



April 5, 2021

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# ENGROSSED SENATE BILL No. 280

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DIGEST OF SB 280 (Updated April 5, 2021 11:43 am - DI 133)

**Citations Affected:** IC 7.1-3.

**Synopsis:** Municipal riverfront development projects. Provides that a municipal riverfront development project may include a project that borders a lake that is at least 750 acres and is completely within the boundaries of a municipality.

**Effective:** July 1, 2021.

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## Niemeyer, Ford Jon

(HOUSE SPONSORS — AYLESWORTH, SLAGER)

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January 11, 2021, read first time and referred to Committee on Public Policy.  
February 11, 2021, amended, reported favorably — Do Pass.  
February 15, 2021, read second time, ordered engrossed. Engrossed.  
February 16, 2021, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

March 2, 2021, read first time and referred to Committee on Public Policy.  
April 5, 2021, reported — Do Pass.

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April 5, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 280

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 7.1-3-20-16.1, AS AMENDED BY P.L.278-2019,  
2 SECTION 166, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2021]: Sec. 16.1. (a) This section applies to a  
4 municipal riverfront development project authorized under section  
5 16(d) of this chapter.  
6 (b) In order to qualify for a permit, an applicant must demonstrate  
7 that the municipal riverfront development project area where the permit  
8 is to be located meets the following criteria:  
9 (1) The project boundaries:  
10 (A) must border on at least one (1) side of a river; **or**  
11 (B) **must border a lake that is:**  
12 (i) **at least seven hundred and fifty (750) acres; and**  
13 (ii) **completely within the boundaries of a municipality.**  
14 (2) The proposed permit premises may not be located more than:  
15 (A) one thousand five hundred (1,500) feet; **or**  
16 (B) three (3) city blocks;  
17 from the river **or the lake**, whichever is greater. However, if the

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1 area adjacent to the river **or the lake** is incapable of being  
 2 developed because the area is in a floodplain, or for any other  
 3 reason that prevents the area from being developed, the distances  
 4 described in clauses (A) and (B) are measured from the city  
 5 blocks located nearest to the river **or the lake** that are capable of  
 6 being developed.

7 (3) The permit premises are located within:

8 (A) an economic development area, a redevelopment project  
 9 area, an urban renewal area, or a redevelopment area  
 10 established under IC 36-7-14, IC 36-7-14.5, or IC 36-7-15.1;

11 (B) an economic development project district under  
 12 IC 36-7-15.2 or IC 36-7-26; or

13 (C) a community revitalization enhancement district  
 14 designated under IC 36-7-13-12.1.

15 (4) The project must be funded in part with state and city money.

16 (5) The boundaries of the municipal riverfront development  
 17 project must be designated by ordinance or resolution by the  
 18 legislative body (as defined in IC 36-1-2-9(2) or IC 36-1-2-9(3))  
 19 of the city in which the project is located.

20 (c) Proof of compliance with subsection (b) must consist of the  
 21 following documentation, which is required at the time the permit  
 22 application is filed with the commission:

23 (1) A detailed map showing:

24 (A) definite boundaries of the entire municipal riverfront  
 25 development project; and

26 (B) the location of the proposed permit within the project.

27 (2) A copy of the local ordinance or resolution of the local  
 28 governing body authorizing the municipal riverfront development  
 29 project.

30 (3) Detailed information concerning the expenditures of state and  
 31 city funds on the municipal riverfront development project.

32 (d) Notwithstanding subsection (b), the commission may issue a  
 33 permit for premises, the location of which does not meet the criteria of  
 34 subsection (b)(2), if all the following requirements are met:

35 (1) All other requirements of this section and section 16(d) of this  
 36 chapter are satisfied.

37 (2) The proposed premises is located not more than:

38 (A) three thousand (3,000) feet; or

39 (B) six (6) blocks;

40 from the river **or the lake**, whichever is greater. However, if the  
 41 area adjacent to the river **or the lake** is incapable of being  
 42 developed because the area is in a floodplain, or for any other



- 1 reason that prevents the area from being developed, the distances  
2 described in clauses (A) and (B) are measured from the city  
3 blocks located nearest to the river **or the lake** that are capable of  
4 being developed.
- 5 (3) The permit applicant satisfies the criteria established by the  
6 commission by rule adopted under IC 4-22-2. The criteria  
7 established by the commission may require that the proposed  
8 premises be located in an area or district set forth in subsection  
9 (b)(3).
- 10 (4) The permit premises may not be located less than two hundred  
11 (200) feet from facilities owned by a state educational institution.
- 12 (e) A permit may not be issued if the proposed permit premises is  
13 the location of an existing three-way permit subject to IC 7.1-3-22-3.



## COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 280, 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:

Page 1, line 9, after "boundaries" insert ":

**(A)**".

Page 1, line 10, delete "river or other waterfront." and insert "river;  
or

**(B) must border a lake that is:**

**(i) at least seven hundred and fifty (750) acres; and**

**(ii) completely within the boundaries of a municipality."**

Page 1, line 14, delete "other waterfront," and insert "**the lake,**".

Page 1, line 15, delete "other waterfront" and insert "**the lake**".

Page 2, line 3, delete "other waterfront" and insert "**the lake**".

Page 2, line 37, delete "other waterfront," and insert "**the lake,**".

Page 2, line 38, delete "other waterfront" and insert "**the lake**".

Page 3, line 1, delete "other waterfront" and insert "**the lake**".

and when so amended that said bill do pass.

(Reference is to SB 280 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 9, Nays 0.

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 COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 280, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 280 as printed February 12, 2021.)

SMALTZ

Committee Vote: Yeas 8, Nays 0

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