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# HOUSE BILL No. 1052

**AM105202 has been incorporated into introduced printing.**

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**Synopsis:** Various administrative law matters.

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2026

IN 1052—LS 6389/DI 137



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Introduced

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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1052

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:

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

(2) The owner or lessee of a thoroughbred horse's dam at the time of ~~registration with the commission~~: **foaling for thoroughbreds**. **The commission shall recognize the breeder of a horse as the person designated as such on the Jockey Club Certificate of Registration for the horse**.

(3) The owner or lessee of a quarter horse's dam at the time of ~~the 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**

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1           **individual who:**

2           **(1) is licensed by the commission; and**  
 3           **(2) serves as a judge or steward at a licensed facility.**

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

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

19           (1) the refusal, denial, revocation, suspension, or other penalty  
 20           is in the public interest for the purpose of maintaining proper  
 21           control over horse racing meetings or pari-mutuel wagering; and  
 22           (2) any of the conditions listed in subsection (b) apply to the  
 23           applicant or licensee.

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

25           (1) The applicant or licensee has been convicted of a felony or  
 26           misdemeanor that could compromise the integrity of racing by  
 27           the applicant's or licensee's participation in racing.

28           (2) The applicant or licensee has had a license of the legally  
 29           constituted racing authority of a state, province, or country  
 30           denied, suspended, or revoked for cause within the preceding  
 31           five (5) years.

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

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

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

41           (6) The applicant or licensee has demonstrated financial  
 42           irresponsibility by accumulating unpaid obligations, defaulting



1 on obligations, or issuing drafts or checks that are dishonored or  
2 not paid.

3 (7) The applicant or licensee has made a material  
4 misrepresentation in an application for a license.

5 (8) The applicant or licensee has been convicted of a crime  
6 involving bookmaking, touting, or similar pursuits or has  
7 consorted with a person convicted of such an offense.

8 (9) The applicant or licensee has abandoned, mistreated, abused,  
9 neglected, or engaged in an act of cruelty to a horse.

10 (10) The applicant or licensee has engaged in conduct that is  
11 against the best interest of horse racing **or compromises the**  
12 **integrity of operations at a licensed facility.**

13 (11) The applicant or licensee has failed to comply with a written  
14 order or ruling of the commission or judges pertaining to a  
15 racing matter.

16 (12) The applicant or licensee has failed to answer correctly  
17 under oath, to the best of the applicant's or licensee's knowledge,  
18 all questions asked by the commission or its representatives  
19 pertaining to a racing matter.

20 (13) The applicant or licensee has failed to return to a permit  
21 holder any purse money, trophies, or awards paid in error or  
22 ordered redistributed by the commission.

23 (14) The applicant or licensee has had possession of an alcoholic  
24 beverage on a permit holder's premises, other than a beverage  
25 legally sold through the permit holder's concession operation.

26 (15) The applicant or licensee has interfered with or obstructed  
27 a member of the commission, a commission employee, or a  
28 racing official while performing official duties.

29 (16) The name of the applicant or licensee appears on the  
30 department of state revenue's most recent tax warrant list, and  
31 the person's tax warrant has not been satisfied.

32 (17) The applicant or licensee has pending criminal charges.

33 (18) The applicant or licensee has racing disciplinary charges  
34 pending in Indiana or another jurisdiction.

35 (19) The applicant or licensee is unqualified to perform the  
36 duties required under this article or the rules of the commission.

37 (20) **The applicant or licensee made a material**  
38 **misrepresentation when registering, nominating, entering, or**  
39 **racing a horse as an Indiana owned horse, Indiana sired**  
40 **horse, or Indiana bred horse.**

41 SECTION 5. IC 4-31-7-9, AS AMENDED BY P.L.32-2019,  
42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2026]: Sec. 9. (a) After December 31, 2013, the following  
 2 individuals may not wager on horse racing at a licensed facility:

- 3 (1) A member of the commission.
- 4 (2) An employee of the commission.
- 5 (3) A racing official.
- 6 (4) The spouse of any individual listed in subdivisions (1)  
 7 through (3).

8 (b) (a) After December 31, 2017, The following individuals may  
 9 not wager on gambling games at a facility licensed under IC 4-35:

- 10 (1) A member of the commission.
- 11 (2) The following individuals employed by the commission:
  - 12 (A) The executive director.
  - 13 (B) The assistant executive director.
  - 14 (C) The director of security.
  - 15 (D) The general counsel.
  - 16 (E) The deputy general counsel.
  - 17 (F) A steward.
  - 18 (G) (F) A judge.
- 19 (3) The spouse of an individual described in subdivision (1) or  
 20 (2).

21 (c) (b) A person who knowingly or intentionally violates this  
 22 section commits a Class C infraction. However, the violation is a Class  
 23 A misdemeanor if the person has a prior unrelated adjudication or  
 24 conviction for a violation of this section within the previous five (5)  
 25 years.

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

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1 licensee to fail a breath test.

2 (b) A person whose breath test shows a reading of an alcohol  
 3 concentration equivalent (as defined in IC 9-13-2-2.4) to more than  
 4 five-hundredths (0.05) gram of alcohol per two hundred ten (210) liters  
 5 of the person's breath, is subject to the following sanctions:

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

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

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

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

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

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

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

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

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

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

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

41 (2) Any other horses designated by the judges, ~~the stewards~~, a



1 commission veterinarian, a member of the commission, or the  
2 executive director of the commission. The judges and  
3 veterinarian shall designate for the taking of a biological sample  
4 a horse that races markedly contrary to form.

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

8 (1) shall ~~appoint, at its cost, approve~~ a veterinarian to take or  
9 supervise the taking of biological samples under section 5 of this  
10 chapter;

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

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

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

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

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

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

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

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



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

3       (b) Except as provided in subsection (c), an owner or trainer may  
4       not directly or indirectly employ or pay compensation to a veterinarian  
5       with respect to the care of a horse belonging to a breed of horse  
6       registered with the commission for racing at the track of the  
7       veterinarian's employment.

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

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

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

21       (2) A temporary order or other immediate action in the nature of  
22       a summary suspension where a licensee's actions constitute an  
23       immediate danger to the public health, safety, or welfare.

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

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

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

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

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

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



(c) A sanction under this section may be appealed to the commission. Judges and stewards imposing sanctions under this section must prove the person's violation by a preponderance of the evidence. The commission shall adopt rules establishing procedures for appeals and stays of appeals. The commission shall conduct a hearing on an appeal filed under this section as provided in IC 4-21.5.

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

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

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

39 (1) A civil penalty not to exceed five thousand dollars (\$5,000).  
40 (2) A temporary order or other immediate action in the nature of  
41 a summary suspension if a licensee's actions constitute an



immediate danger to the public health, safety, or welfare.

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

- (A) valid even though the suspension extends beyond the period of the racing meeting for which the ~~stewards and~~ judges have been appointed; and
- (B) effective at all other racing meetings under the jurisdiction of the commission.

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

(5) Referral of the matter to the commission for its consideration. However, at least two (2) of the ~~stewards or~~ judges at a racing meeting must concur in a suspension or civil penalty.

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

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

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

- (1) Adopt rules that the commission determines necessary to protect or enhance the following:
  - (A) The credibility and integrity of gambling operations authorized by this article.
  - (B) The regulatory process provided in this article.
- (2) Conduct all hearings concerning civil violations of this article.



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

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

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

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

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

- (A) Certify the revenue received by a riverboat.
- (B) Receive complaints from the public.
- (C) Conduct other investigations into the conduct of the gambling games and the maintenance of the equipment that the commission considers necessary and proper.

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

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

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

- (1) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program agrees to refrain from entering a riverboat or other facility under the jurisdiction of the commission **or from placing a wager with a certificate holder licensed under IC 4-38**.
- (2) That the name **and last four (4) digits of the Social Security number** of a person participating in the program will be included on a list of persons excluded from all facilities under the jurisdiction of the commission.
- (3) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program may not petition the commission for readmittance to a facility under the jurisdiction of the commission.
- (4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission **and to a certificate holder licensed under IC 4-38**.

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1 for purposes of enforcement and to other entities, upon request  
 2 by the participant and agreement by the commission.

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

8 (6) That an owner of a facility under the jurisdiction of the  
 9 commission **and a certificate holder licensed under IC 4-38**  
 10 may not cash the check of a person participating in the program  
 11 or extend credit to the person in any manner. However, the  
 12 voluntary exclusion program does not preclude an owner **or a**  
 13 **certificate holder** from seeking the payment of a debt accrued  
 14 by a person before entering the program.

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

19 (1) **is available on the Internet;**  
 20 (2) **is accessible on a mobile phone, computer terminal, or**  
 21 **similar access device;**  
 22 (3) **utilizes a dual-currency or multi-currency system of**  
 23 **payment allowing a player to exchange currency for:**

24 (A) **a cash prize, a cash award, or cash equivalents; or**  
 25 (B) **a chance to win a cash prize, a cash award, or cash**  
 26 **equivalents; and**

27 (4) **simulates:**  
 28 (A) **lottery games; or**  
 29 (B) **casino-style gaming, including slot machines, video**  
 30 **poker, table games, bingo, or sports wagering.**

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

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

37 (1) **in Indiana; or**  
 38 (2) **in a transaction directly involving a person located in**  
 39 **Indiana.**

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



1       IC 7.1-3-18.5.

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

7       SECTION 17. IC 7.1-1-3-45.7 IS ADDED TO THE INDIANA  
 8       CODE AS A NEW SECTION TO READ AS FOLLOWS  
 9       [EFFECTIVE JULY 1, 2026]: Sec. 45.7. **"Sports arena"** means an  
 10      **indoor or outdoor facility where the main purpose and function of**  
 11      **the facility is organized sporting competition.** The term does not  
 12      include:

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

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

23       SECTION 19. IC 7.1-2-1-8 IS AMENDED TO READ AS  
 24       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. **Bond and Oath of**  
 25       **Office.** Each commissioner shall execute a surety bond in the amount  
 26       **of ten thousand dollars (\$10,000), with surety approved by the**  
 27       **governor, and an oath of office, both of which shall be filed in the**  
 28       **office of the secretary of state.**

29       SECTION 20. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY  
 30       1, 2026]. **Sec. 9. Surety Bonds.** The required surety bond executed and  
 31       filed on behalf of a commissioner, an enforcement officer, or the  
 32       prosecutor shall be made payable to the State of Indiana and  
 33       conditioned upon the faithful discharge of the bonded party's respective  
 34       duties.

35       SECTION 21. IC 7.1-2-2-3 IS AMENDED TO READ AS  
 36       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **Bond and Oath of**  
 37       **Office.** The prosecutor shall execute a surety bond in the amount of  
 38       **five thousand dollars (\$5,000), with surety approved by the governor,**  
 39       **and an oath of office, both of which shall be filed in the office of the**  
 40       **secretary of state.**

41       SECTION 22. IC 7.1-2-2-10 IS AMENDED TO READ AS  
 42       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **Enforcement**



1       **Officers: Bond and Oath of Office.** Each enforcement officer shall  
 2       execute a surety bond in the amount of one thousand dollars (\$1,000),  
 3       with surety approved by the commission, and an oath of office, both of  
 4       which shall be filed with the executive secretary of the commission.

5       SECTION 23. IC 7.1-3-1-18, AS AMENDED BY P.L.1-2025,  
 6       SECTION 111, IS AMENDED TO READ AS FOLLOWS  
 7       [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) Except as provided in  
 8       subsections (d) and (e), If publication of notice of application for a  
 9       permit is required under this title, the publication shall be made in one  
 10      (1) newspaper of general circulation published in the county where the  
 11      permit is to be in effect electronically on the commission's website.

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

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

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

21      (e) If:

22       (1) the commission is unable to procure advertising of a notice  
 23       as required under subsection (a) at the rates set forth in IC 5-3-1;  
 24       or

25       (2) the newspaper published in the county as described in  
 26       subsection (a) refuses to publish the notice;  
 27       the commission may, instead of publication in a newspaper as required  
 28       under subsection (a), require the designated member of the local board  
 29       of the county to post printed notices in three (3) prominent locations in  
 30       the county.

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

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

37           (A) a manager;

38           (B) a bartender;

39           (C) a waiter or a waitress; or

40           (D) except for a current or retired law enforcement  
 41           officer, a contractor or an employee responsible for



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

(2) A person who works on the licensed premises of a dealer permittee as a:

- (A) manager; or
- (B) sales clerk.

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

13 SECTION 25. IC 7.1-3-18.5-1, AS AMENDED BY P.L.32-2019,  
14 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2026]: Sec. 1. (a) A person may not sell or otherwise  
16 distribute in exchange for consideration a tobacco product or electronic  
17 cigarette at retail **or wholesale** without a valid tobacco sales certificate  
18 issued by the commission.

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

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

26 SECTION 26. IC 7.1-3-18.5-1.5 IS ADDED TO THE INDIANA  
27 CODE AS A NEW SECTION TO READ AS FOLLOWS  
28 [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. (a)** A person may not sell  
29 tobacco products or electronic cigarettes at wholesale or  
30 participate in the wholesale distribution of tobacco products or  
31 electronic cigarettes without a valid wholesale tobacco sales  
32 certificate issued by the commission.

37 SECTION 27. IC 7.1-3-18.5-2, AS AMENDED BY P.L.107-2024,  
38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2026]: Sec. 2. (a) A person who desires a certificate must  
40 provide the following to the commission:

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

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1 the premises for which the certificate is being issued.  
 2 (2) Except as provided in section 6(c) of this chapter, a fee of  
 3 two hundred dollars (\$200).  
 4 (3) The name under which the applicant transacts or intends to  
 5 transact business.  
 6 (4) The address of the applicant's principal place of business or  
 7 headquarters, if any.  
 8 (5) The statement required under section 2.6 of this chapter.  
 9 (6) If the applicant is applying for a new certificate under section  
 10 3.2 of this chapter, a copy of each of the following:  
 11 (A) If the new ownership of the business is a business  
 12 entity, the articles of incorporation, articles of organization,  
 13 or any other formation documents of the business entity.  
 14 (B) If the new ownership of the business is an individual,  
 15 either:  
 16 (i) the sales or purchase agreement; or  
 17 (ii) an affidavit signed by the applicant concerning the  
 18 sale or purchase, on a form prescribed by the  
 19 commission, that includes the name and address of the  
 20 seller and purchaser.  
 21 (C) The certificate held by the previous ownership of the  
 22 business.  
 23 (7) **A photocopy of the owner's driver's license, identification**  
 24 **card issued under IC 9-24-16-1, a similar card issued under**  
 25 **the laws of another state or the federal government, or**  
 26 **another government issued document that bears the owner's**  
 27 **photograph and birth date. If the applicant is a business with**  
 28 **multiple owners, the applicant must designate at least one (1)**  
 29 **managing owner for whom a photocopy of the managing**  
 30 **owner's identification must be provided under this**  
 31 **subdivision.**  
 32 (8) **A floor plan of the premises where tobacco products or**  
 33 **electronic cigarettes will be sold.**  
 34 (b) A separate certificate is required for each location where the  
 35 tobacco products or electronic cigarettes are sold or distributed. ~~A retail~~  
 36 An establishment may not hold more than one (1) active tobacco sales  
 37 certificate for a ~~retail~~ location at any time. **Except when the real estate**  
 38 **for a retail location is transferred to an independent third party,**  
 39 **the commission shall not issue a certificate to a retail location**  
 40 **where a tobacco sales certificate was revoked within one (1) year**  
 41 **prior to the date of the application.**  
 42 (c) A certificate holder shall conspicuously display the holder's



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

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

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

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

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

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

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

16 SECTION 28. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024,  
17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
18 JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the  
19 commission shall not issue a tobacco sales certificate except as  
20 otherwise authorized in this title and subject to the other restrictions  
21 contained in this title, to the following persons:

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

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

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

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

30 (C) a crime in a state other than Indiana having a penalty  
31 equal to the penalty for an Indiana Level 1, Level 2, Level  
32 3, Level 4, or Level 5 felony.

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

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

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

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

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

41 (ii) for the duration of the period in which the person



1                   sells or distributes in the manner described in section  
 2                   1 of this chapter.

3                   (C) The person has a franchise agreement with a franchisor:  
 4                   (i) that owns the premises to which the certificate will  
 5                   be applicable; or  
 6                   (ii) that has a bona fide lease on the premises for the  
 7                   full period for which the certificate is to be issued.

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

12                  (5) A minor.

13                  (6) A person non compos mentis.

