

HOUSE BILL No. 1249

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-20-14.1.

Synopsis: Three-way alcohol permit in unincorporated area. Provides, for purposes of satisfying the minimum annual or monthly gross food sales requirement for a three-way restaurant permit in an unincorporated area, that the sum of the gross food sales of: (1) the restaurant; and (2) a food truck that sells food near the restaurant during the restaurant's hours of operation; shall be considered the gross food sales of the restaurant.

Effective: July 1, 2023.

Hatfield

January 11, 2023, read first time and referred to Committee on Public Policy.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1249

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 7.1-3-20-14.1 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2023]: **Sec. 14.1. (a) As used in this section,**
4 **"food truck" means a vehicle of transportation that is a food**
5 **establishment (as defined in IC 16-18-2-137).**
6 **(b) This section applies to a proprietor of a restaurant located**
7 **outside the corporate limits of an incorporated city or town to**
8 **which at least one (1) of the following applies:**
9 **(1) The restaurant proprietor is also the proprietor of a food**
10 **truck that sells food near the restaurant during the**
11 **restaurant's hours of operation.**
12 **(2) The restaurant proprietor has an oral or written**
13 **agreement with a food truck proprietor to sell food near the**
14 **restaurant during the restaurant's hours of operation.**
15 **(c) For the purpose of satisfying the minimum annual or**
16 **monthly gross food sales requirements for a three-way permit**
17 **under section 12, 13, or 14 of this chapter, the sum of the amount**



1 of gross food sales during the appropriate statutory period of:
2 (1) the proprietor's restaurant; and
3 (2) a food truck from food sales made near the restaurant
4 during the restaurant's hours of operation;
5 shall be considered the gross food sales by the restaurant during
6 the period required by statute.
7 (d) A proprietor of a restaurant must provide proof to the
8 satisfaction of the commission of the amount of gross food sales by
9 the restaurant and the food truck.

