



# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Public Policy, to which was referred Senate Bill No. 109, 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           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 7.1-3-2-7, AS AMENDED BY P.L.26-2024,  
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2025]: Sec. 7. The holder of a brewer's permit or an  
6 out-of-state brewer holding either a primary source of supply permit or  
7 an out-of-state brewer's permit may do the following:  
8           (1) Manufacture beer.  
9           (2) Place beer in containers or bottles.  
10          (3) Transport beer.  
11          (4) Sell and deliver beer to a person holding a beer wholesaler's  
12 permit issued under IC 7.1-3-3.  
13          (5) If the brewer manufactures, at all of the brewer's breweries, an  
14 aggregate of not more than ninety thousand (90,000) barrels of  
15 beer in a calendar year for sale or distribution within Indiana, the  
16 permit holder may do the following:  
17           (A) Sell and deliver a total of not more than thirty thousand  
18 (30,000) barrels of beer in a calendar year to a person holding  
19 a retailer or a dealer permit under this title. The total number  
20 of barrels of beer that the permit holder may sell and deliver

- 1 under this clause in a calendar year may not exceed thirty  
2 thousand (30,000) barrels of beer.
- 3 (B) Be the proprietor of a restaurant that is not subject to the  
4 minimum gross food sales or the minimum projected food  
5 sales set forth in 905 IAC 1-41-2.
- 6 (C) Hold a beer retailer's permit, a wine retailer's permit, or a  
7 liquor retailer's permit for a restaurant established under clause  
8 (B).
- 9 (D) Transfer beer directly from the brewery to the restaurant  
10 by means of:
- 11 (i) bulk containers; or  
12 (ii) a continuous flow system.
- 13 (E) Install a window between the brewery and an adjacent  
14 restaurant that allows the public and the permittee to view both  
15 premises.
- 16 (F) Install a doorway or other opening between the brewery  
17 and an adjacent restaurant that provides the public and the  
18 permittee with access to both premises.
- 19 (G) Sell the brewery's beer by the glass for consumption on the  
20 premises. Brewers permitted to sell beer by the glass under  
21 this clause must make food available for consumption on the  
22 premises. A brewer may comply with the requirements of this  
23 clause by doing any of the following:
- 24 (i) Allowing a vehicle of transportation that is a food  
25 establishment (as defined in IC 16-18-2-137) to serve food  
26 near the brewer's licensed premises.
- 27 (ii) Placing menus in the brewer's premises of restaurants  
28 that will deliver food to the brewery.
- 29 (iii) Providing food prepared at the brewery.
- 30 (H) Sell and deliver beer to a consumer at the licensed  
31 premises of the brewer or at the residence of the consumer.  
32 Notwithstanding IC 7.1-1-3-20, the licensed premises may  
33 include the brewery parking lot or an area adjacent to the  
34 brewery that may only be used for the purpose of conveying  
35 alcoholic beverages and other nonalcoholic items to a  
36 customer subject to section 10 of this chapter, and may not be  
37 used for point of sale purposes or any other purpose. The  
38 delivery to a consumer may be made only in a quantity at any  
39 one (1) time of not more than one-half (1/2) barrel, but the  
40 beer may be contained in bottles or other permissible  
41 containers.
- 42 (I) Sell the brewery's beer as authorized by this section for

1 carryout on Sunday in a quantity at any one (1) time of not  
2 more than five hundred seventy-six (576) ounces. A brewer's  
3 beer may be sold under this clause at any address for which the  
4 brewer holds a brewer's permit issued under this chapter if the  
5 address is located within the same city boundaries in which the  
6 beer was manufactured.

7 (J) With the approval of the commission, participate:

8 (i) individually; or

9 (ii) with other permit holders under this chapter, holders of  
10 artisan distiller's permits, holders of farm winery permits, or  
11 any combination of holders described in this item;

12 in a trade show or an exposition at which products of each  
13 permit holder participant are displayed, promoted, and sold.  
14 All of the permit holders may occupy the same tent, structure,  
15 or building. The commission may not grant to a holder of a  
16 permit under this chapter approval under this clause to  
17 participate in a ~~trade show or exposition~~ for more than  
18 ~~forty-five (45) days~~ **sixty (60) trade show or exposition**  
19 **events** in a calendar year.

20 (K) Store or condition beer in a secure building that is:

21 (i) separate from the brewery; and

22 (ii) owned or leased by the permit holder.

23 (L) Transfer beer from a building described in clause (K) back  
24 to the brewery.

