



Reprinted  
January 30, 2026

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## HOUSE BILL No. 1052

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DIGEST OF HB 1052 (Updated January 29, 2026 4:54 pm - DI 144)

**Citations Affected:** IC 4-31; IC 4-33; IC 7.1-1; IC 7.1-2; IC 7.1-3; IC 7.1-5; IC 15-19; IC 35-45; IC 35-46; IC 35-47; IC 35-52.

**Synopsis:** Various administrative law matters. Adds conditions for which the horse racing commission (HRC) may revoke or suspend a license or deny a license application. Adds a reference to wagering on horse racing in a provision prohibiting certain individuals from wagering at a licensed facility. Provides that appeals of certain decisions of the HRC may be appealed to the office of administrative law proceedings. Adds sports wagering certificate holders to the voluntary exclusion program. Defines and establishes civil penalties for conducting a "sweepstakes game". Allows the holder of a beer wholesaler's permit to possess, transport, sell, and deliver beer to a food manufacturer that is registered with the federal Food and Drug Administration for the purpose of adding or integrating the beer into a product or recipe. Provides that a wine retailer whose wine sales represent at least 60% of the annual gross income from the premises may allow customers to obtain sealed bottles of wine by self-service for  
(Continued next page)

**Effective:** Upon passage; July 1, 2026.

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## **Manning, Mayfield, Moed, Bascom**

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December 5, 2025, read first time and referred to Committee on Public Policy.  
January 27, 2026, amended, reported — Do Pass.  
January 29, 2026, read second time, amended, ordered engrossed.

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**HB 1052—LS 6389/DI 137**



## Digest Continued

consumption off the licensed premises. Allows the holder of a temporary wine permit to purchase, receive, and sell mixed beverages. Establishes requirements for the wholesale sale and distribution of tobacco products and electronic cigarettes. Adds additional information an applicant must provide to the alcohol and tobacco commission (commission) when applying for a tobacco sales certificate. Provides for the suspension of a certificate if the certificate holder's employees violate employee identification requirements three or more times in one year. Allows the commission to issue to the city of Gary not more than 10 new three-way permits. Allows the commission to issue: (1) a beer dealer's permit, wine dealer's permit, and liquor dealer's permit to a drug store operated in the city of Westfield; and (2) a beer dealer's permit and wine dealer's permit to a convenience store operated in the town of Sellersburg. Makes it a Class B misdemeanor for a person to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish a product or substance containing THC to a minor. Enhances the penalty to a Class A misdemeanor or Level 6 felony in certain instances. Specifies age verification requirements for a website owned, managed, or operated by a person who distributes or sells THC directly to consumers. Allows an enforcement officer vested with full police powers and duties to engage a person who is at least 18 and less than 21 years of age to receive or purchase THC as part of an enforcement action. Provides that certain requirements regarding the sale, rental, trade, or transfer of a handgun do not apply to an item defined as an antique firearm.

**HB 1052—LS 6389/DI 137**



Reprinted  
January 30, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1052

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A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-31-2.1-5, AS ADDED BY P.L.105-2022,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 5. "Breeder" means any of the following:

4 (1) The owner or lessee of a standardbred horse's dam at the time  
5 of ~~registration with the commission~~; **breeding**.

6 (2) The owner or lessee of a thoroughbred horse's dam at the time  
7 of ~~registration with the commission~~; **foaling for thoroughbreds**.

8 **The commission shall recognize the breeder of a horse as the**  
9 **person designated as such on the Jockey Club Certificate of**  
10 **Registration for the horse.**

11 (3) The owner or lessee of a quarter horse's dam at the time of **the**  
12 **dam's** registration with the commission.

13 SECTION 2. IC 4-31-2.1-16.5 IS ADDED TO THE INDIANA  
14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2026]: Sec. 16.5. "Judge" means an  
16 **individual who:**

17 (1) **is licensed by the commission; and**

HB 1052—LS 6389/DI 137



**(2) serves as a judge or steward at a licensed facility.**

2 SECTION 3. IC 4-31-3-11.5, AS AMENDED BY P.L.152-2025,  
3 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2026]: Sec. 11.5. The commission shall employ or contract for  
5 judges ~~and stewards~~ to attend each recognized meeting held under a  
6 permit issued under this article. A contracted judge ~~or steward~~ shall be  
7 considered an employee of the commission for the purpose of  
8 IC 4-6-2-1.5(a). The permit holder shall, in the manner prescribed by  
9 the rules of the commission, reimburse the commission for the salaries  
10 and other expenses of the judges ~~and stewards~~ who serve at the permit  
11 holder's racetrack.

12 SECTION 4. IC 4-31-6-6, AS AMENDED BY P.L.172-2011,  
13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2026]: Sec. 6. (a) The commission may refuse or deny a  
15 license application, revoke or suspend a license, or otherwise penalize  
16 a licensee, if:

17 (1) the refusal, denial, revocation, suspension, or other penalty is  
18 in the public interest for the purpose of maintaining proper control  
19 over horse racing meetings or pari-mutuel wagering; and

20 (2) any of the conditions listed in subsection (b) apply to

21 applicant or licensee.

22 (b) The conditions referred to in subsection (a) are as follows:

23 (1) The applicant or licensee has been convicted of a felony or

24 misdemeanor that could compromise the integrity of racing by the

25 applicant's or licensee's participation in racing.

25 applicant's or licensee's participation in racing.  
26 (2) The applicant or licensee has had a license of the legally  
27 constituted racing authority of a state, province, or country  
28 denied, suspended, or revoked for cause within the preceding five  
29 (5) years.

(3) The applicant or licensee is presently under suspension for cause of a license by the legally constituted racing authority of a state, province, or country.

33 (4) The applicant or licensee has violated or attempted to violate  
34 a provision of this article, a rule adopted by the commission, or a  
35 law or rule with respect to horse racing in a jurisdiction.

36 (5) The applicant or licensee has perpetrated or attempted to  
37 perpetrate a fraud or misrepresentation in connection with the  
38 racing or breeding of horses or pari-mutuel wagering.

39 (6) The applicant or licensee has demonstrated financial  
40 irresponsibility by accumulating unpaid obligations, defaulting on  
41 obligations, or issuing drafts or checks that are dishonored or not  
42 paid.



1 (7) The applicant or licensee has made a material  
2 misrepresentation in an application for a license.  
3 (8) The applicant or licensee has been convicted of a crime  
4 involving bookmaking, touting, or similar pursuits or has  
5 consortled with a person convicted of such an offense.  
6 (9) The applicant or licensee has abandoned, mistreated, abused,  
7 neglected, or engaged in an act of cruelty to a horse.  
8 (10) The applicant or licensee has engaged in conduct that is  
9 against the best interest of horse racing **or compromises the**  
10 **integrity of operations at a licensed facility.**  
11 (11) The applicant or licensee has failed to comply with a written  
12 order or ruling of the commission or judges pertaining to a racing  
13 matter.  
14 (12) The applicant or licensee has failed to answer correctly under  
15 oath, to the best of the applicant's or licensee's knowledge, all  
16 questions asked by the commission or its representatives  
17 pertaining to a racing matter.  
18 (13) The applicant or licensee has failed to return to a permit  
19 holder any purse money, trophies, or awards paid in error or  
20 ordered redistributed by the commission.  
21 (14) The applicant or licensee has had possession of an alcoholic  
22 beverage on a permit holder's premises, other than a beverage  
23 legally sold through the permit holder's concession operation.  
24 (15) The applicant or licensee has interfered with or obstructed a  
25 member of the commission, a commission employee, or a racing  
26 official while performing official duties.  
27 (16) The name of the applicant or licensee appears on the  
28 department of state revenue's most recent tax warrant list, and the  
29 person's tax warrant has not been satisfied.  
30 (17) The applicant or licensee has pending criminal charges.  
31 (18) The applicant or licensee has racing disciplinary charges  
32 pending in Indiana or another jurisdiction.  
33 (19) The applicant or licensee is unqualified to perform the duties  
34 required under this article or the rules of the commission.  
35 (20) **The applicant or licensee made a material**  
36 **misrepresentation when registering, nominating, entering, or**  
37 **racing a horse as an Indiana owned horse, Indiana sired**  
38 **horse, or Indiana bred horse.**



1                   (1) A member of the commission;  
2                   (2) An employee of the commission;  
3                   (3) A racing official;  
4                   (4) The spouse of any individual listed in subdivisions (1) through  
5                   (3);  
6                   (b) (a) After December 31, 2017, The following individuals may not  
7                   wager on gambling games **or horse racing** at a facility licensed under  
8                   IC 4-35:  
9                   (1) A member of the commission;  
10                   (2) The following individuals employed by the commission:  
11                   (A) The executive director;  
12                   (B) The assistant executive director;  
13                   (C) The director of security;  
14                   (D) The general counsel;  
15                   (E) The deputy general counsel;  
16                   (F) A steward;  
17                   (G) (F) A judge;  
18                   (3) The spouse of an individual described in subdivision (1) or  
19                   (2);  
20                   (e) (b) A person who knowingly or intentionally violates this section  
21                   commits a Class C infraction. However, the violation is a Class A  
22                   misdemeanor if the person has a prior unrelated adjudication or  
23                   conviction for a violation of this section within the previous five (5)  
24                   years.

25                   SECTION 6. IC 4-31-8-4, AS AMENDED BY P.L.168-2019,  
26                   SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27                   JULY 1, 2026]: Sec. 4. (a) A permit holder shall provide an alcohol  
28                   breath-testing device that is approved by the commission and operated  
29                   by a person certified to use such a device. **The necessary  
30                   qualifications for an individual administering a breath-testing  
31                   device and the policies and procedures of the breath-testing  
32                   program are subject to the approval of either the executive  
33                   director of the commission or the director of security of the  
34                   commission.** All drivers, jockeys, judges, starters, assistant starters,  
35                   and drivers of starting gates shall submit to a breath test at each racing  
36                   program in which they participate. In addition, the executive director  
37                   of the commission, a member of the commission, a commission  
38                   investigator, the ~~stewards~~, **judges**, or the track chief of security may  
39                   order a licensee to submit to a breath test at any time there is reason to  
40                   believe the licensee may have consumed sufficient alcohol to cause the  
41                   licensee to fail a breath test.

42                   (b) A person whose breath test shows a reading of an alcohol



1 concentration equivalent (as defined in IC 9-13-2-2.4) to more than  
2 five-hundredths (0.05) gram of alcohol per two hundred ten (210) liters  
3 of the person's breath, is subject to the following sanctions:

4 (1) A driver or jockey may not be permitted to drive or ride and  
5 shall be suspended under the rules of the commission.

6 (2) A judge, a starter, an assistant starter, or a driver of the  
7 starting gate shall be relieved of all duties for that program, and  
8 a report shall be made to the commission for appropriate action.

9 (3) Any other licensee shall be suspended, beginning that day,  
10 under the rules of the commission.

11 (c) The ~~stewards and~~ judges may, on behalf of the commission,  
12 impose the following sanctions against a licensee who refuses to  
13 submit to a breath test:

14 (1) For the first refusal, a civil penalty of one hundred dollars  
15 (\$100) and a seven (7) day suspension.

16 (2) For a second refusal, a civil penalty of two hundred fifty  
17 dollars (\$250) and a thirty (30) day suspension.

18 (3) For any additional refusals to submit to a breath test, a civil  
19 penalty of two hundred fifty dollars (\$250), a sixty (60) day  
20 suspension, and referral of the case to the commission for any  
21 further action that the commission considers necessary.