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

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

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

25                  SECTION 29. IC 7.1-3-18.5-2.6, AS ADDED BY P.L.94-2008,  
 26                  SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27                  JULY 1, 2026]: Sec. 2.6. An application for a tobacco **sales** certificate  
 28                  must contain the express statement of the applicant that the applicant  
 29                  consents for the duration of the certificate term (if the commission  
 30                  issues the certificate to the applicant) to the entrance, inspection, and  
 31                  search by an enforcement officer, without a warrant or other process,  
 32                  of the applicant's **retail** premises to determine whether the applicant is  
 33                  complying with the provisions of this title. The consent required by this  
 34                  section is renewed and continued by the retention of a certificate or the  
 35                  certificate's use by the applicant or the applicant's agents.

36                  SECTION 30. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005,  
 37                  SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38                  JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission  
 39                  under this chapter must contain the following information:

40                   (1) The certificate number.  
 41                   (2) The certificate holder's name.



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

(4) The expiration date of the certificate.

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

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

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

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

## (2) nontransferable.

SECTION 31. IC 7.1-3-18.5-5.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5.1. If a retail location's retail tobacco sales certificate is suspended or revoked, the commission shall not renew or grant a new retail tobacco sales certificate for the retail location until the retail location's application has been investigated and recommended for approval by the local board.**

SECTION 32. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must hold a valid:

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

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

to sell tobacco products.

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

(1) either:

(A) in the employee's possession; or

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

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

when selling tobacco products.

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

(1) the employee has left the license, identification card, or copy

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1                   in another location; or  
 2                   (2) the license, identification card, or copy has otherwise been  
 3                   lost or mislaid;  
 4                   the employee may, within five (5) days of the employee's inability to  
 5                   show the license, identification card, or copy to the excise officer,  
 6                   produce to the excise officer or to the office of the commission  
 7                   satisfactory evidence of a license or identification card issued to the  
 8                   individual that was valid at the time the individual was unable to show  
 9                   the license, identification card, or copy.

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

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

- 18                   (1) **For three (3) violations in a one (1) year period, suspend  
 19                  the certificate for a period of five (5) days.**
- 20                   (2) **For four (4) violations in a one (1) year period, suspend  
 21                  the certificate for a period of an additional five (5) days.**
- 22                   (3) **For five (5) violations in a one (1) year period, suspend  
 23                  the certificate for a period of an additional five (5) days.**
- 24                   (4) **For six (6) or more violations in a one (1) year period,  
 25                  revoke the certificate.**

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

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

42                  (c) It is a defense to a charge under this section for a new applicant



1 for a permit if, not later than thirty (30) days after being cited by the  
 2 commission, the new applicant who was cited produces a receipt for a  
 3 cashier's check or money order showing that an application for the  
 4 appropriate permit was applied for on the date of the citation.

5 SECTION 34. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,  
 6 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this  
 8 chapter shall not apply if the public place involved is one (1) of the  
 9 following:

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

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1 furnished as provided under IC 7.1-3-1-29.

(24) A hotel other than a part of a hotel that is a room in a restaurant in which a bar is located over which alcoholic beverages are sold or dispensed by the drink.

5 (25) The location of an allowable event to which IC 7.1-3-6.1  
6 applies.

(26) The location of a charity auction to which IC 7.1-3-6.2 applies.

9 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the  
10 minor is in the company of a parent, legal guardian or custodian,  
11 or family member who is at least twenty-one (21) years of age.

12 (28) A farm winery and any additional locations of the farm  
13 winery under IC 7.1-3-12, if the minor is in the company of a  
14 parent, legal guardian or custodian, or family member who is at

18 (A) is separated in any manner from where the wine is  
19 manufactured, sold, or consumed within the farm winery  
20 premises; or

(B) operates under a retailer's permit.  
(29) An artisan distillery under IC 7.1-3-27, if:

(A) the person who holds the artisan distiller's permit also holds a farm winery permit under IC 7.1-3-12, or IC 7.1-3-20-16.4(a) applies to the person; and

26 (B) the minor is in the company of a parent, legal guardian  
27 or custodian, or family member who is at least twenty-one  
28 (21) years of age.

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

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

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

(33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of which the small brewery permit holder is the proprietor as provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by a parent, legal guardian, custodian, or family member who is at



least twenty-one (21) years of age. The minor may be in any area in which the accompanying adult may be present, whether or not the area:

(A) is separated in any manner from where the beer is manufactured, sold, or consumed within the small brewery premises; or

(B) operates under a retailer's permit as provided in IC 7.1-3-2-7(5)(C).