25 (M) Sell or transfer beer directly to a beer wholesaler from a  
26 building described in clause (K), but may not sell or transfer  
27 beer from the building to any other permittee or a consumer.  
28 The brewer shall maintain an adequate written record of the  
29 beer transferred:

30 (i) between the brewery and the separate building; and

31 (ii) from the separate building to the wholesaler.

32 (N) Sell the brewery's beer to the holder of a supplemental  
33 caterer's permit issued under IC 7.1-3-9.5 for on-premises  
34 consumption only at an event that is held outdoors on property  
35 that is contiguous to the brewery as approved by the  
36 commission.

37 (O) Receive liquor from the holder of a distiller's permit issued  
38 under IC 7.1-3-7 or the holder of an artisan distiller's permit  
39 under IC 7.1-3-27 that is located in the same county as the  
40 brewery for the purpose of carbonating and canning the liquor.  
41 Upon the completion of canning of the liquor, the product  
42 must be returned to the original production facility within

- 1 forty-eight (48) hours. The activity under this clause is not an  
2 interest under IC 7.1-5-9.
- 3 (P) Receive beer from another permit holder under this  
4 subdivision for the purpose of bottling and packaging the beer.  
5 Upon completion of bottling and packaging the beer, the  
6 product must be returned to the original permit holder who  
7 manufactured the beer. The number of barrels of beer that a  
8 permit holder receives, bottles, and packages under this clause  
9 may not exceed the number of barrels of beer that the permit  
10 holder produced from raw materials at the licensed premises  
11 of the permit holder in the same calendar year. The activity  
12 under this clause is not an interest under IC 7.1-5-9.
- 13 (Q) Sell or transfer beer directly to a food manufacturer  
14 located in Indiana that is registered with the federal Food and  
15 Drug Administration for the purpose of adding or integrating  
16 the beer into a product or recipe.
- 17 (R) Manufacture beer for another permit holder under this  
18 subdivision. Upon completion of manufacturing the beer, the  
19 product must be transported to the permit holder for which the  
20 beer was manufactured. To qualify under this clause:
- 21 (i) the permit holder for which the beer is manufactured  
22 must have manufactured not less than forty (40) barrels of  
23 beer produced from raw materials at the licensed premises  
24 of the permit holder in the previous calendar year; and
- 25 (ii) the number of barrels of beer that a permit holder  
26 manufactures under this clause may not exceed the number  
27 of barrels of beer that the permit holder produced from raw  
28 materials at the licensed premises of the permit holder in the  
29 same calendar year.
- 30 All records required by the federal Alcohol and Tobacco Tax  
31 and Trade Bureau regarding the number of barrels of beer  
32 produced from raw materials at the licensed premises of a  
33 permit holder must be made available to the commission upon  
34 request. The activity under this clause is not an interest under  
35 IC 7.1-5-9.
- 36 (6) If the brewer's brewery manufactures more than ninety  
37 thousand (90,000) barrels of beer in a calendar year for sale or  
38 distribution within Indiana, the permit holder may own a portion  
39 of the corporate stock of another brewery that:
- 40 (A) is located in the same county as the brewer's brewery;  
41 (B) manufactures less than ninety thousand (90,000) barrels of  
42 beer in a calendar year; and

- 1 (C) is the proprietor of a restaurant that operates under  
 2 subdivision (5).
- 3 (7) Provide complimentary samples of beer that are:  
 4 (A) produced by the brewer; and  
 5 (B) offered to consumers for consumption on the brewer's  
 6 premises.
- 7 (8) Own a portion of the corporate stock of a sports corporation  
 8 that:  
 9 (A) manages a minor league baseball stadium located in the  
 10 same county as the brewer's brewery; and  
 11 (B) holds a beer retailer's permit, a wine retailer's permit, or a  
 12 liquor retailer's permit for a restaurant located in that stadium.
- 13 (9) For beer described in IC 7.1-1-2-3(a)(4):  
 14 (A) may allow transportation to and consumption of the beer  
 15 on the licensed premises; and  
 16 (B) may not sell, offer to sell, or allow sale of the beer on the  
 17 licensed premises.
- 18 SECTION 2. IC 7.1-3-12-5, AS AMENDED BY P.L.194-2021,  
 19 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2025]: Sec. 5. (a) The following apply to the holder of a farm  
 21 winery permit:
- 22 (1) A holder is entitled to manufacture wine and to place wine  
 23 produced by the permit holder's farm winery in bottles or other  
 24 permissible containers.
- 25 (2) A holder is entitled to serve complimentary samples of the  
 26 winery's wine on the licensed premises or an outside area that is  
 27 contiguous to the licensed premises, as approved by the  
 28 commission if each employee who serves wine on the licensed  
 29 premises:  
 30 (A) holds an employee's permit under IC 7.1-3-18-9; and  
 31 (B) completes a server training program approved by the  
 32 commission.
- 33 (3) A holder is entitled to sell the winery's wine on the licensed  
 34 premises to consumers either by:  
 35 (A) the glass;  
 36 (B) the bottle;  
 37 (C) a box that contains a bag designed for storing and  
 38 dispensing wine;  
 39 (D) any combination of receptacles listed in clauses (A)  
 40 through (C); or  
 41 (E) any other container permissible under federal law.
- 42 Notwithstanding IC 7.1-1-3-20, the licensed premises may

