

# PROPOSED AMENDMENT

## SB 185 # 1

### DIGEST

Beer wholesaler's permit. Allows the holder of a beer wholesaler's permit to possess, transport, sell, and deliver beer to a food manufacturer that is registered with the federal Food and Drug Administration for the purpose of adding or integrating the beer into a product or recipe.

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1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:

3       "SECTION 1. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025,  
4       SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5       UPON PASSAGE]: Sec. 5. (a) The holder of a beer wholesaler's permit  
6       may purchase and import from the primary source of supply, possess,  
7       and sell at wholesale, beer and flavored malt beverages manufactured  
8       within or without this state.

9       (b) A beer wholesaler permittee may possess, transport, sell, and  
10      deliver beer to:

11       (1) another beer wholesaler authorized by the brewer to sell the  
12       brand purchased;

13       (2) an employee; **and**

14       (3) a holder of a beer retailer's permit, beer dealer's permit,  
15       temporary beer permit, dining car permit, boat permit, airplane  
16       permit, or supplemental caterer's permit; **and**

17       **(4) a food manufacturer that is registered with the federal  
18       Food and Drug Administration, for the purpose of adding or  
19       integrating the beer into a product or recipe;**

20       located within this state. The sale, transportation, and delivery of beer  
21       shall be made only from inventory that has been located on the  
22       wholesaler's premises before the time of invoicing and delivery.

23       (c) The beer wholesaler's bona fide regular employees may purchase  
24       beer from the wholesaler in:

25       (1) bottles, cans, or any other type of permissible containers in an  
26       amount not to exceed forty-eight (48) pints; or

1 (2) one (1) keg;  
2 at any one (1) time.

15 (2) A wine retailer's permit, wine dealer's permit, temporary wine  
16 permit, dining car wine permit, boat permit, airplane permit, or  
17 supplemental caterer's permit.

18 (f) A beer wholesaler may:

19 (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9  
20 and deliver the stored beer to another beer wholesaler that the  
21 out-of-state brewer authorizes to sell the beer;

22 (2) perform all necessary accounting and auditing functions  
23 associated with the services described in subdivision (1); and  
24 (3) receive a fee from an out-of-state brewer for the services

described in subdivisions (1) through (2).  
(g) A beer wholesaler may sell, donate, transport, and deliver beer

27 to a qualified organization for.  
28 (1) 11 11 1 15-713-61

28 (1) all allowable event under IC 7.1-3-6.1,  
29 (2) a limit setting under IC 7.1-3-6.2.

30 (2) an event under IC 7.1.3.6.3;

31 located within this state. The sale, donation to a qualified organization,  
32 transportation, and delivery of beer shall be made only from inventory  
33 that has been located on the wholesaler's premises before the time of  
34 invoicing and delivery.".

35 Page 11, after line 11, begin a new paragraph and insert:

36 "SECTION 13. An emergency is declared for this act.".

37 Renumber all **SECTIONS** consecutively.

(Reference is to SB 185 as introduced.)