22 (d) A sanction under subsection (c) may be appealed to the  
23 commission: **office of administrative law proceedings under**  
24 **IC 4-15-10.5. IC 4-21.5 applies to an appeal under this section. The**  
25 **commission has the burden of proving an alleged violation by a**  
26 **preponderance of the evidence.** An appeal stays the sanction until  
27 further action by the commission. The appeal must be heard by the  
28 **commission office of administrative law proceedings** within thirty  
29 (30) days after the date of the appeal.

30 SECTION 7. IC 4-31-12-5, AS AMENDED BY P.L.168-2019,  
31 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2026]: Sec. 5. (a) The judges, ~~the stewards~~, a commission  
33 veterinarian, a member of the commission, or the executive director of  
34 the commission may order a test of a biological sample on a horse for  
35 the purpose of analysis.

36 (b) A biological sample shall be taken from the following horses  
37 after the running of each race:

38 (1) The horse that finishes first in each race.

39 (2) Any other horses designated by the judges, ~~the stewards~~, a  
40 commission veterinarian, a member of the commission, or the  
41 executive director of the commission. The judges and veterinarian  
42 shall designate for the taking of a biological sample a horse that



1                   races markedly contrary to form.

2                   SECTION 8. IC 4-31-12-6, AS AMENDED BY P.L.111-2022,  
3                   SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4                   JULY 1, 2026]: Sec. 6. (a) The commission:

5                   (1) shall appoint, at its cost, **approve** a veterinarian to take or  
6                   supervise the taking of biological samples under section 5 of this  
7                   chapter;

8                   (2) shall approve a laboratory for the analysis of a biological  
9                   sample taken under section 5 of this chapter; and

10                  (3) may require that a biological sample taken under section 5 of  
11                  this chapter be analyzed.

12                  (b) The cost of analyzing the biological samples shall be borne by  
13                  the commission.

14                  (c) The commission may appoint, at its cost, veterinarians or other  
15                  persons to supervise all activities in the state testing barn area and to  
16                  supervise the practice of veterinary medicine at all racetracks in  
17                  Indiana.

18                  (d) The commission shall employ or contract for **assistants**  
19                  **veterinarians, veterinarian technicians, and testing barn personnel**  
20                  to aid in securing biological samples at each racetrack. These **assistants**  
21                  **veterinarians, veterinarian technicians, and testing barn personnel**  
22                  shall have free access, under the supervision of the commission's  
23                  veterinarian, to the state testing barn area. The permit holder shall, in  
24                  the manner prescribed by the rules of the commission, reimburse the  
25                  commission for the salaries and other expenses of the **assistants**  
26                  **veterinarians, veterinarian technicians, and testing barn personnel**  
27                  who serve at the permit holder's racetrack **testing barn**.

28                  SECTION 9. IC 4-31-12-7, AS AMENDED BY P.L.168-2019,  
29                  SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30                  JULY 1, 2026]: Sec. 7. (a) A veterinarian appointed by the commission  
31                  or employed by a permit holder may not, during the period of the  
32                  veterinarian's employment, do the following with respect to a breed of  
33                  horse registered with the commission for racing at the track of the  
34                  veterinarian's employment:

35                   (1) Treat or issue prescriptions for a horse, except in case of  
36                   emergency.

37                   (2) Perform an endoscopic examination on a horse the day the  
38                   horse is scheduled to race.

39                  A full and complete record of an emergency treatment or a prescription  
40                  authorized by subdivision (1) shall be filed with the ~~stewards or~~ judges.

41                  (b) Except as provided in subsection (c), an owner or trainer may  
42                  not directly or indirectly employ or pay compensation to a veterinarian



1 with respect to the care of a horse belonging to a breed of horse  
2 registered with the commission for racing at the track of the  
3 veterinarian's employment.

4 (c) An owner or trainer may pay a veterinarian employed by the  
5 commission or a permit holder for an endoscopic examination  
6 permitted under subsection (a).

7 SECTION 10. IC 4-31-12-15, AS AMENDED BY P.L.210-2013,  
8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2026]: Sec. 15. (a) The commission may adopt rules under  
10 IC 4-22-2 to delegate to the ~~stewards and~~ judges of racing meetings the  
11 authority to conduct disciplinary hearings on behalf of the commission.  
12 The ~~stewards and~~ judges shall give at least twelve (12) hours notice of  
13 any such hearing. The ~~stewards and~~ judges, on behalf of the  
14 commission, may impose one (1) or more of the following sanctions  
15 against a licensee who violates sections 2 through 13 of this chapter:

16 (1) A civil penalty not to exceed five thousand dollars (\$5,000).  
17 (2) A temporary order or other immediate action in the nature of  
18 a summary suspension where a licensee's actions constitute an  
19 immediate danger to the public health, safety, or welfare.

20 (3) Suspension of a license held by the licensee for up to one (1)  
21 year. The suspension of a license under this subdivision is:

22 (A) valid even though the suspension extends beyond the  
23 period of the racing meeting for which the ~~stewards and~~ judges  
24 have been appointed; and

25 (B) effective at all other racing meetings under the jurisdiction  
26 of the commission.

27 (4) A rule that a person must stay off the premises of one (1) or  
28 more permit holders if necessary in the public interest to maintain  
29 proper control over recognized meetings.

30 (5) Referral of the matter to the commission for its consideration.  
31 However, at least two (2) of the ~~stewards or~~ judges must concur in a  
32 sanction.

33 (b) Unless a suspension of a license or the imposition of a civil  
34 penalty under this section is appealed by the person sanctioned not  
35 more than fifteen (15) days after being sanctioned, the suspension of a  
36 license or the imposition of a civil penalty under this section must  
37 occur within one hundred eighty (180) days of the date of the violation.

38 (c) A sanction under this section may be appealed to the  
39 commission. Judges ~~and~~ ~~stewards~~ imposing sanctions under this  
40 section must prove the person's violation by a preponderance of the  
41 evidence. The commission shall adopt rules establishing procedures for  
42 appeals and stays of appeals. The commission shall conduct a hearing



1 on an appeal filed under this section as provided in IC 4-21.5.

2 SECTION 11. IC 4-31-13-1, AS AMENDED BY P.L.210-2013,  
3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2026]: Sec. 1. (a) The commission may issue orders under  
5 IC 4-21.5 to:

6 (1) deny, suspend, diminish, or revoke permits and licenses as  
7 authorized by this article; and

8 (2) impose civil penalties, in addition to any other penalty  
9 imposed by the commission on a person who violates this article  
10 or a rule or an order of the commission.

11 (b) The commission or the commission's designee, as determined  
12 under the rules of the commission, on its own motion or in addition to  
13 a penalty assessed by the ~~stewards and~~ judges, may issue orders under  
14 IC 4-21.5 to rule a person off one (1) or more permit holders' premises,  
15 if necessary in the public interest to maintain proper control over  
16 recognized meetings.

17 (c) A civil penalty imposed against a licensee under subsection  
18 (a)(2) may not exceed five thousand dollars (\$5,000). For purposes of  
19 subsection (a)(2), each day during which a violation of this article or  
20 a rule or an order of the commission continues to occur constitutes a  
21 separate offense.

22 (d) Civil penalties imposed under this article shall be deposited in  
23 the state general fund.

24 SECTION 12. IC 4-31-13-2, AS AMENDED BY P.L.152-2025,  
25 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2026]: Sec. 2. (a) The commission may adopt rules under  
27 IC 4-22-2 to delegate to the ~~stewards and~~ judges of racing meetings  
28 under the jurisdiction of the commission the power to conduct  
29 disciplinary hearings on behalf of the commission. The ~~stewards and~~ judges  
30 shall give at least twelve (12) hours notice of any such hearing.  
31 The ~~stewards and~~ judges, on behalf of the commission, may impose one  
32 (1) or more of the following sanctions against a licensee who violates  
33 this article or the rules or orders of the commission:

34 (1) A civil penalty not to exceed five thousand dollars (\$5,000).

35 (2) A temporary order or other immediate action in the nature of  
36 a summary suspension if a licensee's actions constitute an  
37 immediate danger to the public health, safety, or welfare.

38 (3) Suspension of a license held by the licensee for not more than  
39 three (3) years. The suspension of a license under this subdivision  
40 is:

41 (A) valid even though the suspension extends beyond the  
42 period of the racing meeting for which the ~~stewards and~~ judges



have been appointed; and

(B) effective at all other racing meetings under the jurisdiction of the commission.

(4) A rule that a person must stay off the premises of one (1) or more permit holders if necessary in the public interest to maintain proper control over recognized meetings.

(5) Referral of the matter to the commission for its consideration.

However, at least two (2) of the **stewards or judges** at a racing meeting must concur in a suspension or civil penalty.

(b) Unless a suspension of a license or the imposition of a civil penalty under this section is appealed by the person sanctioned not more than fifteen (15) days after being sanctioned, the suspension of a license or the imposition of a civil penalty under this section must occur within three hundred sixty-five (365) days after the date of the violation.

(c) A suspension or civil penalty under this section may be appealed to the commission. Judges and stewards imposing sanctions under this section must prove the person's violation by a preponderance of the evidence. The commission shall adopt rules establishing procedures for appeals and stays of appeals. The commission shall conduct a hearing on an appeal filed under this section as provided in IC 4-21.5. office of administrative law proceedings under IC 4-15-10.5. IC 4-21.5 applies to an appeal under this section. The commission has the burden of proving an alleged violation by a preponderance of the evidence.

SECTION 13. IC 4-33-4-3, AS AMENDED BY P.L.93-2024, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]; Sec. 3. (a) The commission shall do the following:

(1) Adopt rules that the commission determines necessary to protect or enhance the following:

(A) The credibility and integrity of gambling operations authorized by this article.

(B) The regulatory process provided in this article.

- (2) Conduct all hearings concerning civil violations of this article.
- (3) Provide for the establishment and collection of license fees and taxes imposed under this article.

(4) Deposit the license fees and taxes in the state gaming fund established by JC 4-33-13.

(5) Levy and collect penalties for noncriminal violations of this article.

(6) Deposit the penalties in the state gaming fund established by  
IC 4-33-13

IC 4333 45.



(7) Be present through the commission's gaming agents during the time gambling operations are conducted on a riverboat to do the following:

(A) Certify the revenue received by a riverboat.

(B) Receive complaints from the public.

(C) Conduct other investigations into the conduct of the gambling games and the maintenance of the equipment that the commission considers necessary and proper.

(8) Adopt rules to establish and implement a voluntary exclusion program that meets the requirements of subsection (b).

(9) Establish the requirements for a power of attorney submitted under IC 4-33-6-2(c), IC 4-33-6-22, IC 4-33-6.5-2(c), or IC 4-33-6.5-16.

(b) Rules adopted under subsection (a)(8) must provide the following:

(1) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program agrees to refrain from entering a riverboat or other facility under the jurisdiction of the commission **or from placing a wager with a certificate holder licensed under JC 4-38.**

(2) That the name and last four (4) digits of the Social Security number of a person participating in the program will be included on a list of persons excluded from all facilities under the jurisdiction of the commission.

(3) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program may not petition the commission for readmittance to a facility under the jurisdiction of the commission.

(4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission **and to a certificate holder licensed under IC 4-38** for purposes of enforcement and to other entities, upon request by the participant and agreement by the commission.

(5) That an owner of a facility under the jurisdiction of the commission **and a certificate holder licensed under IC 4-38** shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.

(6) That an owner of a facility under the jurisdiction of the commission **and a certificate holder licensed under IC 4-38**



1       may not cash the check of a person participating in the program  
2       or extend credit to the person in any manner. However, the  
3       voluntary exclusion program does not preclude an owner **or a**  
4       **certificate holder** from seeking the payment of a debt accrued by  
5       a person before entering the program.

