j) Except as provided in section 16.3 of this chapter, the
37 commission may issue to the city of Warsaw not more than three (3)
38 new three-way permits under this subsection.

39 (k) The following apply to permits issued under subsection (j):

40 (1) An applicant for a permit under subsection (j) must be a
41 proprietor, an owner or lessee, or both, of a restaurant located



1 within an economic development area, an area needing
2 redevelopment, or a redevelopment district as established under
3 IC 36-7-14 in a municipality's:

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

6 (2) The cost of an initial permit is forty thousand dollars
7 (\$40,000).

8 (3) The total number of active permits issued under subsection
9 (j) may not exceed the three (3) new three-way permits, as set
10 forth in that subsection.

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

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

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

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

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

31 (l) Except as provided in section 16.3 of this chapter, the
32 commission may issue to the town of Syracuse not more than one (1)
33 new three-way permit under this subsection.

34 (m) The following apply to a permit issued under subsection (l):

35 (1) An applicant for a permit under subsection (l) must be a
36 proprietor, an owner or lessee, or both, of a restaurant located
37 within an economic development area, an area needing
38 redevelopment, or a redevelopment district as established under
39 IC 36-7-14 in a municipality's:

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



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

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

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

42 (4) The town may adopt an ordinance under IC 7.1-3-19-17

2026

IN 89—LS 6357/DI 87



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(o) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Lafayette not more than three (3) 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 three (3) 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

2026

JN 89—LS 6357/DI 87



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(p) Except as provided in section 16.3 of this chapter, the commission may issue to the city of West Lafayette 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, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

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

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

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

(3) The municipality 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.

(4) 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.

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

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

(7) If the area in which the permit issued to a premises is located is no longer designated as part of transit development district established under IC 36-7.5-4.5, 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.

SECTION 2. An emergency is declared for this act.

2026

IN 89—LS 6357/DI 87



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY