

# HOUSE BILL No. 1057

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 7.1-3; IC 7.1-5-7-11.

**Synopsis:** Service and delivery of alcoholic beverages. Allows a beauty culture salon (salon) to serve complimentary wine or beer by the glass to a customer on the premises without an alcoholic beverage permit. Allows a minor to be present in the salon. Allows a grocery store or drug store to deliver carryout alcoholic beverages to a customer in the store's parking lot or an adjacent area.

**Effective:** July 1, 2023.

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January 9, 2023, read first time and referred to Committee on Public Policy.

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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. 1057

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 7.1-3-1-31 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2023]: **Sec. 31. (a) As used in this chapter, "salon" means a**  
4 **beauty culture salon licensed under IC 25-8-7.**

5 **(b) A salon may, without a permit issued under this title, possess**  
6 **and give or furnish beer by the bottle or glass, or wine by the glass,**  
7 **on the premises of the salon for consumption on the premises to a**  
8 **salon customer who is:**

9 **(1) at least twenty-one (21) years of age; and**

10 **(2) receiving salon services.**

11 **(c) This section may not be construed to authorize a salon to sell**  
12 **wine or beer on the premises of the salon without a permit under**  
13 **this title.**

14 SECTION 2. IC 7.1-3-5-3.5 IS ADDED TO THE INDIANA CODE  
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
16 1, 2023]: **Sec. 3.5. (a) This section applies only to a beer dealer that**  
17 **is a grocery store or drug store.**



1 (b) Notwithstanding IC 7.1-1-3-20, the licensed premises may  
 2 include the beer dealer parking lot or an area adjacent to the  
 3 premises that may only be used for the purpose of conveying beer  
 4 and other nonalcoholic items to a customer, and may not be used  
 5 for point of sale purposes or any other purpose.

6 (c) Beer must be:

7 (1) in sealed original containers; and

8 (2) placed by an employee of the permittee who is at least  
 9 twenty-one (21) years of age:

10 (A) in the trunk of the motor vehicle; or

11 (B) behind the last upright seat of the motor vehicle, if the  
 12 motor vehicle is not equipped with a trunk.

13 (d) The employee of the permittee that conveys the beer to the  
 14 customer must require the customer to provide proof of age in  
 15 accordance with IC 7.1-5-10-23.

16 (e) The parking lot or area where the beer is conveyed to the  
 17 customer must be:

18 (1) well lit; and

19 (2) within clear view of the main entrance of the beer dealer  
 20 building premises.

21 SECTION 3. IC 7.1-3-10-7.5 IS ADDED TO THE INDIANA  
 22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 23 [EFFECTIVE JULY 1, 2023]: Sec. 7.5. (a) This section applies only  
 24 to a liquor dealer that is a drug store.

25 (b) Notwithstanding IC 7.1-1-3-20, the licensed premises may  
 26 include the liquor dealer parking lot or an area adjacent to the  
 27 premises that may only be used for the purpose of conveying liquor  
 28 and other nonalcoholic items to a customer, and may not be used  
 29 for point of sale purposes or any other purpose.

30 (c) Liquor must be:

31 (1) in sealed original containers; and

32 (2) placed by an employee of the permittee who is at least  
 33 twenty-one (21) years of age:

34 (A) in the trunk of the motor vehicle; or

35 (B) behind the last upright seat of the motor vehicle, if the  
 36 motor vehicle is not equipped with a trunk.

37 (d) The employee of the permittee that conveys the liquor to the  
 38 customer must require the customer to provide proof of age in  
 39 accordance with IC 7.1-5-10-23.

40 (e) The parking lot or area where the liquor is conveyed to the  
 41 customer must be:

42 (1) well lit; and



- 1           **(2) within clear view of the main entrance of the liquor dealer**  
 2           **building premises.**
- 3           SECTION 4. IC 7.1-3-15-4 IS ADDED TO THE INDIANA CODE  
 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 5 1, 2023]: **Sec. 4. (a) This section applies only to a wine dealer that**  
 6 **is a grocery store or drug store.**
- 7           **(b) Notwithstanding IC 7.1-1-3-20, the licensed premises may**  
 8 **include the wine dealer parking lot or an area adjacent to the**  
 9 **premises that may only be used for the purpose of conveying wine**  
 10 **and other nonalcoholic items to a customer, and may not be used**  
 11 **for point of sale purposes or any other purpose.**
- 12           **(c) Wine must be:**
- 13               **(1) in sealed original containers; and**  
 14               **(2) placed by an employee of the permittee who is at least**  
 15               **twenty-one (21) years of age:**
- 16                       **(A) in the trunk of the motor vehicle; or**  
 17                       **(B) behind the last upright seat of the motor vehicle, if the**  
 18                       **motor vehicle is not equipped with a trunk.**
- 19           **(d) The employee of the permittee that conveys the wine to the**  
 20 **customer must require the customer to provide proof of age in**  
 21 **accordance with IC 7.1-5-10-23.**
- 22           **(e) The parking lot or area where the wine is conveyed to the**  
 23 **customer must be:**
- 24               **(1) well lit; and**  
 25               **(2) within clear view of the main entrance of the wine dealer**  
 26 **building premises.**
- 27           SECTION 5. IC 7.1-5-7-11, AS AMENDED BY P.L.105-2022,  
 28 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2023]: **Sec. 11. (a) The provisions of sections 9 and 10 of this**  
 30 **chapter shall not apply if the public place involved is one (1) of the**  
 31 **following:**
- 32               (1) Civic center.  
 33               (2) Convention center.  
 34               (3) Sports arena.  
 35               (4) Bowling center.  
 36               (5) Bona fide club.  
 37               (6) Drug store.  
 38               (7) Grocery store.  
 39               (8) Boat.  
 40               (9) Dining car.  
 41               (10) Pullman car.  
 42               (11) Club car.



- 1 (12) Passenger airplane.  
2 (13) Horse racetrack facility holding a recognized meeting permit  
3 under IC 4-31-5.  
4 (14) Satellite facility (as defined in IC 4-31-2.1-36).  
5 (15) Catering hall under IC 7.1-3-20-24 that is not open to the  
6 public.  
7 (16) That part of a restaurant which is separate from a room in  
8 which is located a bar over which alcoholic beverages are sold or  
9 dispensed by the drink.  
10 (17) Entertainment complex.  
11 (18) Indoor golf facility.  
12 (19) A recreational facility such as a golf course, bowling center,  
13 or similar facility that has the recreational activity and not the sale  
14 of food and beverages as the principal purpose or function of the  
15 person's business.  
16 (20) A licensed premises owned or operated by a postsecondary  
17 educational institution described in IC 21-17-6-1.  
18 (21) An automobile racetrack.  
19 (22) An indoor theater under IC 7.1-3-20-26.  
20 (23) A senior residence facility campus (as defined in  
21 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or  
22 furnished as provided under IC 7.1-3-1-29.  
23 (24) A hotel other than a part of a hotel that is a room in a  
24 restaurant in which a bar is located over which alcoholic  
25 beverages are sold or dispensed by the drink.  
26 (25) The location of an allowable event to which IC 7.1-3-6.1  
27 applies.  
28 (26) The location of a charity auction to which IC 7.1-3-6.2  
29 applies.  
30 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the  
31 minor is in the company of a parent, legal guardian or custodian,  
32 or family member who is at least twenty-one (21) years of age.  
33 (28) A farm winery and any additional locations of the farm  
34 winery under IC 7.1-3-12, if the minor is in the company of a  
35 parent, legal guardian or custodian, or family member who is at  
36 least twenty-one (21) years of age and the minor is accompanied  
37 by the adult in any area that the adult may be present whether or  
38 not the area:  
39 (A) is separated in any manner from where the wine is  
40 manufactured, sold, or consumed within the farm winery  
41 premises; or  
42 (B) operates under a retailer's permit.



- 1 (29) An artisan distillery under IC 7.1-3-27, if:  
2 (A) the person who holds the artisan distiller's permit also  
3 holds a farm winery permit under IC 7.1-3-12, or  
4 IC 7.1-3-20-16.4(a) applies to the person; and  
5 (B) the minor is in the company of a parent, legal guardian or  
6 custodian, or family member who is at least twenty-one (21)  
7 years of age.
- 8 (30) An art instruction studio under IC 7.1-5-8-4.6.
- 9 (31) The licensed premises of a food hall under IC 7.1-3-20-29  
10 and the food and beverage vending space of a food hall vendor  
11 permittee under IC 7.1-3-20-30. However, sections 9 and 10 of  
12 this chapter apply to a bar within the food and beverage vending  
13 space of a food hall vendor permittee under IC 7.1-3-20-30 that  
14 serves alcoholic beverages intended to be consumed while sitting  
15 or standing at the bar.
- 16 **(32) A beauty culture salon licensed under IC 25-8-7 at which**  
17 **wine and beer are given or furnished as provided under**  
18 **IC 7.1-3-1-31.**
- 19 (b) For the purpose of this subsection, "food" means meals prepared  
20 on the licensed premises. It is lawful for a minor to be on licensed  
21 premises in a room in which is located a bar over which alcoholic  
22 beverages are sold or dispensed by the drink if all the following  
23 conditions are met:
- 24 (1) The minor is eighteen (18) years of age or older.  
25 (2) The minor is in the company of a parent, guardian, or family  
26 member who is twenty-one (21) years of age or older.  
27 (3) The purpose for being on the licensed premises is the  
28 consumption of food and not the consumption of alcoholic  
29 beverages.

