



April 5, 2021

ENGROSSED SENATE BILL No. 310

DIGEST OF SB 310 (Updated April 5, 2021 11:36 am - DI 144)

Citations Affected: IC 7.1-3; IC 7.1-5.

Synopsis: Minors on nondrinking tours. Provides that a minor may tour a certain production facility, if the minor is accompanied by a certain adult and the tour does not include the consumption, tasting, or sampling of alcoholic beverages. (Current law allows a minor to be on the premises of a farm winery or artisan distillery if accompanied by a certain adult, but not a brewery.)

Effective: July 1, 2021.

**Charbonneau, Alting, Garten,
Ford Jon, Niezgodski, Tallian,
Randolph Lonnie M**

(HOUSE SPONSORS — SMALTZ, SOLIDAY, AYLESWORTH, AUSTIN)

January 11, 2021, read first time and referred to Committee on Public Policy.
January 28, 2021, reported favorably — Do Pass.
February 1, 2021, read second time, ordered engrossed. Engrossed.
February 2, 2021, read third time, passed. Yeas 41, nays 5.

HOUSE ACTION

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

ES 310—LS 6927/DI 87



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. 310

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 7.1-3-20-16.4 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2021]: **Sec. 16.4. If a holder of a permit**
4 **issued under section 16(e)(2) of this chapter has an interest in a**
5 **production facility permit for:**
6 (1) a brewery described in IC 7.1-3-2-7(5);
7 (2) a farm winery described in IC 7.1-3-12-3;
8 (3) an artisan distillery described in IC 7.1-3-27-2; or
9 (4) a combination of the entities described in subdivisions (1)
10 through (3);
11 **that is located on or adjacent to the premises for which the permit**
12 **was issued under section 16(e)(2) of this chapter, the holder of the**
13 **permit may allow a minor to participate in a nondrinking tour of**
14 **the production facilities on the premises if:**
15 (1) the minor is accompanied by an adult as provided in
16 IC 7.1-5-7-11(a)(27), IC 7.1-5-7-11(a)(28), and
17 IC 7.1-5-7-11(a)(29); and

ES 310—LS 6927/DI 87



- 1 **(2) the tour does not include allowing tour participants to**
2 **consume, taste, or sample alcoholic beverages.**
3 SECTION 2. IC 7.1-5-7-11, AS AMENDED BY P.L.285-2019,
4 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2021]: Sec. 11. (a) The provisions of sections 9 and 10 of this
6 chapter shall not apply if the public place involved is one (1) of the
7 following:
8 (1) Civic center.
9 (2) Convention center.
10 (3) Sports arena.
11 (4) Bowling center.
12 (5) Bona fide club.
13 (6) Drug store.
14 (7) Grocery store.
15 (8) Boat.
16 (9) Dining car.
17 (10) Pullman car.
18 (11) Club car.
19 (12) Passenger airplane.
20 (13) Horse racetrack facility holding a recognized meeting permit
21 under IC 4-31-5.
22 (14) Satellite facility (as defined in IC 4-31-2-20.5).
23 (15) Catering hall under IC 7.1-3-20-24 that is not open to the
24 public.
25 (16) That part of a restaurant which is separate from a room in
26 which is located a bar over which alcoholic beverages are sold or
27 dispensed by the drink.
28 (17) Entertainment complex.
29 (18) Indoor golf facility.
30 (19) A recreational facility such as a golf course, bowling center,
31 or similar facility that has the recreational activity and not the sale
32 of food and beverages as the principal purpose or function of the
33 person's business.
34 (20) A licensed premises owned or operated by a postsecondary
35 educational institution described in IC 21-17-6-1.
36 (21) An automobile racetrack.
37 (22) An indoor theater under IC 7.1-3-20-26.
38 (23) A senior residence facility campus (as defined in
39 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
40 furnished as provided under IC 7.1-3-1-29.
41 (24) A hotel other than a part of a hotel that is a room in a
42 restaurant in which a bar is located over which alcoholic



- 1 beverages are sold or dispensed by the drink.
 2 (25) The location of an allowable event to which IC 7.1-3-6.1
 3 applies.
 4 (26) The location of a charity auction to which IC 7.1-3-6.2
 5 applies.
 6 **(27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the**
 7 **minor is in the company of a parent, legal guardian or**
 8 **custodian, or family member who is at least twenty-one (21)**
 9 **years of age.**
 10 ~~(27)~~ **(28)** A farm winery and any additional locations of the farm
 11 winery under IC 7.1-3-12, if the minor is in the company of a
 12 parent, legal guardian or custodian, or family member who is at
 13 least twenty-one (21) years of age and the minor is accompanied
 14 by the adult in any area that the adult may be present whether or
 15 not the area:
 16 (A) is separated in any manner from where the wine is
 17 manufactured, sold, or consumed within the farm winery
 18 premises; or
 19 (B) operates under a retailer's permit.
 20 ~~(28)~~ **(29)** An artisan distillery under IC 7.1-3-27, if:
 21 (A) the person who holds the artisan distiller's permit also
 22 holds a farm winery permit under IC 7.1-3-12; and
 23 (B) the minor is in the company of a parent, legal guardian or
 24 custodian, or family member who is at least twenty-one (21)
 25 years of age.
 26 ~~(29)~~ **(30)** An art instruction studio under IC 7.1-5-8-4.6.
 27 ~~(30)~~ **(31)** The licensed premises of a food hall under
 28 IC 7.1-3-20-29 and the food and beverage vending space of a food
 29 hall vendor permittee under IC 7.1-3-20-30. However, sections 9
 30 and 10 of this chapter apply to a bar within the food and beverage
 31 vending space of a food hall vendor permittee under
 32 IC 7.1-3-20-30 that serves alcoholic beverages intended to be
 33 consumed while sitting or standing at the bar.
 34 (b) For the purpose of this subsection, "food" means meals prepared
 35 on the licensed premises. It is lawful for a minor to be on licensed
 36 premises in a room in which is located a bar over which alcoholic
 37 beverages are sold or dispensed by the drink if all the following
 38 conditions are met:
 39 (1) The minor is eighteen (18) years of age or older.
 40 (2) The minor is in the company of a parent, guardian, or family
 41 member who is twenty-one (21) years of age or older.
 42 (3) The purpose for being on the licensed premises is the



1 consumption of food and not the consumption of alcoholic
2 beverages.



COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill No. 310, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 310 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 10, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 310, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 35.

Page 6, line 38, delete "(a) If a holder of a permit".

Page 6, run in line 38 through page 7, line 12.

Page 6, delete lines 39 through 42.

Page 7, delete lines 1 through 11.

Page 7, line 12, delete "(b)".

Page 7, line 24, delete "IC 7.1-5-7-11(27), IC 7.1-5-7-11(28), and IC 7.1-5-7-11(29);" and insert "**IC 7.1-5-7-11(a)(27), IC 7.1-5-7-11(a)(28), and IC 7.1-5-7-11(a)(29);**".

Page 9, line 5, delete "IC 7.1-3-12, or" and insert "IC 7.1-3-12; and".

Page 9, delete line 6.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 310 as printed January 29, 2021.)

SMALTZ

Committee Vote: yeas 9, nays 0.

ES 310—LS 6927/DI 87