6       SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA CODE  
7       AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
8       1, 2026]: Sec. 7. (a) As used in this section, "sweepstakes game"  
9       means a game, contest, or promotion that:

- 10       (1) is available on the Internet;
- 11       (2) is accessible on a mobile phone, computer terminal, or  
12       similar access device;
- 13       (3) utilizes a dual-currency or multi-currency system of  
14       payment allowing a player to exchange currency for:
  - 15           (A) a cash prize, a cash award, or cash equivalents; or
  - 16           (B) a chance to win a cash prize, a cash award, or cash  
17           equivalents; and
- 18       (4) simulates:
  - 19           (A) lottery games; or
  - 20           (B) casino-style gaming, including slot machines, video  
21           poker, table games, bingo, or sports wagering.

22       However, the term does not include a game, contest, or promotion  
23       offered by the state lottery commission.

24       (b) The commission may levy a civil penalty in the amount of  
25       one hundred thousand dollars (\$100,000) against an operator or  
26       individual who knowingly uses the Internet to conduct a  
27       sweepstakes game:

- 28       (1) in Indiana; or
- 29       (2) in a transaction directly involving a person located in  
30       Indiana.

31       SECTION 15. IC 7.1-1-3-8.5 IS AMENDED TO READ AS  
32       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. "Certificate" means  
33       a **retail or wholesale** tobacco sales certificate for purposes of  
34       IC 7.1-3-18.5.

35       SECTION 16. IC 7.1-1-3-27.5 IS ADDED TO THE INDIANA  
36       CODE AS A NEW SECTION TO READ AS FOLLOWS  
37       [EFFECTIVE JULY 1, 2026]: Sec. 27.5. "Organized sporting  
38       competition" means a sporting event sanctioned by a recognized  
39       governing or regulatory body.

40       SECTION 17. IC 7.1-1-3-45.7 IS ADDED TO THE INDIANA  
41       CODE AS A NEW SECTION TO READ AS FOLLOWS  
42       [EFFECTIVE JULY 1, 2026]: Sec. 45.7. "Sports arena" means an



1       **indoor or outdoor facility where the main purpose and function of**  
 2       **the facility is organized sporting competition. The term does not**  
 3       **include:**

- 4       (1) a facility to which IC 7.1-3-25(a) applies;
- 5       (2) a tract that contains a premises described in
- 6       IC 7.1-3-14(d)(2); or
- 7       (3) a facility primarily used for professional competition.

8       SECTION 18. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA  
 9       CODE AS A NEW SECTION TO READ AS FOLLOWS  
 10      [EFFECTIVE JULY 1, 2026]: Sec. 46.5. "THC" means  
 11      tetrahydrocannabinol, including hemp derived cannabinoid  
 12      products, synthetic equivalents of the substances contained in the  
 13      plant or in the resinous extractives of Cannabis, and synthetic  
 14      substances, derivates, and their isomers with a similar chemical  
 15      structure and pharmacological activity.

16      SECTION 19. IC 7.1-1-3-48.7 IS ADDED TO THE INDIANA  
 17      CODE AS A NEW SECTION TO READ AS FOLLOWS  
 18      [EFFECTIVE JULY 1, 2026]: Sec. 48.7. "Wholesale" means the  
 19      business of selling, bartering, exchanging, or distributing tobacco  
 20      products or electronic cigarettes to certificate holders in Indiana  
 21      for the purpose of resale.

22      SECTION 20. IC 7.1-2-1-8 IS AMENDED TO READ AS  
 23      FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. ~~Bond and Oath of~~  
 24      Office: Each commissioner shall execute a surety bond in the amount  
 25      of ten thousand dollars (\$10,000), with surety approved by the  
 26      governor, and an oath of office, both of which shall be filed in the  
 27      office of the secretary of state.

28      SECTION 21. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY 1,  
 29      2026]. Sec. 9. ~~Surety Bonds~~: The required surety bond executed and  
 30      filed on behalf of a commissioner, an enforcement officer, or the  
 31      prosecutor shall be made payable to the State of Indiana and  
 32      conditioned upon the faithful discharge of the bonded party's respective  
 33      duties.

34      SECTION 22. IC 7.1-2-2-3 IS AMENDED TO READ AS  
 35      FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. ~~Bond and Oath of~~  
 36      Office: The prosecutor shall execute a surety bond in the amount of  
 37      five thousand dollars (\$5,000), with surety approved by the governor,  
 38      and an oath of office, both of which shall be filed in the office of the  
 39      secretary of state.

40      SECTION 23. IC 7.1-2-2-10 IS AMENDED TO READ AS  
 41      FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. ~~Enforcement~~  
 42      Officers: ~~Bond and Oath of Office~~: Each enforcement officer shall



1 execute a surety bond in the amount of one thousand dollars (\$1,000);  
2 with surety approved by the commission; and an oath of office, both of  
3 which shall be filed with the executive secretary of the commission.

4 SECTION 24. IC 7.1-3-1-18, AS AMENDED BY P.L.1-2025,  
5 SECTION 111, IS AMENDED TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) Except as provided in  
7 subsections (d) and (e), If publication of notice of application for a  
8 permit is required under this title, the publication shall be made in one  
9 (1) newspaper of general circulation published in the county where the  
10 permit is to be in effect. electronically on the commission's website.

11 (b) Publication required under subsection (a) may be made in any  
12 newspaper of general circulation published one (1) or more times each  
13 week.

14 (c) The rates which shall be paid for the advertising of a notice  
15 required under this title shall be those required to be paid in case of  
16 other notices published for or on behalf of the state.

17 (d) The commission may publish notice of application for a  
18 three-way permit for a restaurant described in IC 7.1-3-20-12(4) by  
19 posting the notice on the commission's website.

20 (e) If:

21 (1) the commission is unable to procure advertising of a notice as  
22 required under subsection (a) at the rates set forth in IC 5-3-1; or  
23 (2) the newspaper published in the county as described in  
24 subsection (a) refuses to publish the notice;

25 the commission may, instead of publication in a newspaper as required  
26 under subsection (a), require the designated member of the local board  
27 of the county to post printed notices in three (3) prominent locations in  
28 the county.

29 SECTION 25. IC 7.1-3-1.5-1, AS AMENDED BY P.L.163-2025,  
30 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2026]: Sec. 1. As used in this chapter, "alcohol server" means  
32 the following:

33 (1) A person who works on the licensed premises of a retailer  
34 permittee as: a:

35 (A) a manager;

36 (B) a bartender;

37 (C) a waiter or a waitress; or

38 (D) except for a current or retired law enforcement officer  
39 (as defined in IC 35-31.5-2-185) or a graduate of a reserve  
40 officer program approved by the Indiana law enforcement  
41 academy, a contractor or an employee responsible for  
42 examining an individual's identification to determine the



1                   individual's age, including controlling the entry of individuals  
 2                   to a licensed premises **at a time when entry into the licensed**  
 3                   **premises is** restricted to those individuals at least twenty-one  
 4                   (21) years of age.

5                   (2) A person who works on the licensed premises of a dealer  
 6                   permittee as a:  
 7                   (A) manager; or  
 8                   (B) sales clerk.

9                   (3) A person who is the proprietor of or is employed by an art  
 10                  instruction studio under IC 7.1-5-8-4.6 that serves wine brought  
 11                  into the studio by patrons.

12                  SECTION 26. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025,  
 13                  SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14                  UPON PASSAGE]: Sec. 5. (a) The holder of a beer wholesaler's permit  
 15                  may purchase and import from the primary source of supply, possess,  
 16                  and sell at wholesale, beer and flavored malt beverages manufactured  
 17                  within or without this state.

18                  (b) A beer wholesaler permittee may possess, transport, sell, and  
 19                  deliver beer to:

20                  (1) another beer wholesaler authorized by the brewer to sell the  
 21                  brand purchased;

22                  (2) an employee; **and**

23                  (3) a holder of a beer retailer's permit, beer dealer's permit,  
 24                  temporary beer permit, dining car permit, boat permit, airplane  
 25                  permit, or supplemental caterer's permit; **and**

26                  **(4) a food manufacturer that is registered with the federal**  
 27                  **Food and Drug Administration, for the purpose of adding or**  
 28                  **integrating the beer into a product or recipe;**

29                  located within this state. The sale, transportation, and delivery of beer  
 30                  shall be made only from inventory that has been located on the  
 31                  wholesaler's premises before the time of invoicing and delivery.

32                  (c) The beer wholesaler's bona fide regular employees may purchase  
 33                  beer from the wholesaler in:

34                  (1) bottles, cans, or any other type of permissible containers in an  
 35                  amount not to exceed forty-eight (48) pints; or

36                  (2) one (1) keg;

37                  at any one (1) time.

38                  (d) The importation, transportation, possession, sale, and delivery  
 39                  of beer shall be subject to the rules of the commission and subject to  
 40                  the same restrictions provided in this title for a person holding a  
 41                  brewer's permit.

42                  (e) The holder of a beer wholesaler's permit may purchase, import,



1 possess, transport, sell, and deliver any commodity listed in  
2 IC 7.1-3-10-5, unless prohibited by this title. However, a beer  
3 wholesaler may deliver flavored malt beverages only to the holder of  
4 one (1) of the following permits:

5 (1) A beer wholesaler or wine wholesaler permit, if the wholesaler  
6 is authorized by the primary source of supply to sell the brand of  
7 flavored malt beverage purchased.

8 (2) A wine retailer's permit, wine dealer's permit, temporary wine  
9 permit, dining car wine permit, boat permit, airplane permit, or  
10 supplemental caterer's permit.

11 (f) A beer wholesaler may:

12 (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9  
13 and deliver the stored beer to another beer wholesaler that the  
14 out-of-state brewer authorizes to sell the beer;

15 (2) perform all necessary accounting and auditing functions  
16 associated with the services described in subdivision (1); and

17 (3) receive a fee from an out-of-state brewer for the services  
18 described in subdivisions (1) through (2).

19 (g) A beer wholesaler may sell, donate, transport, and deliver beer  
20 to a qualified organization for:

21 (1) an allowable event under IC 7.1-3-6.1;

22 (2) a charity auction under IC 7.1-3-6.2; or

23 (3) an event under IC 7.1-3-6.3;

24 located within this state. The sale, donation to a qualified organization,  
25 transportation, and delivery of beer shall be made only from inventory  
26 that has been located on the wholesaler's premises before the time of  
27 invoicing and delivery.

28 SECTION 27. IC 7.1-3-14-4, AS AMENDED BY P.L.167-2024,  
29 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's permit is  
31 entitled to purchase wine only from a permittee entitled to sell to the  
32 wine retailer under this title. A wine retailer is entitled to possess wine  
33 and sell wine at retail to a customer for consumption on the licensed  
34 premises. A wine retailer is also entitled to sell wine to a customer and  
35 deliver wine in permissible containers to the customer on the licensed  
36 premises or to the customer's house. **Except as provided in section 8**  
37 **of this chapter**, this delivery may only be performed by the permit  
38 holder or an employee who holds an employee permit. The permit  
39 holder shall maintain a written record of each delivery for at least one  
40 (1) year that shows the customer's name, location of delivery, and  
41 quantity sold. Subject to subsection (g), a wine retailer also may  
42 prepare and package wine in qualified containers for sale and delivery



1 to a customer on the licensed premises for consumption off the licensed  
2 premises.

3 (b) A wine retailer is not entitled to sell wine at wholesale. A wine  
4 retailer is not entitled to sell and deliver wine on the street or at the  
5 curb outside the licensed premises, nor is the wine retailer entitled to  
6 sell wine at a place other than the licensed premises. However, a wine  
7 retailer may offer food service (excluding alcoholic beverages) to a  
8 patron who is outside the licensed premises by transacting business  
9 through a window in the licensed premises.

