

HOUSE BILL No. 1152

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-3-20-16.2.

Synopsis: Alcohol permits. Allows the alcohol and tobacco commission to issue up to six three-way, two-way, or one-way permits to sell alcoholic beverages for on-premises consumption to an applicant who is the proprietor, as owner or lessee, or both, of a restaurant in a municipal lakefront development project area bordering Lake Michigan and located in a city or town if certain criteria are met. (Current law allows the alcohol and tobacco commission to issue the permits to proprietors of restaurants in a municipal lakefront development project area bordering Lake Michigan and located in Whiting if certain criteria is met.)

Effective: July 1, 2014.

Smith V

January 13, 2014, read first time and referred to Committee on Public Policy.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1152



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 7.1-3-20-16.2, AS ADDED BY P.L.176-2013,
- 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2014]: Sec. 16.2. (a) This section applies to a municipal
- 4 lakefront development project authorized under section 16(j) of this
- 5 chapter.
- 6 (b) In order to qualify for a permit, an applicant must demonstrate
- 7 that the municipal lakefront development project area where the permit
- 8 is to be located meets the following criteria:
- 9 (1) The municipal lakefront development project area must be
- 10 located in a city (as defined in IC 36-1-2-3) **or town.**
- 11 (2) ~~All of the following must be located within the corporate~~
- 12 ~~boundaries of the city described in subdivision (1):~~
- 13 (A) ~~A city park.~~
- 14 (B) ~~A baseball stadium.~~
- 15 (C) ~~An oil refinery.~~
- 16 (3) **(2)** The project boundaries must border on Lake Michigan.



- 1 ~~(4)~~ **(3)** The proposed permit premises may not be located more
 2 than:
 3 (A) one thousand five hundred (1,500) feet; or
 4 (B) three (3) city blocks;
 5 from Lake Michigan, whichever is greater. However, if the area
 6 adjacent to Lake Michigan is incapable of being developed
 7 because the area is in a floodplain, or for any other reason that
 8 prevents the area from being developed, the distances described
 9 in clauses (A) and (B) are measured from the city blocks located
 10 nearest to Lake Michigan that are capable of being developed.
- 11 ~~(5)~~ **(4)** The permit premises are located within:
 12 (A) an economic development area, a redevelopment project
 13 area, an urban renewal area, or a redevelopment area
 14 established under IC 36-7-14, IC 36-7-14.5, or IC 36-7-15.1;
 15 (B) an economic development project district under
 16 IC 36-7-15.2 or IC 36-7-26; or
 17 (C) a community revitalization enhancement district
 18 designated under IC 36-7-13-12.1.
- 19 ~~(6)~~ **(5)** The project must be funded in part with state, local, and
 20 federal money.
- 21 ~~(7)~~ **(6)** The boundaries of the municipal lakefront development
 22 project must be designated by ordinance or resolution by the
 23 legislative body (as defined in IC 36-1-2-9) of the city **or town** in
 24 which the project is located.
- 25 (c) Proof of compliance with subsection (b) must consist of the
 26 following documentation, which is required at the time the permit
 27 application is filed with the commission:
 28 (1) A detailed map showing:
 29 (A) definite boundaries of the entire municipal lakefront
 30 development project; and
 31 (B) the location of the proposed permit within the project.
 32 (2) A copy of the local ordinance or resolution of the local
 33 governing body authorizing the municipal lakefront development
 34 project.
 35 (3) Detailed information concerning the expenditures of state,
 36 local, and federal funds on the municipal lakefront development
 37 project.
- 38 (d) A permit may not be issued if the proposed permit premises is
 39 the location of an existing three-way permit subject to IC 7.1-3-22-3.