- 1 include the farm winery parking lot or an area adjacent to the farm  
2 winery. The parking lot or an adjacent area may only be used for  
3 the purpose of conveying alcoholic beverages and other  
4 nonalcoholic items to a customer subject to section 5.5 of this  
5 chapter, and may not be used for point of sale purposes or any  
6 other purpose.
- 7 (4) A holder is entitled to sell the winery's wine to consumers by  
8 the bottle at a farmers' market that is operated on a nonprofit  
9 basis.
- 10 (5) A holder is entitled to sell wine by:
- 11 (A) the bottle;  
12 (B) the can;  
13 (C) a box that contains a bag designed for storing and  
14 dispensing wine;  
15 (D) bulk container;  
16 (E) the case; or  
17 (F) any combination of receptacles listed in clauses (A)  
18 through (E);
- 19 to a person who is the holder of a permit to sell wine at wholesale.
- 20 (6) A holder is exempt from the provisions of IC 7.1-3-14.
- 21 (7) A holder is entitled to advertise the name and address of any  
22 retailer or dealer who sells wine produced by the permit holder's  
23 winery.
- 24 (8) A holder for wine described in IC 7.1-1-2-3(a)(4):
- 25 (A) may allow transportation to and consumption of the wine  
26 on the licensed premises; and  
27 (B) may not sell, offer to sell, or allow the sale of the wine on  
28 the licensed premises.
- 29 (9) A holder is entitled to purchase and sell bulk wine as set forth  
30 in this chapter.
- 31 (10) A holder is entitled to sell wine as authorized by this section  
32 for carryout on Sunday.
- 33 (11) A holder is entitled to sell and ship the farm winery's wine to  
34 a person located in another state in accordance with the laws of  
35 the other state.
- 36 (12) A holder is entitled to sell the farm winery's wine to the  
37 holder of a supplemental caterer's permit issued under  
38 IC 7.1-3-9.5 for on-premises consumption only at an event that is  
39 held outdoors on property that is contiguous to the farm winery as  
40 approved by the commission.
- 41 (13) A holder is entitled to be the proprietor of a restaurant that is  
42 not subject to the minimum gross food sales or the minimum

1 projected food sales set forth in 905 IAC 1-41-2 and the gross  
2 retail income requirements to sell carryout under IC 7.1-3-20-9.5.

3 A holder is entitled to conduct the following activities:

4 (A) Hold a beer retailer's permit, a wine retailer's permit, or a  
5 liquor retailer's permit for a restaurant.

6 (B) Transfer wine directly from the farm winery to a restaurant  
7 that the farm winery has an interest in by means of:

8 (i) bottles or cans;

9 (ii) bulk containers; or

10 (iii) a continuous flow system.

11 (C) Install a window between the farm winery and an adjacent  
12 restaurant that allows the public and the holder of the permit  
13 to view both premises.

14 (D) Install a doorway or other opening between the farm  
15 winery and an adjacent restaurant that provides the public and  
16 the holder of the permit with access to both the farm winery  
17 and restaurant.

18 (14) A holder that does not distribute through an Indiana wine  
19 wholesaler is entitled under the farm winery permit to sell and  
20 deliver to a person holding a wine retailer or wine dealer permit  
21 under this title a total of not more than three thousand (3,000)  
22 gallons of the farm winery's wine in a calendar year, if the farm  
23 winery has not sold in Indiana more than fifteen thousand  
24 (15,000) gallons the previous calendar year. A holder that sells  
25 and delivers under this subdivision shall comply with all  
26 provisions applicable to a wholesaler in 905 IAC 1-5.1, 905  
27 IAC 1-5.2, 905 IAC 1-21, 905 IAC 1-31, and 905 IAC 1-32.1.

28 (15) A holder must annually submit to the commission copies of  
29 its Indiana and federal excise tax returns.

30 (b) With the approval of the commission, a holder of a permit under  
31 this chapter may conduct business at not more than three (3) additional  
32 locations that are separate from the winery. At the additional locations,  
33 the holder of a permit may conduct any business that is authorized at  
34 the first location, except for manufacturing wine or placing wine in  
35 bottles or containers.

