
SENATE BILL No. 89

AM008903 has been incorporated into introduced printing.

Synopsis: Three-way permits for Schererville.

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2026

IN 89—LS 6357/DI 87



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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.

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- 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),

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the commission may issue to the town of Whitestown not more than:

(1) three (3) new three-way permits; and

(2) three (3) new two-way permits;

under this subsection.

(e) The following apply to permits issued under subsection (d):

(1) An applicant for a permit under subsection (d)(1) or (d)(2) 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 a municipality'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 subsection (d) may not exceed the six (6) permits allocated by permit type, as set forth in that subsection.

(4) 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.

(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 a permit may not be transferred.

(7) A 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 under subsection (d)(1) or (d)(2) 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.

(f) Except as provided in section 16.3 of this chapter, in addition to the permits issued to the city of Noblesville under subsection (c), the commission may issue to the city of Noblesville not more than ten (10) new three-way permits under this subsection. The new three-way

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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

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

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

(1) An applicant for a permit under subsection (h) 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 a municipality'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 subsection (h) may not exceed the two (2) new three-way permits, as set forth in that subsection.

(4) 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.

(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 a permit may not be transferred.

(7) A 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 under subsection (h) 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.

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

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

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

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within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality'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 subsection (j) may not exceed the three (3) new three-way permits, as set forth in that subsection.

(4) 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.

(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 a permit may not be transferred.

(7) A 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 under subsection (j) 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.

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

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

(1) An applicant for a permit under subsection (l) 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 a municipality's:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

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- 1 (2) The cost of an initial permit is forty thousand dollars
 2 (\$40,000).
 3 (3) The total number of active permits issued under subsection
 4 (1) may not exceed the one (1) new three-way permit, as set forth
 5 in that subsection.
 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.
 12 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
 13 the permit premises for more than six (6) months, the permit
 14 shall revert to the commission and the permit holder is not
 15 entitled to any refund or other compensation.
 16 (6) Except as provided in subdivision (8), the ownership of a
 17 permit may not be transferred.
 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 (1) 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.
 26 **(n) Except as provided in section 16.3 of this chapter, the**
 27 **commission may issue to the town of Schererville not more than**
 28 **three (3) new three-way permits. The following applies to a permit**
 29 **issued under this subsection:**
 30 **(1) An applicant for a permit must be a proprietor, an owner**
 31 **or lessee, or both, of a restaurant located within an economic**
 32 **development area, an area needing redevelopment, or a**
 33 **redevelopment district as established under IC 36-7-14 in the**
 34 **town's:**
 35 **(A) downtown redevelopment district; or**
 36 **(B) downtown economic revitalization area.**
 37 **(2) The cost of an initial permit is forty thousand dollars**
 38 **(\$40,000).**
 39 **(3) The total number of active permits issued under this**
 40 **subsection may not exceed the three (3) new three-way**
 41 **permits.**
 42 **(4) The town 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.

(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

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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



1 which the permit was issued.

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

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

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

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

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

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

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

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

34 (7) If the area in which the permit issued to a premises is
35 located is no longer designated as part of transit
36 development district established under IC 36-7.5-4.5, a
37 permit issued under this section may be renewed, and the
38 ownership of the permit may be transferred, but the permit
39 may not be transferred from the permit premises.

40 SECTION 2. An emergency is declared for this act.

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