10 (c) A wine retailer is entitled to sell and deliver wine for carry out,  
11 or for at-home delivery. A wine retailer that delivers wine to a  
12 customer's residence must require the customer to provide proof of age  
13 in accordance with IC 7.1-5-10-23.

14 (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the  
15 wine retailer may include the wine retailer parking lot or an area  
16 adjacent to the wine retailer that may only be used for the purpose of  
17 conveying alcoholic beverages and other nonalcoholic items to a  
18 customer, and may not be used for point of sale purposes or any other  
19 purpose. Any alcoholic beverages conveyed to the customer must  
20 satisfy the following:

21 (1) Alcoholic beverages that are in the sealed original containers  
22 must be placed in a bag that is stamped, printed, or labeled on the  
23 outside: "CONTAINS ALCOHOLIC BEVERAGES".

24 (2) Alcoholic beverages that are prepared by the wine retailer  
25 must be packaged by the wine retailer in qualified containers that  
26 are:

27 (A) stamped, printed, or labeled on the outside: "CONTAINS  
28 ALCOHOLIC BEVERAGES"; or

29 (B) placed in a bag stamped, printed, or labeled on the outside:  
30 "CONTAINS ALCOHOLIC BEVERAGES".

31 (3) Placed by an employee of the permittee who is at least  
32 twenty-one (21) years of age:

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

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

36 A retailer permittee may only convey a customer's order of alcoholic  
37 beverages to the customer, if the customer has also purchased a meal  
38 from the retailer permittee that is conveyed to the customer at the same  
39 time as the alcoholic beverages.

40 (e) The employee of the permittee that conveys the alcoholic  
41 beverages to the customer must require the customer to provide proof  
42 of age in accordance with IC 7.1-5-10-23.



(f) The parking lot or area where the alcoholic beverages are conveyed to the customer must be:

(1) well lit; and

(2) within clear view of the main entrance to the building of the retailer premises.

(g) If a wine retailer prepares and packages wine:

(1) for sale and delivery to a customer on the licensed premises for consumption off the licensed premises; and

(2) in a container that is not in a qualified container;

10 the commission may revoke the wine retailer's privilege under this  
11 section of preparing and packaging wine for sale and delivery to a  
12 customer in a qualified container.

SECTION 28. IC 7.1-3-14-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) A wine retailer may sell wine for consumption off the licensed premises from a display in a room:**

(1) where the bar is located or alcoholic beverages are stored, prepared, or dispensed for consumption on the licensed premises;

(2) that is not partitioned to create a section that is solely or primarily for package sales of wine; and

**(3) that does not have a separate cash register for package sales.**

30 SECTION 29. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015,  
31 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 UPON PASSAGE]: Sec. 9. The holder of a temporary wine permit  
33 shall be entitled to purchase and receive wine **or mixed beverages (as**  
34 **defined in IC 7.1-1-3-26.2)** on any day of the year, only from a lawful  
35 supplier under this title at his place of business. A lawful supplier may  
36 sell and deliver wine **or mixed beverages (as defined in**  
37 **IC 7.1-1-3-26.2)** to a temporary wine permit holder on any day of the  
38 year at his place of business. Except as provided in IC 7.1-3-6.1 and  
39 IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to  
40 sell wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** only for  
41 consumption on the licensed premises, and shall be subject to the same  
42 restrictions as apply to the sale of beer by the holder of a temporary



1 beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a  
2 temporary wine permittee shall not be entitled to sell at wholesale nor  
3 for carry-out from the licensed premises.

4 SECTION 30. IC 7.1-3-18.5-1, AS AMENDED BY P.L.32-2019,  
5 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2026]: Sec. 1. (a) A person may not sell or otherwise  
7 distribute in exchange for consideration a tobacco product or electronic  
8 cigarette at retail **or wholesale** without a valid tobacco sales certificate  
9 issued by the commission.

10 (b) A certificate may be issued only to a person who owns or  
11 operates at least one (1) of the following:

12 (1) A premises consisting of a permanent building or structure,  
13 **that does not contain sleeping or living quarters**, where the  
14 tobacco product or electronic cigarette is sold or distributed.

15 (2) A premises upon which a cigarette vending machine is  
16 located.

17 SECTION 31. IC 7.1-3-18.5-1.5 IS ADDED TO THE INDIANA  
18 CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
19 [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) **A person may not sell**  
20 **tobacco products or electronic cigarettes at wholesale or**  
21 **participate in the wholesale distribution of tobacco products or**  
22 **electronic cigarettes without a valid wholesale tobacco sales**  
23 **certificate issued by the commission.**

24 (b) **The commission may only issue a wholesale tobacco sales**  
25 **certificate to a person who owns or operates at a premises**  
26 **consisting of a permanent building or structure that is used for the**  
27 **wholesale distribution of tobacco products or electronic cigarettes.**

28 SECTION 32. IC 7.1-3-18.5-2, AS AMENDED BY P.L.107-2024,  
29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2026]: Sec. 2. (a) A person who desires a certificate must  
31 provide the following to the commission:

32 (1) The applicant's name and mailing address and the address of  
33 the premises for which the certificate is being issued.

34 (2) Except as provided in section 6(c) of this chapter, a fee of:

35 (A) two hundred dollars (\$200) **for a retail tobacco sales**  
36 **certificate; or**

37 (B) **one hundred dollars (\$100) for a wholesale tobacco**  
38 **sales certificate.**

39 (3) The name under which the applicant transacts or intends to  
40 transact business.

41 (4) The address of the applicant's principal place of business or  
42 headquarters, if any.



(5) The statement required under section 2.6 of this chapter.

(6) If the applicant is applying for a new certificate under section 3.2 of this chapter, a copy of each of the following:

(A) If the new ownership of the business is a business entity, the articles of incorporation, articles of organization, or any other formation documents of the business entity.

(B) If the new ownership of the business is an individual, either:

(i) the sales or purchase agreement; or

(ii) an affidavit signed by the applicant concerning the sale or purchase, on a form prescribed by the commission, that includes the name and address of the seller and purchaser.

(C) The certificate held by the previous ownership of the business.

**(7) A photocopy of the owner's driver's license, identification card issued under IC 9-24-16-1, a similar card issued under the laws of another state or the federal government, or another government issued document that bears the owner's photograph and birth date. If the applicant is a business with multiple owners, the applicant must designate at least one (1) managing owner for whom a photocopy of the managing owner's identification must be provided under this subdivision.**

(b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed. ~~A retail establishment may not hold more than one (1) active tobacco sales certificate for a retail location at any time. Except when the real estate for a retail location is transferred to an independent third party, the commission shall not issue a certificate to a retail location where a tobacco sales certificate was revoked within one (1) year prior to the date of the application.~~

(c) A certificate holder shall conspicuously display the holder's certificate on the holder's premises where the tobacco products or electronic cigarettes are sold or distributed.

(d) Any intentional misstatement or suppression of a material fact in an application filed under this section constitutes grounds for denial or revocation of the certificate.

(e) A certificate may be issued only to a person who meets the following requirements:

(1) If the person is an individual, the person must be at least twenty-one (21) years of age.

(2) The person must be authorized to do business in Indiana.



(3) The person has not had an interest in a certificate revoked **or suspended** by the commission for that business location within the preceding one (1) year.

(f) The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10.

SECTION 33. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the commission shall not issue a tobacco sales certificate except as otherwise authorized in this title and subject to the other restrictions contained in this title, to the following persons:

(1) A person who does not have lawful status (as defined in IC 9-13-2-92.3).

(2) A person who has been convicted within five (5) years before the date of application of:

- (A) a federal crime having a sentence of at least one (1) year;
- (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or
- (C) a crime in a state other than Indiana having a penalty equal to the penalty for an Indiana Level 1, Level 2, Level 3, Level 4, or Level 5 felony.

However, this subdivision does not apply to a conviction that has been expunged under IC 35-38-9.

(3) A person who does not meet at least one (1) of the following descriptions:

(A) The person owns the premises to which the certificate will be applicable.

(B) The person has a valid lease on the premises:

(i) at the time of the application for a certificate; and

(ii) for the duration of the period in which the person sells or distributes in the manner described in section 1 of this chapter.

(C) The person has a franchise agreement with a franchisor:

(i) that owns the premises to which the certificate will be applicable; or

(ii) that has a bona fide lease on the premises for the full period for which the certificate is to be issued.

(4) A person whose place of business is conducted by a manager or agent, unless the manager or agent possesses the same qualifications required for the issuance of a tobacco sales certificate to the person.

(5) A minor.

(6) A person non compos mentis.



(7) A person who has held a permit or certificate under this title and who has had that permit or certificate revoked **or suspended** within one (1) year prior to the date of application for a tobacco sales certificate.

(8) A person who has made an application for a permit or certificate of any type under this title which has been denied less than one (1) year prior to the person's application for a tobacco sales certificate unless the first application was denied by reason of a procedural or technical defect.

(b) Subsection (a)(5) does not prevent a minor from being a stockholder in a corporation.

SECTION 34. IC 7.1-3-18.5-2.6, AS ADDED BY P.L.94-2008, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.6. An application for a tobacco **sales** certificate must contain the express statement of the applicant that the applicant consents for the duration of the certificate term (if the commission issues the certificate to the applicant) to the entrance, inspection, and search by an enforcement officer, without a warrant or other process, of the applicant's **retail** premises to determine whether the applicant is complying with the provisions of this title. The consent required by this section is renewed and continued by the retention of a certificate or the certificate's use by the applicant or the applicant's agents.

SECTION 35. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission under this chapter must contain the following information:

(1) The certificate number.

(2) The certificate holder's name.

(3) The permanent location of the business or vending machine for which the certificate is issued.

(4) The expiration date of the certificate.

(b) A **retail tobacco sales** certificate is:

- (1) valid for three (3) years after the date of issuance, unless the commission suspends the **retail tobacco sales** certificate; and
- (2) nontransferable.

**(c) A wholesale tobacco sales certificate:**

(1) is valid for one (1) year after the date of issuance, unless the commission suspends the wholesale tobacco sales certificate;

**(2) is nontransferable; and**

**(3) may be issued:**

**(A) in conjunction with a tobacco sales certificate; or**



(B) for the same location for which a tobacco sales certificate has been issued;

**if the operation of each certificate occurs separately within a distinct area on the premises.**

SECTION 36. IC 7.1-3-18.5-5.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5.1. If a retail location's retail tobacco sales certificate is suspended or revoked, the commission shall not renew or grant a new retail tobacco sales certificate for the retail location until the retail location's application has been investigated and recommended for approval by the local board.**

SECTION 37. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must hold a valid:

(1) driver's license issued by the state of Indiana or another state;

or

(2) identification card issued by the state of Indiana, another state, or the United States;

to sell tobacco products.

(b) An employee must have the employee's driver's license or identification card or a copy of the employee's driver's license or identification card:

(1) either:

(A) in the employee's possession; or

(B) on file with the employee's employer; and

(2) upon request, readily available to show to an excise officer or law enforcement;

when selling tobacco products.

(c) If an employee holds a valid license or identification card as described in subsection (a) but is unable to show the license, identification card, or a copy to an excise officer under subsection (b) because:

(1) the employee has left the license, identification card, or copy in another location; or

(2) the license, identification card, or copy has otherwise been lost or mislaid;

the employee may, within five (5) days of the employee's inability to show the license, identification card, or copy to the excise officer, produce to the excise officer or to the office of the commission satisfactory evidence of a license or identification card issued to the individual that was valid at the time the individual was unable to show



1 the license, identification card, or copy.

2 (d) If an employee who is unable to show a license, identification  
 3 card, or copy to an excise officer fails to produce satisfactory evidence  
 4 within five (5) days in the manner described in subsection (c), the  
 5 commission may impose a civil penalty on the certificate holder under  
 6 IC 7.1-3-23-3.

7 **(e) The commission shall take the following actions with respect**  
 8 **to a certificate holder's certificate if the certificate holder's**  
 9 **employees violate this section:**

10 (1) **For three (3) violations in a one (1) year period, suspend**  
 11 **the certificate for a period of five (5) days.**

12 (2) **For four (4) violations in a one (1) year period, suspend the**  
 13 **certificate for a period of an additional five (5) days.**

14 (3) **For five (5) violations in a one (1) year period, suspend the**  
 15 **certificate for a period of an additional five (5) days.**

16 (4) **For six (6) or more violations in a one (1) year period,**  
 17 **revoke the certificate.**

18 SECTION 38. IC 7.1-3-20-16.8, AS AMENDED BY THE  
 19 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
 20 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2026]: Sec. 16.8. (a) A permit that is authorized by this  
 22 section may be issued without regard to the quota provisions of  
 23 IC 7.1-3-22.

24 (b) Except as provided in section 16.3 of this chapter, the  
 25 commission may issue not more than four (4) new three-way permits  
 26 to sell alcoholic beverages for on-premises consumption to applicants  
 27 in each of the following municipalities:

- 28 (1) Whitestown.
- 29 (2) Lebanon.
- 30 (3) Zionsville.
- 31 (4) Westfield.
- 32 (5) Carmel.
- 33 (6) Fishers.
- 34 (7) Noblesville.

35 (c) The following apply to permits issued under subsection (b):

36 (1) An applicant for a permit under subsection (b) must be a  
 37 proprietor, as owner or lessee, or both, of a restaurant located  
 38 within an economic development area, an area needing  
 39 redevelopment, or a redevelopment district as established under  
 40 IC 36-7-14 in a municipality's:

- 41 (A) downtown redevelopment district; or
- 42 (B) downtown economic revitalization area.



(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

16 (5) Notwithstanding IC 7.1-3-1-3.5 and IC 7.1-3-1.1, if business  
17 operations cease at the permit premises for more than six (6)  
18 months, the permit shall revert to the commission and the permit  
19 holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

22 (7) A permit may not be transferred from the premises for which  
23 the permit was issued.

30 (d) Except as provided in section 16.3 of this chapter, in addition to  
31 the permits issued to the town of Whitestown under subsection (c), the  
32 commission may issue to the town of Whitestown not more than:

33 (1) three (3) new three-way permits; and  
34 (2) three (3) new two-way permits;

35 under this subsection.

36 (e) The following apply to permits issued under subsection (d):

37 (1) The following apply to permits issued under subsection (c):  
38 (1) An applicant for a permit under subsection (d)(1) or (d)(2)  
39 must be a proprietor, an owner or lessee, or both, of a restaurant  
40 located within an economic development area, an area needing  
41 redevelopment, or a redevelopment district as established under  
IC 36-7-14 in a municipality's:

42 (A) downtown redevelopment district; or



(B) downtown economic revitalization area.

(2) The cost of an initial permit is forty thousand dollars (\$40,000).

(3) The total number of active permits issued under subsection (d) may not exceed the six (6) permits allocated by permit type, as set forth in that subsection.

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under subsection (d)(1) or (d)(2) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(f) Except as provided in section 16.3 of this chapter, in addition to the permits issued to the city of Noblesville under subsection (c), the commission may issue to the city of Noblesville not more than ten (10) new three-way permits under this subsection. The new three-way permits may be issued as follows:

(1) Three (3) new three-way permits in 2024.

(2) Three (3) new three-way permits in 2025.

(3) Four (4) new three-way permits in 2026.

If the commission does not issue the amount of three-way permits allowed in subdivisions (1) through (3) in that year, any unissued permits will roll over and may be issued in a subsequent year.

(g) The following apply to permits issued under subsection (f):

(1) An applicant for a permit under subsection (f) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under



1                   IC 36-7-14 in a municipality's:  
2                   (A) downtown redevelopment district; or  
3                   (B) downtown economic revitalization area.  
4                   (2) The cost of an initial permit is forty thousand dollars  
5                   (\$40,000).  
6                   (3) The total number of active permits issued under subsection (f)  
7                   may not exceed the ten (10) new three-way permits, as set forth  
8                   in that subsection.  
9                   (4) The municipality may adopt an ordinance under  
10                  IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
11                  written commitment as a condition of eligibility for a permit. As  
12                  set forth in IC 7.1-3-19-17(b), a formal written commitment is  
13                  binding on the permit holder and on any lessee or proprietor of  
14                  the permit premises.  
15                  (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
16                  the permit premises for more than six (6) months, the permit shall  
17                  revert to the commission and the permit holder is not entitled to  
18                  any refund or other compensation.  
19                  (6) Except as provided in subdivision (8), the ownership of a  
20                  permit may not be transferred.  
21                  (7) A permit may not be transferred from the premises for which  
22                  the permit was issued.  
23                  (8) If the area in which the permit issued to a premises under  
24                  subsection (f) is located is no longer designated an economic  
25                  development area, an area needing redevelopment, or a  
26                  redevelopment district, a permit issued under this section may be  
27                  renewed, and the ownership of the permit may be transferred, but  
28                  the permit may not be transferred from the permit premises.  
29                  (h) Except as provided in section 16.3 of this chapter, the  
30                  commission may issue to the city of Delphi not more than two (2) new  
31                  three-way permits under this subsection. (f) The following apply to  
32                  permits issued under **this** subsection: (h):  
33                  (1) An applicant for a permit ~~under subsection (h)~~ must be a  
34                  proprietor, an owner or lessee, or both, of a restaurant located  
35                  within an economic development area, an area needing  
36                  redevelopment, or a redevelopment district as established under  
37                  IC 36-7-14 in a municipality's:  
38                  (A) downtown redevelopment district; or  
39                  (B) downtown economic revitalization area.  
40                  (2) The cost of an initial permit is forty thousand dollars  
41                  (\$40,000).  
42                  (3) The total number of active permits issued under **this**



1 subsection (h) may not exceed the two (2) new three-way permits.  
 2 ~~as set forth in that subsection.~~

3 (4) The municipality may adopt an ordinance under  
 4 IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
 5 written commitment as a condition of eligibility for a permit. As  
 6 set forth in IC 7.1-3-19-17(b), a formal written commitment is  
 7 binding on the permit holder and on any lessee or proprietor of  
 8 the permit premises.

9 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
 10 the permit premises for more than six (6) months, the permit shall  
 11 revert to the commission and the permit holder is not entitled to  
 12 any refund or other compensation.

13 (6) Except as provided in subdivision (8), the ownership of a  
 14 permit may not be transferred.

15 (7) A permit may not be transferred from the premises for which  
 16 the permit was issued.

17 (8) If the area in which the permit issued to a premises under **this**  
 18 subsection (h) is located is no longer designated an economic  
 19 development area, an area needing redevelopment, or a  
 20 redevelopment district, a permit issued under this section may be  
 21 renewed, and the ownership of the permit may be transferred, but  
 22 the permit may not be transferred from the permit premises.

23 (f) (i) Except as provided in section 16.3 of this chapter, the  
 24 commission may issue to the city of Warsaw not more than three (3)  
 25 new three-way permits under this subsection. (k) The following apply  
 26 to permits issued under **this** subsection: (f):

27 (1) An applicant for a permit ~~under subsection (f)~~ must be a  
 28 proprietor, an owner or lessee, or both, of a restaurant located  
 29 within an economic development area, an area needing  
 30 redevelopment, or a redevelopment district as established under  
 31 IC 36-7-14 in a municipality's:

32 (A) downtown redevelopment district; or  
 33 (B) downtown economic revitalization area.

34 (2) The cost of an initial permit is forty thousand dollars  
 35 (\$40,000).

36 (3) The total number of active permits issued under **this**  
 37 subsection (f) may not exceed the three (3) new three-way  
 38 permits. ~~as set forth in that subsection.~~

39 (4) The municipality may adopt an ordinance under  
 40 IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
 41 written commitment as a condition of eligibility for a permit. As  
 42 set forth in IC 7.1-3-19-17(b), a formal written commitment is



1 binding on the permit holder and on any lessee or proprietor of  
2 the permit premises.

3 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
4 the permit premises for more than six (6) months, the permit shall  
5 revert to the commission and the permit holder is not entitled to  
6 any refund or other compensation.

7 (6) Except as provided in subdivision (8), the ownership of a  
8 permit may not be transferred.

9 (7) A permit may not be transferred from the premises for which  
10 the permit was issued.

11 (8) If the area in which the permit issued to a premises under **this**  
12 subsection ~~(f)~~ is located is no longer designated an economic  
13 development area, an area needing redevelopment, or a  
14 redevelopment district, a permit issued under this section may be  
15 renewed, and the ownership of the permit may be transferred, but  
16 the permit may not be transferred from the permit premises.

17 ~~(f)~~ (j) Except as provided in section 16.3 of this chapter, the  
18 commission may issue to the town of Syracuse not more than one (1)  
19 new three-way permit under this subsection. ~~(m)~~ The following apply  
20 to a permit issued under **this** subsection: ~~(f)~~:

21 (1) An applicant for a permit ~~under subsection (f)~~ must be a  
22 proprietor, an owner or lessee, or both, of a restaurant located  
23 within an economic development area, an area needing  
24 redevelopment, or a redevelopment district as established under  
25 IC 36-7-14 in a municipality's:  
26 (A) downtown redevelopment district; or  
27 (B) downtown economic revitalization area.

28 (2) The cost of an initial permit is forty thousand dollars  
29 (\$40,000).

30 (3) The total number of active permits issued under **this**  
31 subsection ~~(f)~~ may not exceed the one (1) new three-way permit.  
32 ~~as set forth in that subsection.~~

33 (4) The municipality may adopt an ordinance under  
34 IC 7.1-3-19-17 requiring a permit holder to enter into a formal  
35 written commitment as a condition of eligibility for a permit. As  
36 set forth in IC 7.1-3-19-17(b), a formal written commitment is  
37 binding on the permit holder and on any lessee or proprietor of  
38 the permit premises.

39 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at  
40 the permit premises for more than six (6) months, the permit shall  
41 revert to the commission and the permit holder is not entitled to  
42 any refund or other compensation.



(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under **this** subsection ~~(7)~~ is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(k) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Gary not more than ten (10) new three-way permits under this subsection. The following apply to a permit issued under this subsection:

**(1) An applicant for a permit must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:**

**(A) downtown redevelopment district; or**

**(B) downtown economic revitalization area.**

(2) The cost of an initial permit is forty thousand dollars (\$40,000).

(3) The total number of active permits issued under this subsection may not exceed the ten (10) new three-way permits.

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

**(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.**

**(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.**

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under this subsection is located is no longer designated an economic



1                   **development area, an area needing redevelopment, or a**  
 2                   **redevelopment district, a permit issued under this section may**  
 3                   **be renewed, and the ownership of the permit may be**  
 4                   **transferred, but the permit may not be transferred from the**  
 5                   **permit premises.**

6                   SECTION 39. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA  
 7                   CODE AS A NEW SECTION TO READ AS FOLLOWS  
 8                   [EFFECTIVE JULY 1, 2026]: Sec. 4.7. (a) Notwithstanding section  
 9                   4(a) through 4(c) of this chapter, the commission may issue a beer  
 10                  dealer's permit, wine dealer's permit, and liquor dealer's permit to  
 11                  a drug store operated in the city of Westfield.

12                  (b) Notwithstanding section 4(a) through 4(c) of this chapter, the  
 13                  commission may issue a beer dealer's permit and wine dealer's  
 14                  permit to a convenience store operated in the town of Sellersburg.

15                  (c) The following apply to a permit issued under subsection (a)  
 16                  or (b):

17                   (1) The combined initial permit cost is forty thousand dollars  
 18                   (\$40,000).

19                   (2) A permit may not be transferred from the premises for  
 20                   which the permit was issued.

21                   (3) The ownership of a permit may be transferred with  
 22                   approval from the commission.

23                   (4) Each permit is subject to the requirements applicable to  
 24                   the permit type.

25                   SECTION 40. IC 7.1-5-6-3, AS AMENDED BY P.L.32-2019,  
 26                   SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27                   JULY 1, 2026]: Sec. 3. (a) It is unlawful for a person to act as a clerk  
 28                   in a package liquor store, or as a bartender, waiter, waitress, **security**,  
 29                   **bouncer**, or manager for a retailer permittee unless that person has  
 30                   applied for and been issued the appropriate permit. This section does  
 31                   not apply to dining car or boat employees, to a person described in  
 32                   IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d). A person  
 33                   who knowingly or intentionally violates this subsection commits a  
 34                   Class C infraction. However, the violation is a Class B misdemeanor  
 35                   if the person has a prior unrelated adjudication or conviction for a  
 36                   violation of this section within the previous five (5) years.

37                  (b) It is a defense to a charge under this section if, not later than  
 38                  thirty (30) days after being cited by the commission, the person who  
 39                  was cited produces evidence that the appropriate permit was issued by  
 40                  the commission on the date of the citation.

41                  (c) It is a defense to a charge under this section for a new applicant  
 42                  for a permit if, not later than thirty (30) days after being cited by the



1 commission, the new applicant who was cited produces a receipt for a  
2 cashier's check or money order showing that an application for the  
3 appropriate permit was applied for on the date of the citation.

4 SECTION 41. IC 7.1-5-7-8.1 IS ADDED TO THE INDIANA  
5 CODE AS A NEW SECTION TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2026]: Sec. 8.1. (a) **It is a Class B**  
7 **misdemeanor for a person to recklessly, knowingly, or**  
8 **intentionally:**

- 9 (1) **sell, in person or online;**
- 10 (2) **barter;**
- 11 (3) **exchange;**
- 12 (4) **provide; or**
- 13 (5) **furnish;**

14 **a product or substance containing THC to a minor.**

15 (b) **However, the offense described in subsection (a) is:**

- 16 (1) **a Class A misdemeanor if the person has a prior unrelated**  
**conviction under this section; and**
- 17 (2) **a Level 6 felony if the consumption, ingestion, or use of the**  
**THC is the proximate cause of the serious bodily injury or**  
**death of any person.**

18 (c) **A website owned, managed, or operated by a person who**  
19 **distributes or sells THC directly to consumers must, before**  
20 **completing a purchase, verify the age of an individual purchasing**  
21 **THC by:**

- 22 (1) **using a reliable online age verification service; or**
- 23 (2) **obtaining and examining a copy of a government issued**  
**identification.**

24 SECTION 42. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,  
25 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this  
27 chapter shall not apply if the public place involved is one (1) of the  
28 following:

- 29 (1) Civic center.
- 30 (2) Convention center.
- 31 (3) Sports arena.
- 32 (4) Bowling center.
- 33 (5) Bona fide club.
- 34 (6) Drug store.
- 35 (7) Grocery store.
- 36 (8) Boat.
- 37 (9) Dining car.
- 38 (10) Pullman car.



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



(B) operates under a retailer's permit.

(29) An artisan distillery under IC 7.1-3-27, if:

- (A) the person who holds the artisan distiller's permit also holds a farm winery permit under IC 7.1-3-12, or IC 7.1-3-20-16.4(a) applies to the person; and
- (B) the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.

(30) An art instruction studio under IC 7.1-5-8-4.6.

(31) The licensed premises of a food hall under IC 7.1-3-20-29 and the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30. However, sections 9 and 10 of this chapter apply to a bar within the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30 that serves alcoholic beverages intended to be consumed while sitting or standing at the bar.

(32) A refreshment area designated under IC 7.1-3-31.

(33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of which the small brewery permit holder is the proprietor as provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by a parent, legal guardian, custodian, or family member who is at least twenty-one (21) years of age. The minor may be in any area in which the accompanying adult may be present, whether or not the area:

- (A) is separated in any manner from where the beer is manufactured, sold, or consumed within the small brewery premises; or
- (B) operates under a retailer's permit as provided in IC 7.1-3-2-7(5)(C).

**(34) A restaurant that satisfies the gross food sales requirement provided in IC 7.1-3-20-14.**

(b) For the purpose of this subsection, "food" means meals prepared on the licensed premises. It is lawful for a minor to be on licensed premises in a room, outdoor patio, or terrace in which is located a bar over which alcoholic beverages are sold or dispensed by the drink if all the following conditions are met:

- (1) The minor is in the company of a parent, guardian, or family member who is at least twenty-one (21) years of age.
- (2) The purpose for being on the licensed premises is the consumption of food and not the consumption of alcoholic beverages.
- (3) The minor, accompanied by the parent, guardian, or family



1 member who is at least twenty-one (21) years of age, must be  
 2 seated at a table or booth in the bar area and shall not be seated at  
 3 the bar over which alcoholic beverages are sold or dispensed by  
 4 the drink.

5 SECTION 43. IC 7.1-5-7-17, AS ADDED BY P.L.94-2008,  
 6 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2026]: Sec. 17. (a) Notwithstanding any other law, an  
 8 enforcement officer vested with full police powers and duties may  
 9 engage a person who is:

10 (1) at least eighteen (18) years of age; and  
 11 (2) less than twenty-one (21) years of age;  
 12 to receive or purchase alcoholic beverages **or THC** as part of an  
 13 enforcement action under this article.

14 (b) The initial or contemporaneous receipt or purchase of an  
 15 alcoholic beverage **or THC** under this section by a person described in  
 16 subsection (a) must:

17 (1) occur under the direction of an enforcement officer vested  
 18 with full police powers and duties; and  
 19 (2) be a part of the enforcement action.

20 SECTION 44. IC 7.1-5-8-1 IS AMENDED TO READ AS  
 21 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C  
 22 misdemeanor for a person to recklessly hinder, obstruct, interfere with,  
 23 or prevent the observance or enforcement of any of the following:

24 (1) A provision of this title.  
 25 (2) A rule or regulation of the commission adopted in the  
 26 administration of this title.  
 27 (3) **An order of the commission to suspend or revoke a permit**  
 28 **or certificate issued under this title.**

29 SECTION 45. IC 15-19-2-3, AS ADDED BY P.L.2-2008,  
 30 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board  
 32 consists of seven (7) members selected as follows:

33 (1) The chairman of the Indiana horse racing commission, or the  
 34 chairman's designee, is an ex officio member.  
 35 (2) Two (2) members who are **members of county fair boards**  
 36 **racing participants**, appointed by the governor.  
 37 (3) Four (4) members appointed by the governor who have in the  
 38 past participated or shown an interest in the standardbred  
 39 industry. This interest may, but does not necessarily have to be,  
 40 evidenced by virtue of being an owner, driver, veterinarian,  
 41 trainer, or breeder.

42 Not more than three (3) of the appointees under subdivisions (2) and



1       (3) may be of the same political party as the chairman of the Indiana  
2       horse racing commission.

3       SECTION 46. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,  
4       SECTION 240, IS AMENDED TO READ AS FOLLOWS  
5       [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
6       apply throughout this chapter.

7       (b) "Documentary material" means any document, drawing,  
8       photograph, recording, or other tangible item containing compiled data  
9       from which information can be either obtained or translated into a  
10      usable form.

11      (c) "Enterprise" means:

12       (1) a sole proprietorship, corporation, limited liability company,  
13       partnership, business trust, or governmental entity; or

14       (2) a union, an association, or a group, whether a legal entity or  
15       merely associated in fact.

16       (d) "Pattern of racketeering activity" means engaging in at least two  
17       (2) incidents of racketeering activity that have the same or similar  
18       intent, result, accomplice, victim, or method of commission, or that are  
19       otherwise interrelated by distinguishing characteristics that are not  
20       isolated incidents. However, the incidents are a pattern of racketeering  
21       activity only if at least one (1) of the incidents occurred after August  
22       31, 1980, and if the last of the incidents occurred within five (5) years  
23       after a prior incident of racketeering activity.

24       (e) "Racketeering activity" means to commit, to attempt to commit,  
25       to conspire to commit a violation of, or aiding and abetting in a  
26       violation of any of the following:

27       (1) A provision of IC 23-19, or of a rule or order issued under  
28       IC 23-19.

29       (2) A violation of IC 35-45-9.

30       (3) A violation of IC 35-47.

31       (4) A violation of IC 35-49-3.

32       (5) Murder (IC 35-42-1-1).

33       (6) Battery as a Class C felony before July 1, 2014, or a Level 5  
34       felony after June 30, 2014 (IC 35-42-2-1).

35       (7) Kidnapping (IC 35-42-3-2).

36       (8) Human and sexual trafficking crimes (IC 35-42-3.5).

37       (9) Child exploitation (IC 35-42-4-4).

38       (10) Robbery (IC 35-42-5-1).

39       (11) Carjacking (IC 35-42-5-2) (before its repeal).

40       (12) Arson (IC 35-43-1-1).

41       (13) Burglary (IC 35-43-2-1).

42       (14) Theft (IC 35-43-4-2).



- (15) Receiving stolen property (IC 35-43-4-2) (before its amendment on July 1, 2018).
- (16) Forgery (IC 35-43-5-2).
- (17) An offense under IC 35-43-5.
- (18) Bribery (IC 35-44.1-1-2).
- (19) Official misconduct (IC 35-44.1-1-1).
- (20) Conflict of interest (IC 35-44.1-1-4).
- (21) Perjury (IC 35-44.1-2-1).
- (22) Obstruction of justice (IC 35-44.1-2-2).
- (23) Intimidation (IC 35-45-2-1).
- (24) Promoting prostitution (IC 35-45-4-4).
- (25) Professional gambling (IC 35-45-5-3).
- (26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)).
- (27) Promoting professional gambling (IC 35-45-5-4).
- (28) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).
- (29) Dealing in methamphetamine (IC 35-48-4-1.1).
- (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
- (31) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
- (32) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
- (33) Dealing in a schedule V controlled substance (IC 35-48-4-4).
- (34) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
- (35) Money laundering (IC 35-45-15-5).
- (36) A violation of IC 35-47.5-5.
- (37) A violation of any of the following:
  - (A) IC 23-14-48-9.
  - (B) IC 30-2-9-7(b).
  - (C) IC 30-2-10-9(b).
  - (D) IC 30-2-13-38(f).
- (38) Practice of law by a person who is not an attorney (IC 33-43-2-1).
- (39) An offense listed in IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1.1-8), or a substance represented to be a controlled substance (as described in



1 IC 35-48-4-4.6).

2 (40) Dealing in a controlled substance resulting in death  
3 (IC 35-42-1-1.5).

4 (41) Organized retail theft (IC 35-43-4-2.2).

5 **(42) Sale of alcohol without a permit (IC 7.1-5-10-5).**

6 SECTION 47. IC 35-46-6-3, AS AMENDED BY P.L.163-2025,  
7 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally  
9 uses or distributes nitrous oxide with intent to cause a condition of  
10 intoxication, euphoria, excitement, exhilaration, stupefaction, or  
11 dulling of the senses of another person, unless the nitrous oxide is to be  
12 used for medical purposes, commits a Class B misdemeanor. However,  
13 the offense is a Class A misdemeanor if the person has a prior  
14 unrelated conviction under this section.

15 (b) Except as provided in subsection (c), a person who knowingly  
16 or intentionally sells, uses, or distributes flavored nitrous oxide  
17 commits a Class B misdemeanor. However, the offense is a Class A  
18 misdemeanor if the person has a prior unrelated conviction under this  
19 section.

20 (c) The prohibition on the sale, **use, or distribution** of flavored  
21 nitrous oxide in subsection (b) does not apply to:

22 (1) a retail or wholesale restaurant supply company that sells or  
23 distributes flavored nitrous oxide to a person for use in food and  
24 beverage preparation or other culinary purposes; **or**

25 (2) a person that uses flavored nitrous oxide in food and beverage  
26 recipes or for other legitimate culinary purposes; **or**

27 (3) **a law enforcement agency that is disposing of flavored**  
28 **nitrous oxide by donation to a nonprofit organization.**

29 SECTION 48. IC 35-47-2.5-4, AS AMENDED BY P.L.190-2006,  
30 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2026]: Sec. 4. (a) **This section does not apply to an item**  
32 **defined as an antique firearm pursuant to 18 U.S.C. 921(a)(16).**

33 (b) A dealer may not sell, rent, trade, or transfer from the dealer's  
34 inventory a handgun to a person until the dealer has done all of the  
35 following:

36 (1) Obtained from the prospective purchaser a completed and  
37 signed Form 4473 as specified in section 3 of this chapter.

38 (2) Contacted NICS:

39 (A) by telephone; or  
40 (B) electronically;

41 to request a background check on the prospective purchaser.

42 (3) Received authorization from NICS to transfer the handgun to



1 the prospective purchaser.

2           **(b) (c)** The dealer shall record the NICS transaction number on  
3           Form 4473 and retain Form 4473 for auditing purposes.

4 SECTION 49. IC 35-52-7-40.1 IS ADDED TO THE INDIANA  
5 CODE AS A NEW SECTION TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2026]: **Sec. 40.1. IC 7.1-5-7-8.1** defines a  
7 **crime concerning THC.**

8 SECTION 50. An emergency is declared for this act.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1052, 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 4, line 7, after "games" insert "**or horse racing**".

Page 11, delete lines 5 through 26, begin a new paragraph and insert:

**"SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) As used in this section, "sweepstakes game" means a game, contest, or promotion that:**

- (1) is available on the Internet;**
- (2) is accessible on a mobile phone, computer terminal, or similar access device;**
- (3) utilizes a dual-currency or multi-currency system of payment allowing a player to exchange currency for:**
  - (A) a cash prize, a cash award, or cash equivalents; or**
  - (B) a chance to win a cash prize, a cash award, or cash equivalents; and**
- (4) simulates:**
  - (A) lottery games; or**
  - (B) casino-style gaming, including slot machines, video poker, table games, bingo, or sports wagering.**

However, the term does not include a game, contest, or promotion offered by the state lottery commission.

**(b) The commission may levy a civil penalty in the amount of one hundred thousand dollars (\$100,000) against an operator or individual who knowingly uses the Internet to conduct a sweepstakes game:**

- (1) in Indiana; or**
- (2) in a transaction directly involving a person located in Indiana."**

Page 12, between lines 3 and 4, begin a new paragraph and insert:

**"SECTION 19. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 46.5. "THC" means tetrahydrocannabinol, including hemp derived cannabinoid products, synthetic equivalents of the substances contained in the plant or in the resinous extractives of Cannabis, and synthetic substances, derivates, and their isomers with a similar chemical structure and pharmacological activity."**



Page 13, between lines 39 and 40, begin a new paragraph and insert:

**"SECTION 26. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The holder of a beer wholesaler's permit may purchase and import from the primary source of supply, possess, and sell at wholesale, beer and flavored malt beverages manufactured within or without this state.**

(b) A beer wholesaler permittee may possess, transport, sell, and deliver beer to:

(1) another beer wholesaler authorized by the brewer to sell the brand purchased;

(2) an employee; **and**

(3) a holder of a beer retailer's permit, beer dealer's permit, temporary beer permit, dining car permit, boat permit, airplane permit, or supplemental caterer's permit; **and**

**(4) a food manufacturer that is registered with the federal Food and Drug Administration, for the purpose of adding or integrating the beer into a product or recipe;**

located within this state. The sale, transportation, and delivery of beer shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery.

(c) The beer wholesaler's bona fide regular employees may purchase beer from the wholesaler in:

(1) bottles, cans, or any other type of permissible containers in an amount not to exceed forty-eight (48) pints; or

(2) one (1) keg;

at any one (1) time.

(d) The importation, transportation, possession, sale, and delivery of beer shall be subject to the rules of the commission and subject to the same restrictions provided in this title for a person holding a brewer's permit.

(e) The holder of a beer wholesaler's permit may purchase, import, possess, transport, sell, and deliver any commodity listed in IC 7.1-3-10-5, unless prohibited by this title. However, a beer wholesaler may deliver flavored malt beverages only to the holder of one (1) of the following permits:

(1) A beer wholesaler or wine wholesaler permit, if the wholesaler is authorized by the primary source of supply to sell the brand of flavored malt beverage purchased.

(2) A wine retailer's permit, wine dealer's permit, temporary wine permit, dining car wine permit, boat permit, airplane permit, or supplemental caterer's permit.



(f) A beer wholesaler may:

- (1) store beer for an out-of-state brewer described in IC 7.1-3-2-9 and deliver the stored beer to another beer wholesaler that the out-of-state brewer authorizes to sell the beer;
- (2) perform all necessary accounting and auditing functions associated with the services described in subdivision (1); and
- (3) receive a fee from an out-of-state brewer for the services described in subdivisions (1) through (2).

(g) A beer wholesaler may sell, donate, transport, and deliver beer to a qualified organization for:

- (1) an allowable event under IC 7.1-3-6.1;
- (2) a charity auction under IC 7.1-3-6.2; or
- (3) an event under IC 7.1-3-6.3;

located within this state. The sale, donation to a qualified organization, transportation, and delivery of beer shall be made only from inventory that has been located on the wholesaler's premises before the time of invoicing and delivery.

SECTION 27. IC 7.1-3-14-4, AS AMENDED BY P.L.167-2024, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's permit is entitled to purchase wine only from a permittee entitled to sell to the wine retailer under this title. A wine retailer is entitled to possess wine and sell wine at retail to a customer for consumption on the licensed premises. A wine retailer is also entitled to sell wine to a customer and deliver wine in permissible containers to the customer on the licensed premises or to the customer's house. **Except as provided in section 8 of this chapter**, this delivery may only be performed by the permit holder or an employee who holds an employee permit. The permit holder shall maintain a written record of each delivery for at least one (1) year that shows the customer's name, location of delivery, and quantity sold. Subject to subsection (g), a wine retailer also may prepare and package wine in qualified containers for sale and delivery to a customer on the licensed premises for consumption off the licensed premises.

(b) A wine retailer is not entitled to sell wine at wholesale. A wine retailer is not entitled to sell and deliver wine on the street or at the curb outside the licensed premises, nor is the wine retailer entitled to sell wine at a place other than the licensed premises. However, a wine retailer may offer food service (excluding alcoholic beverages) to a patron who is outside the licensed premises by transacting business through a window in the licensed premises.

(c) A wine retailer is entitled to sell and deliver wine for carry out,



or for at-home delivery. A wine retailer that delivers wine to a customer's residence must require the customer to provide proof of age in accordance with IC 7.1-5-10-23.

(d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the wine retailer may include the wine retailer parking lot or an area adjacent to the wine retailer that may only be used for the purpose of conveying alcoholic beverages and other nonalcoholic items to a customer, and may not be used for point of sale purposes or any other purpose. Any alcoholic beverages conveyed to the customer must satisfy the following:

(1) Alcoholic beverages that are in the sealed original containers must be placed in a bag that is stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES".

(2) Alcoholic beverages that are prepared by the wine retailer must be packaged by the wine retailer in qualified containers that are:

(A) stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES"; or

(B) placed in a bag stamped, printed, or labeled on the outside: "CONTAINS ALCOHOLIC BEVERAGES".

(3) Placed by an employee of the permittee who is at least twenty-one (21) years of age:

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

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

A retailer permittee may only convey a customer's order of alcoholic beverages to the customer, if the customer has also purchased a meal from the retailer permittee that is conveyed to the customer at the same time as the alcoholic beverages.

(e) The employee of the permittee that conveys the alcoholic beverages to the customer must require the customer to provide proof of age in accordance with IC 7.1-5-10-23.

(f) The parking lot or area where the alcoholic beverages are conveyed to the customer must be:

(1) well lit; and

(2) within clear view of the main entrance to the building of the retailer premises.

(g) If a wine retailer prepares and packages wine:

(1) for sale and delivery to a customer on the licensed premises for consumption off the licensed premises; and

(2) in a container that is not in a qualified container;

the commission may revoke the wine retailer's privilege under this



section of preparing and packaging wine for sale and delivery to a customer in a qualified container.

SECTION 28. IC 7.1-3-14-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) A wine retailer may sell wine for consumption off the licensed premises from a display in a room:**

- (1) where the bar is located or alcoholic beverages are stored, prepared, or dispensed for consumption on the licensed premises;**
- (2) that is not partitioned to create a section that is solely or primarily for package sales of wine; and**
- (3) that does not have a separate cash register for package sales.**

**(b) This subsection applies only to a wine retailer if the sale of wine on the licensed premises is at least sixty percent (60%) of the annual gross income of the premises. A wine retailer may allow a customer to obtain by self-service sealed bottles of wine for consumption off the licensed premises from a display under subsection (a).**

SECTION 27. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The holder of a temporary wine permit shall be entitled to purchase and receive wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** on any day of the year, only from a lawful supplier under this title at his place of business. A lawful supplier may sell and deliver wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** to a temporary wine permit holder on any day of the year at his place of business. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to sell wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** only for consumption on the licensed premises, and shall be subject to the same restrictions as apply to the sale of beer by the holder of a temporary beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a temporary wine permittee shall not be entitled to sell at wholesale nor for carry-out from the licensed premises.".

Page 14, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 28. IC 7.1-3-18.5-2, AS AMENDED BY P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person who desires a certificate must provide the following to the commission:

- (1) The applicant's name and mailing address and the address of



the premises for which the certificate is being issued.

- (2) Except as provided in section 6(c) of this chapter, a fee of:
  - (A) two hundred dollars (\$200) **for a retail tobacco sales certificate; or**
  - (B) one hundred dollars (\$100) for a wholesale tobacco sales certificate.**
- (3) The name under which the applicant transacts or intends to transact business.
- (4) The address of the applicant's principal place of business or headquarters, if any.
- (5) The statement required under section 2.6 of this chapter.
- (6) If the applicant is applying for a new certificate under section 3.2 of this chapter, a copy of each of the following:
  - (A) If the new ownership of the business is a business entity, the articles of incorporation, articles of organization, or any other formation documents of the business entity.
  - (B) If the new ownership of the business is an individual, either:
    - (i) the sales or purchase agreement; or
    - (ii) an affidavit signed by the applicant concerning the sale or purchase, on a form prescribed by the commission, that includes the name and address of the seller and purchaser.
  - (C) The certificate held by the previous ownership of the business.
- (7) **A photocopy of the owner's driver's license, identification card issued under IC 9-24-16-1, a similar card issued under the laws of another state or the federal government, or another government issued document that bears the owner's photograph and birth date. If the applicant is a business with multiple owners, the applicant must designate at least one (1) managing owner for whom a photocopy of the managing owner's identification must be provided under this subdivision.**
- (b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed. **A retail establishment may not hold more than one (1) active tobacco sales certificate for a retail location at any time. Except when the real estate for a retail location is transferred to an independent third party, the commission shall not issue a certificate to a retail location where a tobacco sales certificate was revoked within one (1) year prior to the date of the application.**
- (c) A certificate holder shall conspicuously display the holder's



certificate on the holder's premises where the tobacco products or electronic cigarettes are sold or distributed.

(d) Any intentional misstatement or suppression of a material fact in an application filed under this section constitutes grounds for denial **or revocation** of the certificate.

(e) A certificate may be issued only to a person who meets the following requirements:

(1) If the person is an individual, the person must be at least twenty-one (21) years of age.

(2) The person must be authorized to do business in Indiana.

(3) The person has not had an interest in a certificate revoked **or suspended** by the commission for that business location within the preceding one (1) year.

(f) The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10.".

Page 15, delete lines 1 through 40.

Page 17, delete lines 29 through 33, begin a new paragraph and insert:

**"(c) A wholesale tobacco sales certificate:**

**(1) is valid for one (1) year after the date of issuance, unless the commission suspends the wholesale tobacco sales certificate;**

**(2) is nontransferable; and**

**(3) may be issued:**

**(A) in conjunction with a tobacco sales certificate; or**

**(B) for the same location for which a tobacco sales certificate has been issued;**

**if the operation of each certificate occurs separately within a distinct area on the premises.".**

Page 19, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 34. IC 7.1-3-20-16.8, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16.8. (a) A permit that is authorized by this section may be issued without regard to the quota provisions of IC 7.1-3-22.

(b) Except as provided in section 16.3 of this chapter, the commission may issue not more than four (4) new three-way permits to sell alcoholic beverages for on-premises consumption to applicants in each of the following municipalities:

(1) Whitestown.

(2) Lebanon.



- (3) Zionsville.
- (4) Westfield.
- (5) Carmel.
- (6) Fishers.
- (7) Noblesville.
- (c) The following apply to permits issued under subsection (b):
  - (1) An applicant for a permit under subsection (b) must be a proprietor, as owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:
    - (A) downtown redevelopment district; or
    - (B) downtown economic revitalization area.
  - (2) The cost of an initial permit is forty thousand dollars (\$40,000).
  - (3) The total number of active permits issued under subsection (b) may not exceed twenty-four (24) permits at any time. If any of the permits issued under subsection (b) are revoked or not renewed, the commission may issue only enough new permits to bring the total number of permits to twenty-four (24) active permits, with not more than four (4) in each municipality listed in subsection (b)(1) through (b)(6).
  - (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.
  - (5) Notwithstanding ~~IC 7.1-3-1-3.5~~ and IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.
  - (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.
  - (7) A permit may not be transferred from the premises for which the permit was issued.
  - (8) If the area in which the permit premises is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.



(d) Except as provided in section 16.3 of this chapter, in addition to the permits issued to the town of Whitestown under subsection (c), the commission may issue to the town of Whitestown not more than:

(1) three (3) new three-way permits; and

(2) three (3) new two-way permits;

under this subsection.

(e) The following apply to permits issued under subsection (d):

(1) An applicant for a permit under subsection (d)(1) or (d)(2) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

(2) The cost of an initial permit is forty thousand dollars (\$40,000).

(3) The total number of active permits issued under subsection (d) may not exceed the six (6) permits allocated by permit type, as set forth in that subsection.

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under subsection (d)(1) or (d)(2) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(f) Except as provided in section 16.3 of this chapter, in addition to the permits issued to the city of Noblesville under subsection (c), the commission may issue to the city of Noblesville not more than ten (10)



new three-way permits under this subsection. The new three-way permits may be issued as follows:

- (1) Three (3) new three-way permits in 2024.
- (2) Three (3) new three-way permits in 2025.
- (3) Four (4) new three-way permits in 2026.

If the commission does not issue the amount of three-way permits allowed in subdivisions (1) through (3) in that year, any unissued permits will roll over and may be issued in a subsequent year.

(g) The following apply to permits issued under subsection (f):

- (1) An applicant for a permit under subsection (f) must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:
  - (A) downtown redevelopment district; or
  - (B) downtown economic revitalization area.
- (2) The cost of an initial permit is forty thousand dollars (\$40,000).
- (3) The total number of active permits issued under subsection (f) may not exceed the ten (10) new three-way permits, as set forth in that subsection.
- (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.
- (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.
- (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.
- (7) A permit may not be transferred from the premises for which the permit was issued.
- (8) If the area in which the permit issued to a premises under subsection (f) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(h) Except as provided in section 16.3 of this chapter, the



commission may issue to the city of Delphi not more than two (2) new three-way permits under this subsection. (f) The following apply to permits issued under **this** subsection: (f):

- (1) An applicant for a permit ~~under subsection (h)~~ must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:
  - (A) downtown redevelopment district; or
  - (B) downtown economic revitalization area.
- (2) The cost of an initial permit is forty thousand dollars (\$40,000).
- (3) The total number of active permits issued under **this** subsection (f) may not exceed the two (2) new three-way permits. ~~as set forth in that subsection~~.
- (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.
- (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.
- (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.
- (7) A permit may not be transferred from the premises for which the permit was issued.
- (8) If the area in which the permit issued to a premises under **this** subsection (f) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(f) (i) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Warsaw not more than three (3) new three-way permits under this subsection. (k) The following apply to permits issued under **this** subsection: (f):

- (1) An applicant for a permit ~~under subsection (f)~~ must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing



redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:

- (A) downtown redevelopment district; or
- (B) downtown economic revitalization area.
- (2) The cost of an initial permit is forty thousand dollars (\$40,000).
- (3) The total number of active permits issued under **this** subsection ~~(f)~~ may not exceed the three (3) new three-way permits. ~~as set forth in that subsection~~.
- (4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.
- (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.
- (6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.
- (7) A permit may not be transferred from the premises for which the permit was issued.
- (8) If the area in which the permit issued to a premises under **this** subsection ~~(f)~~ is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.
- ~~(f)~~ (j) Except as provided in section 16.3 of this chapter, the commission may issue to the town of Syracuse not more than one (1) new three-way permit under this subsection. ~~(m)~~ The following apply to a permit issued under **this** subsection: ~~(f)~~.
  - (1) An applicant for a permit ~~under subsection (f)~~ must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:
    - (A) downtown redevelopment district; or
    - (B) downtown economic revitalization area.
  - (2) The cost of an initial permit is forty thousand dollars (\$40,000).



(3) The total number of active permits issued under **this** subsection (f) may not exceed the one (1) new three-way permit. **as set forth in that subsection:**

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under **this** subsection (f) is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

**(k) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Gary not more than ten (10) new three-way permits under this subsection. The following apply to a permit issued under this subsection:**

**(1) An applicant for a permit must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:**

- (A) downtown redevelopment district; or**
- (B) downtown economic revitalization area.**

**(2) The cost of an initial permit is forty thousand dollars (\$40,000).**

**(3) The total number of active permits issued under this subsection may not exceed the ten (10) new three-way permits.**

**(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a**



permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under this subsection is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

SECTION 35. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.7. (a) Notwithstanding section 4(a) through 4(c) of this chapter, the commission may issue a beer dealer's permit, wine dealer's permit, and liquor dealer's permit to a drug store operated in the city of Westfield.

(b) Notwithstanding section 4(a) through 4(c) of this chapter, the commission may issue a beer dealer's permit, wine dealer's permit, and liquor dealer's permit to a drug store operated in the town of Sellersburg.

(c) The following apply to a permit issued under subsection (a) or (b):

(1) The combined initial permit cost is forty thousand dollars (\$40,000) for all three (3) permits.

(2) A permit may not be transferred from the premises for which the permit was issued.

(3) The ownership of a permit may be transferred with approval from the commission.

(4) Each permit is subject to the requirements applicable to the permit type.".

Page 19, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 36. IC 7.1-5-7-8.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.1. (a) It is a Class B



**misdemeanor for a person to recklessly, knowingly, or intentionally:**

- (1) sell, in person or online;
- (2) barter;
- (3) exchange;
- (4) provide; or
- (5) furnish;

**a product or substance containing THC to a minor.**

**(b) However, the offense described in subsection (a) is:**

- (1) a Class A misdemeanor if the person has a prior unrelated conviction under this section; and
- (2) a Level 6 felony if the consumption, ingestion, or use of the THC is the proximate cause of the serious bodily injury or death of any person.

**(c) A website owned, managed, or operated by a person who distributes or sells THC directly to consumers must, before completing a purchase, verify the age of an individual purchasing THC by:**

- (1) using a reliable online age verification service; or
- (2) obtaining and examining a copy of a government issued identification.".

Page 22, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 38. IC 7.1-5-7-17, AS ADDED BY P.L.94-2008, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) Notwithstanding any other law, an enforcement officer vested with full police powers and duties may engage a person who is:

- (1) at least eighteen (18) years of age; and
- (2) less than twenty-one (21) years of age;

to receive or purchase alcoholic beverages **or THC** as part of an enforcement action under this article.

(b) The initial or contemporaneous receipt or purchase of an alcoholic beverage **or THC** under this section by a person described in subsection (a) must:

- (1) occur under the direction of an enforcement officer vested with full police powers and duties; and
- (2) be a part of the enforcement action.".

Page 22, delete lines 28 through 42.

Delete pages 23 through 26.

Page 27, delete lines 1 through 9.

Page 29, delete lines 13 through 42.

Page 30, delete lines 1 through 25.



Page 31, after line 6, begin a new paragraph and insert:

"SECTION 46. IC 35-47-2.5-4, AS AMENDED BY P.L.190-2006, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **This section does not apply to an item defined as an antique firearm pursuant to 18 U.S.C. 921(a)(16).**

(b) A dealer may not sell, rent, trade, or transfer from the dealer's inventory a handgun to a person until the dealer has done all of the following:

(1) Obtained from the prospective purchaser a completed and signed Form 4473 as specified in section 3 of this chapter.

(2) Contacted NICS:

(A) by telephone; or

(B) electronically;

to request a background check on the prospective purchaser.

(3) Received authorization from NICS to transfer the handgun to the prospective purchaser.

~~(b)~~ (c) The dealer shall record the NICS transaction number on Form 4473 and retain Form 4473 for auditing purposes.

SECTION 49. IC 35-52-7-40.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2026]: **Sec. 40.1. IC 7.1-5-7-8.1 defines a crime concerning THC.**

SECTION 48. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1052 as introduced.)

MANNING

Committee Vote: yeas 10, nays 0.

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#### HOUSE MOTION

Mr. Speaker: I move that House Bill 1052 be amended to read as follows:

Page 13, line 38, delete "officer," and insert "**officer (as defined in IC 35-31.5-2-185) or a graduate of a reserve officer program approved by the Indiana law enforcement academy,**".

**HB 1052—LS 6389/DI 137**



Page 30, line 11, delete "beer dealer's permit, wine dealer's permit," and insert **"beer dealer's permit and wine dealer's permit"**.

Page 30, line 12, delete "and liquor dealer's permit to a drug store" and insert **"to a convenience store"**.

Page 30, line 17, delete "for all three (3) permits".

(Reference is to HB 1052 as printed January 27, 2026.)

MANNING