36 (c) A farm winery may transfer wine from a storage facility or an  
37 additional location described in subsection (b). A farm winery may sell  
38 or transfer wine directly to a wine wholesaler from a storage facility  
39 separate from the farm winery or an additional location described in  
40 subsection (b). A farm winery may not sell or transfer wine from a  
41 storage facility to any other permittee or a consumer. The farm winery  
42 shall maintain an adequate written record of wine transferred:

- 1 (1) between the farm winery and the storage facility; and  
 2 (2) from the storage facility to the wholesaler.
- 3 (d) With the approval of the commission, a holder of a permit under  
 4 this chapter may:
- 5 (1) individually; or  
 6 (2) with other permit holders under this chapter, holders of artisan  
 7 distiller's permits, holders of brewer's permits issued under  
 8 IC 7.1-3-2-2(b), or any combination of holders described in this  
 9 subdivision;
- 10 participate in a trade show or an exposition at which products of each  
 11 permit holder participant are displayed, promoted, and sold. All of the  
 12 permit holders may occupy the same tent, structure, or building. The  
 13 commission may not grant approval under this subsection to a holder  
 14 of a permit under this chapter for more than ~~forty-five (45) days~~  
 15 **(60) trade show or exposition events** in a calendar year."
- 16 Page 1, line 4, delete "forty thousand (40,000)" and insert "**thirty**  
 17 **thousand (30,000)**".
- 18 Page 2, line 36, strike "a trade".
- 19 Page 2, line 37, strike "show or exposition for".
- 20 Page 2, line 37, strike "days" and insert "**trade show or exposition**  
 21 **events**".
- 22 Page 4, after line 28, begin a new paragraph and insert:  
 23 "SECTION 4. IC 7.1-3-30-6, AS AMENDED BY P.L.11-2023,  
 24 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2025]: Sec. 6. A hospitality permit issued under this chapter  
 26 is subject to the following:
- 27 (1) Except as provided in subdivision (4), alcoholic beverages  
 28 may be sold by a craft manufacturer only for consumption on the  
 29 licensed premises of the host permittee.
- 30 (2) The sale of alcoholic beverages under a hospitality permit is  
 31 subject to the same restrictions that apply to the sale of beer by  
 32 the holder of a beer retailer's permit.
- 33 (3) A holder is not entitled to sell at wholesale or for carry out  
 34 from the licensed premises of the host permittee.
- 35 (4) Notwithstanding subdivisions (2) and (3), a craft manufacturer  
 36 may sell alcoholic beverages for carry out in an original container  
 37 in the manner permitted for a trade show or exposition held  
 38 under:
- 39 (A) IC 7.1-3-2-7(5)(J) (brewery);  
 40 (B) IC 7.1-3-12-5(d) (farm winery); or  
 41 (C) IC 7.1-3-27-8(a)(9) (artisan distillery).
- 42 (5) A craft manufacturer's participation in a temporary event



- 1 counts against the maximum number of ~~days~~ **events** that the craft  
 2 manufacturer is permitted to participate in a ~~trade show or~~  
 3 ~~exposition~~ under IC 7.1-3-2-7(5)(J), IC 7.1-3-12-5(d), or  
 4 IC 7.1-3-27-8(a)(9).
- 5 (6) Alcoholic beverages served and sold by a craft manufacturer  
 6 under a hospitality permit must be provided by the craft  
 7 manufacturer.
- 8 (7) A person who serves alcoholic beverages for a craft  
 9 manufacturer must hold a valid employee's permit under  
 10 IC 7.1-3-18-9 or IC 7.1-3-18-11.
- 11 (8) A minor may be present at a temporary event:
- 12 (A) only to the extent that a minor is permitted to be present  
 13 on the licensed premises of the host permittee; and
- 14 (B) if the minor is in the company of a parent, legal guardian,  
 15 or custodian, or family member who is at least twenty-one (21)  
 16 years of age.
- 17 (9) The temporary event must meet applicable board of health  
 18 requirements, including all requirements concerning restroom  
 19 facilities.
- 20 (10) A holder may allow the sale of alcoholic beverages only  
 21 during the times prescribed under IC 7.1-3-1-14.
- 22 (11) The hospitality permit must be posted in the most  
 23 conspicuous place at the location of the temporary event.
- 24 (12) An excise officer, or commissioner for good cause, has the  
 25 authority to revoke a hospitality permit at any time before or  
 26 during the event."
- 27 Renumber all SECTIONS consecutively.  
 (Reference is to SB 109 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 9, Nays 0.

**Senator Alting, Chairperson**