



February 13, 2026

ENGROSSED

HOUSE BILL No. 1052

DIGEST OF HB 1052 (Updated February 11, 2026 5:06 pm - DI 137)

Citations Affected: IC 4-31; IC 4-32.3; 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.

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.

Manning, Mayfield, Moed, Bascom

(SENATE SPONSOR — ALTING)

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.
January 30, 2026, engrossed.
February 2, 2026, read third time, passed. Yeas 87, nays 11.

SENATE ACTION

February 5, 2026, read first time and referred to Committee on Public Policy.
February 12, 2026, amended, reported favorably — Do Pass.

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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: (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. 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.

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February 13, 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.

ENGROSSED HOUSE BILL No. 1052

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**

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- 1 **(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 the
 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.
 - 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.
 - 30 (3) The applicant or licensee is presently under suspension for
 31 cause of a license by the legally constituted racing authority of a
 32 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 consorted 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.**
 39 SECTION 5. IC 4-31-7-9, AS AMENDED BY P.L.32-2019,
 40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2026]: Sec. 9. (a) ~~After December 31, 2013, the following~~
 42 ~~individuals may not wager on horse racing at a licensed facility:~~



- 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~~
30 judges 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



- 1 have been appointed; and
 2 (B) effective at all other racing meetings under the jurisdiction
 3 of the commission.
 4 (4) A rule that a person must stay off the premises of one (1) or
 5 more permit holders if necessary in the public interest to maintain
 6 proper control over recognized meetings.
 7 (5) Referral of the matter to the commission for its consideration.
 8 However, at least two (2) of the ~~stewards or judges~~ at a racing meeting
 9 must concur in a suspension or civil penalty.
 10 (b) Unless a suspension of a license or the imposition of a civil
 11 penalty under this section is appealed by the person sanctioned not
 12 more than fifteen (15) days after being sanctioned, the suspension of a
 13 license or the imposition of a civil penalty under this section must
 14 occur within three hundred sixty-five (365) days after the date of the
 15 violation.
 16 (c) A suspension or civil penalty under this section may be appealed
 17 to the ~~commission. Judges and stewards imposing sanctions under this~~
 18 ~~section must prove the person's violation by a preponderance of the~~
 19 ~~evidence. The commission shall adopt rules establishing procedures for~~
 20 ~~appeals and stays of appeals. The commission shall conduct a hearing~~
 21 ~~on an appeal filed under this section as provided in IC 4-21.5: office of~~
 22 ~~administrative law proceedings under IC 4-15-10.5. IC 4-21.5~~
 23 ~~applies to an appeal under this section. The commission has the~~
 24 ~~burden of proving an alleged violation by a preponderance of the~~
 25 ~~evidence.~~
 26 SECTION 13. IC 4-32.3-5-8, AS ADDED BY P.L.58-2019,
 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2026]: Sec. 8. (a) Except as provided in subsection (b) or (c),
 29 an operator, a worker, or a volunteer ticket agent who is not a full-time
 30 employee may ~~not~~ receive remuneration **of not more than fifty dollars**
 31 **(\$50)** for:
 32 (1) conducting; or
 33 (2) assisting in conducting;
 34 an allowable activity.
 35 (b) **In addition to the remuneration permitted under subsection**
 36 **(a)**, a qualified organization that conducts an allowable activity may:
 37 (1) provide meals for the operators and workers during the
 38 allowable event; and
 39 (2) provide recognition dinners and social events for the operators
 40 and workers;
 41 if the value of the meals and social events does not constitute a
 42 ~~significant inducement to participate~~ **an unreasonable expense** in the



1 conduct of the allowable activity.

2 (c) In the case of a qualified organization selling pull tabs,
3 punchboards, or tip boards under an annual activity license, any
4 employee of the qualified organization may:

5 (1) participate in the sale and redemption of pull tabs,
6 punchboards, or tip boards on the premises of the qualified
7 organization; and

8 (2) receive the remuneration ordinarily provided to the employee
9 in the course of the employee's employment.

10 SECTION 14. IC 4-33-4-3, AS AMENDED BY P.L.93-2024,
11 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]: Sec. 3. (a) The commission shall do the following:

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

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

17 (B) The regulatory process provided in this article.

18 (2) Conduct all hearings concerning civil violations of this article.

19 (3) Provide for the establishment and collection of license fees
20 and taxes imposed under this article.

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

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

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

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

30 (A) Certify the revenue received by a riverboat.

31 (B) Receive complaints from the public.

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

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

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

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

42 (1) Except as provided by rule of the commission, a person who



1 participates in the voluntary exclusion program agrees to refrain
2 from entering a riverboat or other facility under the jurisdiction of
3 the commission **or from placing a wager with a certificate**
4 **holder licensed under IC 4-38.**

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

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

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

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

25 (6) That an owner of a facility under the jurisdiction of the
26 commission **and a certificate holder licensed under IC 4-38**
27 may not cash the check of a person participating in the program
28 or extend credit to the person in any manner. However, the
29 voluntary exclusion program does not preclude an owner **or a**
30 **certificate holder** from seeking the payment of a debt accrued by
31 a person before entering the program.

32 SECTION 15. IC 4-33-10-7 IS ADDED TO THE INDIANA CODE
33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
34 1, 2026]: **Sec. 7. (a) As used in this section, "sweepstakes game"**
35 **means a game, contest, or promotion that:**

- 36 (1) is available on the Internet;
- 37 (2) is accessible on a mobile phone, computer terminal, or
- 38 similar access device;
- 39 (3) utilizes a dual-currency or multi-currency system of
- 40 payment allowing a player to exchange currency for:
 - 41 (A) a cash prize, a cash award, or cash equivalents; or
 - 42 (B) a chance to win a cash prize, a cash award, or cash



- 1 equivalents; and
- 2 **(4) simulates:**
- 3 **(A) lottery games; or**
- 4 **(B) casino-style gaming, including slot machines, video**
- 5 **poker, table games, bingo, or sports wagering.**

6 **However, the term does not include a game, contest, or promotion**
 7 **offered by the state lottery commission or peer to peer skill-based**
 8 **poker games.**

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

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

16 SECTION 16. IC 7.1-1-3-8.5 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. "Certificate" means
 18 a **retail or wholesale** tobacco sales certificate for purposes of
 19 IC 7.1-3-18.5.

20 SECTION 17. IC 7.1-1-3-27.5 IS ADDED TO THE INDIANA
 21 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2026]: **Sec. 27.5. "Organized sporting**
 23 **competition" means a sporting event sanctioned by a recognized**
 24 **governing or regulatory body.**

25 SECTION 18. IC 7.1-1-3-45.7 IS ADDED TO THE INDIANA
 26 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2026]: **Sec. 45.7. "Sports arena" means an**
 28 **indoor or outdoor facility where the main purpose and function of**
 29 **the facility is organized sporting competition. The term does not**
 30 **include:**

- 31 **(1) a facility to which IC 7.1-3-1-25(a) applies;**
- 32 **(2) a tract that contains a premises described in**
- 33 **IC 7.1-3-1-14(d)(2); or**
- 34 **(3) a facility primarily used for professional competition.**

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

41 SECTION 20. IC 7.1-2-1-8 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. ~~Bond and Oath of~~



1 Office: Each commissioner shall execute a surety bond in the amount
2 of ten thousand dollars (\$10,000); with surety approved by the
3 governor; and an oath of office, both of which shall be filed in the
4 office of the secretary of state.

5 SECTION 21. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY 1,
6 2026]. Sec. 9. Surety Bonds: The required surety bond executed and
7 filed on behalf of a commissioner, an enforcement officer, or the
8 prosecutor shall be made payable to the State of Indiana and
9 conditioned upon the faithful discharge of the bonded party's respective
10 duties.

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

17 SECTION 23. IC 7.1-2-2-10 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. Enforcement
19 Officers: Bond and Oath of Office: Each enforcement officer shall
20 execute a surety bond in the amount of one thousand dollars (\$1,000);
21 with surety approved by the commission; and an oath of office, both of
22 which shall be filed with the executive secretary of the commission.

23 SECTION 24. IC 7.1-3-1.5-1, AS AMENDED BY P.L.163-2025,
24 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2026]: Sec. 1. As used in this chapter, "alcohol server" means
26 the following:

- 27 (1) A person who works on the licensed premises of a retailer
- 28 permittee as: a:
 - 29 (A) a manager;
 - 30 (B) a bartender;
 - 31 (C) a waiter or a waitress; or
 - 32 (D) **except for a current or retired law enforcement officer**
 - 33 **(as defined in IC 35-31.5-2-185) or a graduate of a reserve**
 - 34 **officer program approved by the Indiana law enforcement**
 - 35 **academy, a contractor or an employee responsible for**
 - 36 **examining an individual's identification to determine the**
 - 37 **individual's age, including controlling the entry of individuals**
 - 38 **to a licensed premises at a time when entry into the licensed**
 - 39 **premises is restricted to those individuals at least twenty-one**
 - 40 **(21) years of age.**
- 41 (2) A person who works on the licensed premises of a dealer
- 42 permittee as a:



1 (A) manager; or
 2 (B) sales clerk.
 3 (3) A person who is the proprietor of or is employed by an art
 4 instruction studio under IC 7.1-5-8-4.6 that serves wine brought
 5 into the studio by patrons.
 6 SECTION 25. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025,
 7 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 UPON PASSAGE]: Sec. 5. (a) The holder of a beer wholesaler's permit
 9 may purchase and import from the primary source of supply, possess,
 10 and sell at wholesale, beer and flavored malt beverages manufactured
 11 within or without this state.
 12 (b) A beer wholesaler permittee may possess, transport, sell, and
 13 deliver beer to:
 14 (1) another beer wholesaler authorized by the brewer to sell the
 15 brand purchased;
 16 (2) an employee; ~~and~~
 17 (3) a holder of a beer retailer's permit, beer dealer's permit,
 18 temporary beer permit, dining car permit, boat permit, airplane
 19 permit, or supplemental caterer's permit; ~~and~~
 20 **(4) a food manufacturer that is registered with the federal**
 21 **Food and Drug Administration, for the purpose of adding or**
 22 **integrating the beer into a product or recipe;**
 23 located within this state. The sale, transportation, and delivery of beer
 24 shall be made only from inventory that has been located on the
 25 wholesaler's premises before the time of invoicing and delivery.
 26 (c) The beer wholesaler's bona fide regular employees may purchase
 27 beer from the wholesaler in:
 28 (1) bottles, cans, or any other type of permissible containers in an
 29 amount not to exceed forty-eight (48) pints; or
 30 (2) one (1) keg;
 31 at any one (1) time.
 32 (d) The importation, transportation, possession, sale, and delivery
 33 of beer shall be subject to the rules of the commission and subject to
 34 the same restrictions provided in this title for a person holding a
 35 brewer's permit.
 36 (e) The holder of a beer wholesaler's permit may purchase, import,
 37 possess, transport, sell, and deliver any commodity listed in
 38 IC 7.1-3-10-5, unless prohibited by this title. However, a beer
 39 wholesaler may deliver flavored malt beverages only to the holder of
 40 one (1) of the following permits:
 41 (1) A beer wholesaler or wine wholesaler permit, if the wholesaler
 42 is authorized by the primary source of supply to sell the brand of



1 flavored malt beverage purchased.

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

5 (f) A beer wholesaler may:

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

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

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

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

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

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

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

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

22 SECTION 26. IC 7.1-3-14-4, AS AMENDED BY P.L.167-2024,
23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's permit is
25 entitled to purchase wine only from a permittee entitled to sell to the
26 wine retailer under this title. A wine retailer is entitled to possess wine
27 and sell wine at retail to a customer for consumption on the licensed
28 premises. A wine retailer is also entitled to sell wine to a customer and
29 deliver wine in permissible containers to the customer on the licensed
30 premises or to the customer's house. **Except as provided in section 8**
31 **of this chapter**, this delivery may only be performed by the permit
32 holder or an employee who holds an employee permit. The permit
33 holder shall maintain a written record of each delivery for at least one
34 (1) year that shows the customer's name, location of delivery, and
35 quantity sold. Subject to subsection (g), a wine retailer also may
36 prepare and package wine in qualified containers for sale and delivery
37 to a customer on the licensed premises for consumption off the licensed
38 premises.

39 (b) A wine retailer is not entitled to sell wine at wholesale. A wine
40 retailer is not entitled to sell and deliver wine on the street or at the
41 curb outside the licensed premises, nor is the wine retailer entitled to
42 sell wine at a place other than the licensed premises. However, a wine



1 retailer may offer food service (excluding alcoholic beverages) to a
 2 patron who is outside the licensed premises by transacting business
 3 through a window in the licensed premises.

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

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

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

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

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

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

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

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

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

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

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

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

39 (1) well lit; and

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

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



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

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

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

7 SECTION 27. IC 7.1-3-14-8 IS ADDED TO THE INDIANA CODE
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 9 1, 2026]: **Sec. 8. (a) A wine retailer may sell wine for consumption
 10 off the licensed premises from a display in a room:**

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

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

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

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

24 SECTION 28. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015,
 25 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 UPON PASSAGE]: Sec. 9. The holder of a temporary wine permit
 27 shall be entitled to purchase and receive wine **or mixed beverages (as
 28 defined in IC 7.1-1-3-26.2)** on any day of the year, only from a lawful
 29 supplier under this title at his place of business. A lawful supplier may
 30 sell and deliver wine **or mixed beverages (as defined in
 31 IC 7.1-1-3-26.2)** to a temporary wine permit holder on any day of the
 32 year at his place of business. Except as provided in IC 7.1-3-6.1 and
 33 IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to
 34 sell wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** only for
 35 consumption on the licensed premises, and shall be subject to the same
 36 restrictions as apply to the sale of beer by the holder of a temporary
 37 beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a
 38 temporary wine permittee shall not be entitled to sell at wholesale nor
 39 for carry-out from the licensed premises.

40 SECTION 29. IC 7.1-3-18.5-1, AS AMENDED BY P.L.32-2019,
 41 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2026]: Sec. 1. (a) A person may not sell or otherwise



1 distribute in exchange for consideration a tobacco product or electronic
 2 cigarette at retail **or wholesale** without a valid tobacco sales certificate
 3 issued by the commission.

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

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

9 (2) A premises upon which a cigarette vending machine is
 10 located.

11 SECTION 30. IC 7.1-3-18.5-1.5 IS ADDED TO THE INDIANA
 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. (a) A person may not sell**
 14 **tobacco products or electronic cigarettes at wholesale or**
 15 **participate in the wholesale distribution of tobacco products or**
 16 **electronic cigarettes without a valid wholesale tobacco sales**
 17 **certificate issued by the commission.**

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

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

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

28 (2) Except as provided in section 6(c) of this chapter, a fee of:
 29 (A) two hundred dollars (\$200) **for a retail tobacco sales**
 30 **certificate; or**
 31 (B) **one hundred dollars (\$100) for a wholesale tobacco**
 32 **sales certificate.**

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

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

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

38 (6) If the applicant is applying for a new certificate under section
 39 3.2 of this chapter, a copy of each of the following:

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



1 (B) If the new ownership of the business is an individual,
 2 either:
 3 (i) the sales or purchase agreement; or
 4 (ii) an affidavit signed by the applicant concerning the sale
 5 or purchase, on a form prescribed by the commission, that
 6 includes the name and address of the seller and purchaser.
 7 (C) The certificate held by the previous ownership of the
 8 business.
 9 **(7) A photocopy of the owner's driver's license, identification**
 10 **card issued under IC 9-24-16-1, a similar card issued under**
 11 **the laws of another state or the federal government, or**
 12 **another government issued document that bears the owner's**
 13 **photograph and birth date. If the applicant is a business with**
 14 **multiple owners, the applicant must designate at least one (1)**
 15 **managing owner for whom a photocopy of the managing**
 16 **owner's identification must be provided under this**
 17 **subdivision.**
 18 (b) A separate certificate is required for each location where the
 19 tobacco products or electronic cigarettes are sold or distributed. ~~A retail~~
 20 **An establishment may not hold more than one (1) active tobacco sales**
 21 **certificate for a retail location at any time. Except when the real estate**
 22 **for a retail location is transferred to an independent third party,**
 23 **the commission shall not issue a certificate to a retail location**
 24 **where a tobacco sales certificate was revoked within one (1) year**
 25 **prior to the date of the application.**
 26 (c) A certificate holder shall conspicuously display the holder's
 27 certificate on the holder's premises where the tobacco products or
 28 electronic cigarettes are sold or distributed.
 29 (d) Any intentional misstatement or suppression of a material fact
 30 in an application filed under this section constitutes grounds for denial
 31 **or revocation** of the certificate.
 32 (e) A certificate may be issued only to a person who meets the
 33 following requirements:
 34 (1) If the person is an individual, the person must be at least
 35 twenty-one (21) years of age.
 36 (2) The person must be authorized to do business in Indiana.
 37 (3) The person has not had an interest in a certificate revoked **or**
 38 **suspended** by the commission for that business location within
 39 the preceding one (1) year.
 40 (f) The fees collected under this section shall be deposited in the
 41 enforcement and administration fund under IC 7.1-4-10.
 42 SECTION 32. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the
3 commission shall not issue a tobacco sales certificate except as
4 otherwise authorized in this title and subject to the other restrictions
5 contained in this title, to the following persons:

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

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

10 (A) a federal crime having a sentence of at least one (1) year;

11 (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or

12 (C) a crime in a state other than Indiana having a penalty equal
13 to the penalty for an Indiana Level 1, Level 2, Level 3, Level
14 4, or Level 5 felony.

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

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

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

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

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

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

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

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

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

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

35 (5) A minor.

36 (6) A person non compos mentis.

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

41 (8) A person who has made an application for a permit or
42 certificate of any type under this title which has been denied less



1 than one (1) year prior to the person's application for a tobacco
 2 sales certificate unless the first application was denied by reason
 3 of a procedural or technical defect.

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

6 SECTION 33. IC 7.1-3-18.5-2.6, AS ADDED BY P.L.94-2008,
 7 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2026]: Sec. 2.6. An application for a tobacco **sales** certificate
 9 must contain the express statement of the applicant that the applicant
 10 consents for the duration of the certificate term (if the commission
 11 issues the certificate to the applicant) to the entrance, inspection, and
 12 search by an enforcement officer, without a warrant or other process,
 13 of the applicant's **retail** premises to determine whether the applicant is
 14 complying with the provisions of this title. The consent required by this
 15 section is renewed and continued by the retention of a certificate or the
 16 certificate's use by the applicant or the applicant's agents.

17 SECTION 34. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005,
 18 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission
 20 under this chapter must contain the following information:

- 21 (1) The certificate number.
 22 (2) The certificate holder's name.
 23 (3) The permanent location of the business or vending machine
 24 for which the certificate is issued.
 25 (4) The expiration date of the certificate.

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

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

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

- 31 (1) **is valid for one (1) year after the date of issuance, unless**
 32 **the commission suspends the wholesale tobacco sales**
 33 **certificate;**
 34 (2) **is nontransferable; and**
 35 (3) **may be issued:**
 36 (A) **in conjunction with a tobacco sales certificate; or**
 37 (B) **for the same location for which a tobacco sales**
 38 **certificate has been issued;**
 39 **if the operation of each certificate occurs separately within a**
 40 **distinct area on the premises.**

41 SECTION 35. IC 7.1-3-18.5-5.1 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: **Sec. 5.1. If a retail location's retail**
 2 **tobacco sales certificate is suspended or revoked, the commission**
 3 **shall not renew or grant a new retail tobacco sales certificate for**
 4 **the retail location until the retail location's application has been**
 5 **investigated and recommended for approval by the local board.**

6 SECTION 36. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024,
 7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must
 9 hold a valid:

- 10 (1) driver's license issued by the state of Indiana or another state;
 11 or
 12 (2) identification card issued by the state of Indiana, another state,
 13 or the United States;

14 to sell tobacco products.

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

- 18 (1) either:
 19 (A) in the employee's possession; or
 20 (B) on file with the employee's employer; and
 21 (2) upon request, readily available to show to an excise officer or
 22 law enforcement;

23 when selling tobacco products.

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

- 28 (1) the employee has left the license, identification card, or copy
 29 in another location; or
 30 (2) the license, identification card, or copy has otherwise been lost
 31 or mislaid;

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

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



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

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

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

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

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

12 SECTION 37. IC 7.1-3-20-16.8, AS AMENDED BY THE
 13 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 14 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: Sec. 16.8. (a) A permit that is authorized by this
 16 section may be issued without regard to the quota provisions of
 17 IC 7.1-3-22.

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

22 (1) Whitestown.

23 (2) Lebanon.

24 (3) Zionsville.

25 (4) Westfield.

26 (5) Carmel.

27 (6) Fishers.

28 (7) Noblesville.

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

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

35 (A) downtown redevelopment district; or

36 (B) downtown economic revitalization area.

37 (2) The cost of an initial permit is forty thousand dollars
 38 (\$40,000).

39 (3) The total number of active permits issued under subsection (b)
 40 may not exceed twenty-four (24) permits at any time. If any of the
 41 permits issued under subsection (b) are revoked or not renewed,
 42 the commission may issue only enough new permits to bring the



- 1 total number of permits to twenty-four (24) active permits, with
 2 not more than four (4) in each municipality listed in subsection
 3 (b)(1) through (b)(6).
- 4 (4) The municipality may adopt an ordinance under
 5 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
 6 written commitment as a condition of eligibility for a permit. As
 7 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 8 binding on the permit holder and on any lessee or proprietor of
 9 the permit premises.
- 10 (5) Notwithstanding ~~IC 7.1-3-1-3.5~~ and IC 7.1-3-1.1, if business
 11 operations cease at the permit premises for more than six (6)
 12 months, the permit shall revert to the commission and the permit
 13 holder is not entitled to any refund or other compensation.
- 14 (6) Except as provided in subdivision (8), the ownership of a
 15 permit may not be transferred.
- 16 (7) A permit may not be transferred from the premises for which
 17 the permit was issued.
- 18 (8) If the area in which the permit premises is located is no longer
 19 designated an economic development area, an area needing
 20 redevelopment, or a redevelopment district, a permit issued under
 21 this section may be renewed, and the ownership of the permit may
 22 be transferred, but the permit may not be transferred from the
 23 permit premises.
- 24 (d) Except as provided in section 16.3 of this chapter, in addition to
 25 the permits issued to the town of Whitestown under subsection (c), the
 26 commission may issue to the town of Whitestown not more than:
 27 (1) three (3) new three-way permits; and
 28 (2) three (3) new two-way permits;
 29 under this subsection.
- 30 (e) The following apply to permits issued under subsection (d):
 31 (1) An applicant for a permit under subsection (d)(1) or (d)(2)
 32 must be a proprietor, an owner or lessee, or both, of a restaurant
 33 located within an economic development area, an area needing
 34 redevelopment, or a redevelopment district as established under
 35 IC 36-7-14 in a municipality's:
 36 (A) downtown redevelopment district; or
 37 (B) downtown economic revitalization area.
- 38 (2) The cost of an initial permit is forty thousand dollars
 39 (\$40,000).
- 40 (3) The total number of active permits issued under subsection (d)
 41 may not exceed the six (6) permits allocated by permit type, as set
 42 forth in that subsection.



- 1 (4) The municipality may adopt an ordinance under
 2 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
 3 written commitment as a condition of eligibility for a permit. As
 4 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 5 binding on the permit holder and on any lessee or proprietor of
 6 the permit premises.
- 7 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
 8 the permit premises for more than six (6) months, the permit shall
 9 revert to the commission and the permit holder is not entitled to
 10 any refund or other compensation.
- 11 (6) Except as provided in subdivision (8), the ownership of a
 12 permit may not be transferred.
- 13 (7) A permit may not be transferred from the premises for which
 14 the permit was issued.
- 15 (8) If the area in which the permit issued to a premises under
 16 subsection (d)(1) or (d)(2) is located is no longer designated an
 17 economic development area, an area needing redevelopment, or
 18 a redevelopment district, a permit issued under this section may
 19 be renewed, and the ownership of the permit may be transferred,
 20 but the permit may not be transferred from the permit premises.
- 21 (f) Except as provided in section 16.3 of this chapter, in addition to
 22 the permits issued to the city of Noblesville under subsection (c), the
 23 commission may issue to the city of Noblesville not more than ten (10)
 24 new three-way permits under this subsection. The new three-way
 25 permits may be issued as follows:
- 26 (1) Three (3) new three-way permits in 2024.
 27 (2) Three (3) new three-way permits in 2025.
 28 (3) Four (4) new three-way permits in 2026.
- 29 If the commission does not issue the amount of three-way permits
 30 allowed in subdivisions (1) through (3) in that year, any unissued
 31 permits will roll over and may be issued in a subsequent year.
- 32 (g) The following apply to permits issued under subsection (f):
- 33 (1) An applicant for a permit under subsection (f) 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 subsection (f)



- 1 may not exceed the ten (10) new three-way permits, as set forth
 2 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
 18 subsection (f) 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 (h) Except as provided in section 16.3 of this chapter, the
 24 commission may issue to the city of Delphi not more than two (2) new
 25 three-way permits under this subsection. ~~(i)~~ The following apply to
 26 permits issued under **this** subsection: ~~(h)~~:
- 27 (1) An applicant for a permit ~~under subsection (h)~~ 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 ~~(h)~~ may not exceed the two (2) new three-way permits.
 38 ~~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 (~~h~~) 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 ~~(j)~~ **(i)** Except as provided in section 16.3 of this chapter, the
 18 commission may issue to the city of Warsaw not more than three (3)
 19 new three-way permits under this subsection. ~~(k)~~ The following apply
 20 to permits issued under **this** subsection: ~~(j)~~:
- 21 (1) An applicant for a permit ~~under subsection (j)~~ 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 ~~(j)~~ may not exceed the three (3) new three-way
 32 permits. ~~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.



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

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

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

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

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

16 **(2) The cost of an initial permit is forty thousand dollars**
 17 **(\$40,000).**

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

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

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

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

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

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

42 **(l) Except as provided in section 16.3 of this chapter, the**



1 commission may issue to the town of Schererville not more than
 2 three (3) new three-way permits. The following applies to a permit
 3 issued under this subsection:

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

9 (A) downtown redevelopment district; or

10 (B) downtown economic revitalization area.

11 (2) The cost of an initial permit is forty thousand dollars
 12 (\$40,000).

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

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

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

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

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

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

36 (m) Except as provided in section 16.3 of this chapter, the
 37 commission may issue to the city of Lafayette not more than three
 38 (3) new three-way permits. The following apply to a permit issued
 39 under this subsection:

40 (1) An applicant for a permit must be a proprietor, an owner
 41 or lessee, or both, of a restaurant located within an economic
 42 development area, an area needing redevelopment, or a



1 redevelopment district as established under IC 36-7-14 in the
2 city's:

3 (A) downtown redevelopment district; or

4 (B) downtown economic revitalization area.

5 (2) The cost of an initial permit is forty thousand dollars
6 (\$40,000).

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

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

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

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

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

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

30 (n) Except as provided in section 16.3 of this chapter, the
31 commission may issue to the city of West Lafayette not more than
32 two (2) new three-way permits. The following apply to a permit
33 issued under this subsection:

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

39 (A) downtown redevelopment district; or

40 (B) downtown economic revitalization area.

41 (2) The cost of an initial permit is forty thousand dollars
42 (\$40,000).



- 1 **(3) The total number of active permits issued under this**
 2 **subsection may not exceed the two (2) new three-way permits.**
 3 **(4) The city may adopt an ordinance under IC 7.1-3-19-17**
 4 **requiring a permit holder to enter into a formal written**
 5 **commitment as a condition of eligibility for a permit. As set**
 6 **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**
 8 **of the permit premises.**
 9 **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**
 10 **at the permit premises for more than six (6) months, the**
 11 **permit shall revert to the commission and the permit holder**
 12 **is not entitled to any refund or other compensation.**
 13 **(6) Except as provided in subdivision (8), the ownership of the**
 14 **permit may not be transferred.**
 15 **(7) The permit may not be transferred from the premises for**
 16 **which the permit was issued.**
 17 **(8) If the area in which the permit issued to a premises is**
 18 **located is no longer designated an economic development**
 19 **area, an area needing redevelopment, or a redevelopment**
 20 **district, a permit issued under this section may be renewed,**
 21 **and the ownership of the permit may be transferred, but the**
 22 **permit may not be transferred from the permit premises.**
 23 **(o) Except as provided in section 16.3 of this chapter, the**
 24 **commission may issue a new three-way permit to an applicant who**
 25 **is a proprietor, an owner or lessee, or both, of a restaurant located**
 26 **within a transit development district established under**
 27 **IC 36-7.5-4.5 and located in the city of Michigan City. The**
 28 **commission may issue not more than eight (8) new three-way**
 29 **permits under this subsection. The following apply to a permit**
 30 **issued under this subsection:**
 31 **(1) The cost of an initial permit is forty thousand dollars**
 32 **(\$40,000).**
 33 **(2) The total number of active permits issued under this**
 34 **subsection may not exceed the eight (8) new three-way**
 35 **permits.**
 36 **(3) The municipality may adopt an ordinance under**
 37 **IC 7.1-3-19-17 requiring a permit holder to enter into a**
 38 **formal written commitment as a condition of eligibility for a**
 39 **permit. As set forth in IC 7.1-3-19-17(b), a formal written**
 40 **commitment is binding on the permit holder and on any lessee**
 41 **or proprietor of the permit premises.**
 42 **(4) Notwithstanding IC 7.1-3-1.1, if business operations cease**



1 at the permit premises for more than six (6) months, the
 2 permit shall revert to the commission and the permit holder
 3 is not entitled to any refund or other compensation.

4 (5) Except as provided in subdivision (7), the ownership of the
 5 permit may not be transferred.

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

8 (7) If the area in which the permit issued to a premises is
 9 located is no longer designated as part of a transit
 10 development district established under IC 36-7.5-4.5, a permit
 11 issued under this section may be renewed, and the ownership
 12 of the permit may be transferred, but the permit may not be
 13 transferred from the permit premises.

14 (p) Except as provided in section 16.3 of this chapter, the
 15 commission may issue to the city of Delphi not more than two (2)
 16 new three-way permits. The following apply to a permit issued
 17 under this subsection:

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

23 (A) downtown redevelopment district; or

24 (B) downtown economic revitalization area.

25 (2) The cost of an initial permit is forty thousand dollars
 26 (\$40,000).

27 (3) The total number of active permits issued under this
 28 subsection may not exceed the two (2) new three-way permits.

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

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

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

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



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

7 (q) Except as provided in section 16.3 of this chapter, the
 8 commission may issue to the city of Bloomington not more than
 9 two (2) new three-way permits. The following apply to a permit
 10 issued under this subsection:

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

16 (A) downtown redevelopment district; or

17 (B) downtown economic revitalization area.

18 (2) The cost of an initial permit is forty thousand dollars
 19 (\$40,000).

20 (3) The total number of active permits issued under this
 21 subsection may not exceed the two (2) new three-way permits.

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

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

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

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

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

42 SECTION 38. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA



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

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

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

11 (1) **The combined initial permit cost is forty thousand dollars**
 12 **(\$40,000).**

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

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

17 (4) **Each permit is subject to the requirements applicable to**
 18 **the permit type.**

19 SECTION 39. IC 7.1-5-6-3, AS AMENDED BY P.L.32-2019,
 20 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]: Sec. 3. (a) It is unlawful for a person to act as a clerk
 22 in a package liquor store, or as a bartender, waiter, waitress, **security,**
 23 **bouncer,** or manager for a retailer permittee unless that person has
 24 applied for and been issued the appropriate permit. This section does
 25 not apply to dining car or boat employees, to a person described in
 26 IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d). A person
 27 who knowingly or intentionally violates this subsection commits a
 28 Class C infraction. However, the violation is a Class B misdemeanor
 29 if the person has a prior unrelated adjudication or conviction for a
 30 violation of this section within the previous five (5) years.

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

35 (c) It is a defense to a charge under this section for a new applicant
 36 for a permit if, not later than thirty (30) days after being cited by the
 37 commission, the new applicant who was cited produces a receipt for a
 38 cashier's check or money order showing that an application for the
 39 appropriate permit was applied for on the date of the citation.

40 SECTION 40. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,
 41 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this



- 1 chapter shall not apply if the public place involved is one (1) of the
 2 following:
- 3 (1) Civic center.
 - 4 (2) Convention center.
 - 5 (3) Sports arena.
 - 6 (4) Bowling center.
 - 7 (5) Bona fide club.
 - 8 (6) Drug store.
 - 9 (7) Grocery store.
 - 10 (8) Boat.
 - 11 (9) Dining car.
 - 12 (10) Pullman car.
 - 13 (11) Club car.
 - 14 (12) Passenger airplane.
 - 15 (13) Horse racetrack facility holding a recognized meeting permit
 16 under IC 4-31-5.
 - 17 (14) Satellite facility (as defined in IC 4-31-2.1-36).
 - 18 (15) Catering hall under IC 7.1-3-20-24 that is not open to the
 19 public.
 - 20 (16) That part of a restaurant which is separate from a room in
 21 which is located a bar over which alcoholic beverages are sold or
 22 dispensed by the drink.
 - 23 (17) Entertainment complex.
 - 24 (18) Indoor golf facility.
 - 25 (19) A recreational facility such as a golf course, bowling center,
 26 or similar facility that has the recreational activity and not the sale
 27 of food and beverages as the principal purpose or function of the
 28 person's business.
 - 29 (20) A licensed premises owned or operated by a postsecondary
 30 educational institution described in IC 21-17-6-1.
 - 31 (21) An automobile racetrack.
 - 32 (22) An indoor theater under IC 7.1-3-20-26.
 - 33 (23) A senior residence facility campus (as defined in
 34 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
 35 furnished as provided under IC 7.1-3-1-29.
 - 36 (24) A hotel other than a part of a hotel that is a room in a
 37 restaurant in which a bar is located over which alcoholic
 38 beverages are sold or dispensed by the drink.
 - 39 (25) The location of an allowable event to which IC 7.1-3-6.1
 40 applies.
 - 41 (26) The location of a charity auction to which IC 7.1-3-6.2
 42 applies.



- 1 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the
 2 minor is in the company of a parent, legal guardian or custodian,
 3 or family member who is at least twenty-one (21) years of age.
- 4 (28) A farm winery and any additional locations of the farm
 5 winery under IC 7.1-3-12, if the minor is in the company of a
 6 parent, legal guardian or custodian, or family member who is at
 7 least twenty-one (21) years of age and the minor is accompanied
 8 by the adult in any area that the adult may be present whether or
 9 not the area:
- 10 (A) is separated in any manner from where the wine is
 11 manufactured, sold, or consumed within the farm winery
 12 premises; or
 13 (B) operates under a retailer's permit.
- 14 (29) An artisan distillery under IC 7.1-3-27, if:
- 15 (A) the person who holds the artisan distiller's permit also
 16 holds a farm winery permit under IC 7.1-3-12, or
 17 IC 7.1-3-20-16.4(a) applies to the person; and
 18 (B) the minor is in the company of a parent, legal guardian or
 19 custodian, or family member who is at least twenty-one (21)
 20 years of age.
- 21 (30) An art instruction studio under IC 7.1-5-8-4.6.
- 22 (31) The licensed premises of a food hall under IC 7.1-3-20-29
 23 and the food and beverage vending space of a food hall vendor
 24 permittee under IC 7.1-3-20-30. However, sections 9 and 10 of
 25 this chapter apply to a bar within the food and beverage vending
 26 space of a food hall vendor permittee under IC 7.1-3-20-30 that
 27 serves alcoholic beverages intended to be consumed while sitting
 28 or standing at the bar.
- 29 (32) A refreshment area designated under IC 7.1-3-31.
- 30 (33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of
 31 which the small brewery permit holder is the proprietor as
 32 provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by a
 33 parent, legal guardian, custodian, or family member who is at
 34 least twenty-one (21) years of age. The minor may be in any area
 35 in which the accompanying adult may be present, whether or not
 36 the area:
- 37 (A) is separated in any manner from where the beer is
 38 manufactured, sold, or consumed within the small brewery
 39 premises; or
 40 (B) operates under a retailer's permit as provided in
 41 IC 7.1-3-2-7(5)(C).
- 42 **(34) A restaurant that satisfies the gross food sales**



1 **requirement provided in IC 7.1-3-20-14.**

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

7 (1) The minor is in the company of a parent, guardian, or family
8 member who is at least twenty-one (21) years of age.

9 (2) The purpose for being on the licensed premises is the
10 consumption of food and not the consumption of alcoholic
11 beverages.

12 (3) The minor, accompanied by the parent, guardian, or family
13 member who is at least twenty-one (21) years of age, must be
14 seated at a table or booth in the bar area and shall not be seated at
15 the bar over which alcoholic beverages are sold or dispensed by
16 the drink.

17 SECTION 41. IC 7.1-5-8-1 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C
19 misdemeanor for a person to recklessly hinder, obstruct, interfere with,
20 or prevent the observance or enforcement of any of the following:

21 (1) A provision of this title.

22 (2) A rule or regulation of the commission adopted in the
23 administration of this title.

24 **(3) An order of the commission to suspend or revoke a permit
25 or certificate issued under this title.**

26 SECTION 42. IC 15-19-2-3, AS ADDED BY P.L.2-2008,
27 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board
29 consists of seven (7) members selected as follows:

30 (1) The chairman of the Indiana horse racing commission, or the
31 chairman's designee, is an ex officio member.

32 (2) Two (2) members who are ~~members of county fair boards~~
33 **racing participants**, appointed by the governor.

34 (3) Four (4) members appointed by the governor who have in the
35 past participated or shown an interest in the standardbred
36 industry. This interest may, but does not necessarily have to be,
37 evidenced by virtue of being an owner, driver, veterinarian,
38 trainer, or breeder.

39 Not more than three (3) of the appointees under subdivisions (2) and
40 (3) may be of the same political party as the chairman of the Indiana
41 horse racing commission.

42 SECTION 43. IC 35-45-5-4.5, AS ADDED BY P.L.70-2005,

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1 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 4.5. (a) A prosecuting attorney may send written
3 notice to an operator described in section 2(c) or 3(b) of this chapter.

4 The notice must:

- 5 (1) specify the illegal gambling activity;
6 (2) state that the operator has not more than thirty (30) days after
7 the date the notice is received to remove the illegal gambling
8 activity; and
9 (3) state that failure to remove the illegal gambling activity not
10 more than thirty (30) days after receiving the notice may result in
11 the filing of criminal charges against the operator.

12 ~~A prosecuting attorney who sends a notice under this section shall~~
13 ~~forward a copy of the notice to the attorney general. The attorney~~
14 ~~general shall maintain a depository to collect, maintain, and retain each~~
15 ~~notice sent under this section.~~

16 (b) The manner of service of a notice under subsection (a) must be:

- 17 (1) in compliance with Rule 4.1, 4.4, 4.6, or 4.7 of the Indiana
18 Rules of Trial Procedure; or
19 (2) by publication in compliance with Rule 4.13 of the Indiana
20 Rules of Trial Procedure if service cannot be made under
21 subdivision (1) after a diligent search for the operator.

22 (c) A notice served under subsection (a):

- 23 (1) is admissible in a criminal proceeding under this chapter; and
24 (2) constitutes prima facie evidence that the operator had
25 knowledge that illegal gambling was occurring on the operator's
26 Internet site.

27 (d) A person outside Indiana who transmits information on a
28 computer network (as defined in IC 35-43-2-3) and who knows or
29 should know that the information is broadcast in Indiana submits to the
30 jurisdiction of Indiana courts for prosecution under this section.

31 SECTION 44. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,
32 SECTION 240, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section
34 apply throughout this chapter.

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

39 (c) "Enterprise" means:

- 40 (1) a sole proprietorship, corporation, limited liability company,
41 partnership, business trust, or governmental entity; or
42 (2) a union, an association, or a group, whether a legal entity or



- 1 merely associated in fact.
- 2 (d) "Pattern of racketeering activity" means engaging in at least two
- 3 (2) incidents of racketeering activity that have the same or similar
- 4 intent, result, accomplice, victim, or method of commission, or that are
- 5 otherwise interrelated by distinguishing characteristics that are not
- 6 isolated incidents. However, the incidents are a pattern of racketeering
- 7 activity only if at least one (1) of the incidents occurred after August
- 8 31, 1980, and if the last of the incidents occurred within five (5) years
- 9 after a prior incident of racketeering activity.
- 10 (e) "Racketeering activity" means to commit, to attempt to commit,
- 11 to conspire to commit a violation of, or aiding and abetting in a
- 12 violation of any of the following:
- 13 (1) A provision of IC 23-19, or of a rule or order issued under
- 14 IC 23-19.
- 15 (2) A violation of IC 35-45-9.
- 16 (3) A violation of IC 35-47.
- 17 (4) A violation of IC 35-49-3.
- 18 (5) Murder (IC 35-42-1-1).
- 19 (6) Battery as a Class C felony before July 1, 2014, or a Level 5
- 20 felony after June 30, 2014 (IC 35-42-2-1).
- 21 (7) Kidnapping (IC 35-42-3-2).
- 22 (8) Human and sexual trafficking crimes (IC 35-42-3.5).
- 23 (9) Child exploitation (IC 35-42-4-4).
- 24 (10) Robbery (IC 35-42-5-1).
- 25 (11) Carjacking (IC 35-42-5-2) (before its repeal).
- 26 (12) Arson (IC 35-43-1-1).
- 27 (13) Burglary (IC 35-43-2-1).
- 28 (14) Theft (IC 35-43-4-2).
- 29 (15) Receiving stolen property (IC 35-43-4-2) (before its
- 30 amendment on July 1, 2018).
- 31 (16) Forgery (IC 35-43-5-2).
- 32 (17) An offense under IC 35-43-5.
- 33 (18) Bribery (IC 35-44.1-1-2).
- 34 (19) Official misconduct (IC 35-44.1-1-1).
- 35 (20) Conflict of interest (IC 35-44.1-1-4).
- 36 (21) Perjury (IC 35-44.1-2-1).
- 37 (22) Obstruction of justice (IC 35-44.1-2-2).
- 38 (23) Intimidation (IC 35-45-2-1).
- 39 (24) Promoting prostitution (IC 35-45-4-4).
- 40 (25) Professional gambling (IC 35-45-5-3).
- 41 (26) Maintaining a professional gambling site
- 42 (IC 35-45-5-3.5(b)).



- 1 (27) Promoting professional gambling (IC 35-45-5-4).
 2 (28) Dealing in or manufacturing cocaine or a narcotic drug
 3 (IC 35-48-4-1).
 4 (29) Dealing in methamphetamine (IC 35-48-4-1.1).
 5 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
 6 (31) Dealing in a schedule I, II, or III controlled substance
 7 (IC 35-48-4-2).
 8 (32) Dealing in a schedule IV controlled substance
 9 (IC 35-48-4-3).
 10 (33) Dealing in a schedule V controlled substance (IC 35-48-4-4).
 11 (34) Dealing in marijuana, hash oil, hashish, or salvia
 12 (IC 35-48-4-10).
 13 (35) Money laundering (IC 35-45-15-5).
 14 (36) A violation of IC 35-47.5-5.
 15 (37) A violation of any of the following:
 16 (A) IC 23-14-48-9.
 17 (B) IC 30-2-9-7(b).
 18 (C) IC 30-2-10-9(b).
 19 (D) IC 30-2-13-38(f).
 20 (38) Practice of law by a person who is not an attorney
 21 (IC 33-43-2-1).
 22 (39) An offense listed in IC 35-48-4 involving the manufacture or
 23 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
 24 synthetic drug lookalike substance (as defined in
 25 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
 26 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
 27 substance analog (as defined in IC 35-48-1.1-8), or a substance
 28 represented to be a controlled substance (as described in
 29 IC 35-48-4-4.6).
 30 (40) Dealing in a controlled substance resulting in death
 31 (IC 35-42-1-1.5).
 32 (41) Organized retail theft (IC 35-43-4-2.2).
 33 **(42) Sale of alcohol without a permit (IC 7.1-5-10-5).**
 34 SECTION 45. IC 35-46-6-3, AS AMENDED BY P.L.163-2025,
 35 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally
 37 uses or distributes nitrous oxide with intent to cause a condition of
 38 intoxication, euphoria, excitement, exhilaration, stupefaction, or
 39 dulling of the senses of another person, unless the nitrous oxide is to be
 40 used for medical purposes, commits a Class B misdemeanor. However,
 41 the offense is a Class A misdemeanor if the person has a prior
 42 unrelated conviction under this section.



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

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

8 (1) a retail or wholesale restaurant supply company that sells or
 9 distributes flavored nitrous oxide to a person for use in food and
 10 beverage preparation or other culinary purposes; ~~or~~

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

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

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

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

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

24 (2) Contacted NICS:

25 (A) by telephone; or

26 (B) electronically;

27 to request a background check on the prospective purchaser.

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

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

32 SECTION 47. **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, derivatives, and their isomers with a similar chemical structure and pharmacological activity."**

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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,

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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~~ **An 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. ~~(h)~~ The following apply to permits issued under **this** subsection: ~~(h)~~:

(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 ~~(h)~~ 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 ~~(h)~~ 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.

~~(j)~~ **(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: ~~(j)~~:

(1) An applicant for a permit ~~under subsection (j)~~ 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.

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,**".

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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

COMMITTEE REPORT

Mr. President: The Senate Committee on Public Policy, to which was referred House Bill No. 1052, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective date in SECTION 38 with "[EFFECTIVE UPON PASSAGE]".

Page 9, between lines 25 and 26, begin a new paragraph and insert: "SECTION 13. IC 4-32.3-5-8, AS ADDED BY P.L.58-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Except as provided in subsection (b) or (c), an operator, a worker, or a volunteer ticket agent who is not a full-time employee may ~~not~~ receive remuneration **of not more than fifty dollars (\$50)** for:

- (1) conducting; or
- (2) assisting in conducting;

an allowable activity.

(b) **In addition to the remuneration permitted under subsection (a)**, a qualified organization that conducts an allowable activity may:

- (1) provide meals for the operators and workers during the allowable event; and
- (2) provide recognition dinners and social events for the operators and workers;

if the value of the meals and social events does not constitute a ~~significant inducement to participate~~ **an unreasonable expense** in the conduct of the allowable activity.

(c) In the case of a qualified organization selling pull tabs, punchboards, or tip boards under an annual activity license, any employee of the qualified organization may:

- (1) participate in the sale and redemption of pull tabs,

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punchboards, or tip boards on the premises of the qualified organization; and

(2) receive the remuneration ordinarily provided to the employee in the course of the employee's employment."

Page 11, line 23, delete "commission." and insert "**commission or peer to peer skill-based poker games.**".

Page 12, delete lines 8 through 15.

Page 13, delete lines 4 through 28.

Page 30, between lines 5 and 6, begin a new paragraph and insert:

"(l) Except as provided in section 16.3 of this chapter, the commission may issue to the town of Schererville not more than three (3) new three-way permits. The following applies 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 the town'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 three (3) new three-way permits.

(4) The town 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 the permit may not be transferred.

(7) The 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 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.

(m) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Lafayette not more than three (3) new three-way permits. 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 the city'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 three (3) new three-way permits.

(4) The city 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 the permit may not be transferred.

(7) The 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 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.

(n) Except as provided in section 16.3 of this chapter, the commission may issue to the city of West Lafayette not more than two (2) new three-way permits. 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 the city'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 two (2) new three-way permits.

(4) The city 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 the permit may not be transferred.

(7) The 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 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.

(o) Except as provided in section 16.3 of this chapter, the commission may issue a new three-way permit to an applicant who is a proprietor, an owner or lessee, or both, of a restaurant located within a transit development district established under IC 36-7.5-4.5 and located in the city of Michigan City. The commission may issue not more than eight (8) new three-way permits under this subsection. The following apply to a permit issued under this subsection:

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



(2) The total number of active permits issued under this subsection may not exceed the eight (8) new three-way permits.

(3) 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.

(4) 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.

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

(6) The permit may not be transferred from the premises for which the permit was issued.

(7) If the area in which the permit issued to a premises is located is no longer designated as part of a transit development district established under IC 36-7.5-4.5, 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.

(p) 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. 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 the city'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 two (2) new three-way permits.

(4) The city 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 the permit may not be transferred.

(7) The 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 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.

(q) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Bloomington not more than two (2) new three-way permits. 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 the city'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 two (2) new three-way permits.

(4) The city 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 the



permit may not be transferred.

(7) The 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 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."

Page 31, delete lines 4 through 27.

Page 34, delete lines 5 through 19.

Page 35, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 46. IC 35-45-5-4.5, AS ADDED BY P.L.70-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) A prosecuting attorney may send written notice to an operator described in section 2(c) or 3(b) of this chapter.

The notice must:

- (1) specify the illegal gambling activity;
- (2) state that the operator has not more than thirty (30) days after the date the notice is received to remove the illegal gambling activity; and
- (3) state that failure to remove the illegal gambling activity not more than thirty (30) days after receiving the notice may result in the filing of criminal charges against the operator.

~~A prosecuting attorney who sends a notice under this section shall forward a copy of the notice to the attorney general. The attorney general shall maintain a depository to collect, maintain, and retain each notice sent under this section.~~

(b) The manner of service of a notice under subsection (a) must be:

- (1) in compliance with Rule 4.1, 4.4, 4.6, or 4.7 of the Indiana Rules of Trial Procedure; or
- (2) by publication in compliance with Rule 4.13 of the Indiana Rules of Trial Procedure if service cannot be made under subdivision (1) after a diligent search for the operator.

(c) A notice served under subsection (a):

- (1) is admissible in a criminal proceeding under this chapter; and
- (2) constitutes prima facie evidence that the operator had knowledge that illegal gambling was occurring on the operator's Internet site.

(d) A person outside Indiana who transmits information on a computer network (as defined in IC 35-43-2-3) and who knows or should know that the information is broadcast in Indiana submits to the



jurisdiction of Indiana courts for prosecution under this section."

Page 38, delete lines 4 through 7.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1052 as reprinted January 30, 2026.)

ALTING, Chairperson

Committee Vote: Yeas 8, Nays 0.