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

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

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

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

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

SECTION 35. IC 7.1-5-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C misdemeanor for a person to recklessly hinder, obstruct, interfere with, or prevent the observance or enforcement of any of the following:

(1) A provision of this title.

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

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

SECTION 36. IC 15-19-2-3, AS ADDED BY P.L.2-2008, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board consists of seven (7) members selected as follows:

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

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



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

9 SECTION 37. IC 35-31.5-2-320.5 IS ADDED TO THE INDIANA  
10 CODE AS A NEW SECTION TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2026]: Sec. 320.5. "Sweepstakes game", for  
12 purposes of IC 35-45-5, has the meaning set forth in  
13 IC 35-45-5-1(j).

14 SECTION 38. IC 35-31.5-2-336, AS ADDED BY P.L.114-2012,  
15 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2026]: Sec. 336. "Tournament", for purposes of IC 35-45-5,  
17 has the meaning set forth in ~~IC 35-45-5-1(j)~~. **IC 35-45-5-1(k)**.

18 SECTION 39. IC 35-31.5-2-337, AS ADDED BY P.L.114-2012,  
19 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2026]: Sec. 337. "Toy crane machine", for purposes of  
21 IC 35-45-5, has the meaning set forth in IC 35-45-5-1(k).  
22 **IC 35-45-5-1(l).**

23 SECTION 40. IC 35-45-5-1, AS AMENDED BY P.L.3-2008,  
24 SECTION 252, IS AMENDED TO READ AS FOLLOWS  
25 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
26 apply throughout this chapter.

30 (1) It is a contrivance which for consideration affords the player  
31 an opportunity to obtain money or other items of value, the  
32 award of which is determined by chance even if accomplished by  
33 some skill, whether or not the prize is automatically paid by the  
34 contrivance.

35 (2) It is a slot machine or any simulation or variation of a slot  
36 machine.

37 (3) It is a matchup or lineup game machine or device operated  
38 for consideration, in which two (2) or more numerals, symbols,  
39 letters, or icons align in a winning combination on one (1) or  
40 more lines vertically, horizontally, diagonally, or otherwise,  
41 without assistance by the player. The use of a skill stop is not



considered assistance by the player.

(4) It is a video game machine or device operated for consideration to play poker, blackjack, any other card game, keno, or any simulation or variation of these games, including any game in which numerals, numbers, pictures, representations, or symbols are used as an equivalent or substitute for the cards used in these games.

8 The term does not include a toy crane machine or any other device  
9 played for amusement that rewards a player exclusively with a toy, a  
10 novelty, candy, other noncash merchandise, or a ticket or coupon  
11 redeemable for a toy, a novelty, or other noncash merchandise that has  
12 a wholesale value of not more than the lesser of ten (10) times the  
13 amount charged to play the amusement device one (1) time or  
14 twenty-five dollars (\$25).

(c) "Gain" means the direct realization of winnings.

16 (d) "Gambling" means risking money or other property for gain,  
17 contingent in whole or in part upon lot, chance, or the operation of a  
18 gambling device, but it does not include participating in:

19 (1) bona fide contests of skill, speed, strength, or endurance in  
20 which awards are made only to entrants or the owners of entries;  
21 or  
22 (2) bona fide business transactions that are valid under the law  
23 of contracts

(e) "Gambling device" means:

(3) "Gambling device" means:  
(1) a mechanism by the operation of which a right to money or other property may be credited, in return for consideration, as the result of the operation of an element of chance;

27 result of the operation of an element of chance,  
28 (2) a mechanism that, when operated for a consideration, does  
29 not return the same value or property for the same consideration  
30 upon each operation;

30        upon such operation;

31        (3) a mechanism, furniture, fixture, construction, or installation

32        designed primarily for use in connection with professional

33        gambling;

34 (4) a policy ticket or wheel; or

35 (5) a subassembly or essential part designed or intended for use  
36 in connection with such a device, mechanism, furniture, fixture,  
37 construction, or installation.

38 In the application of this definition, an immediate and unrecorded right  
39 to replay mechanically conferred on players of pinball machines and  
40 similar amusement devices is presumed to be without value.

41 (f) "Gambling information" means:

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13 (h) "Operator" means a person who owns, maintains, or operates  
14 an Internet site a website that is used for interactive gambling.

15 (i) "Profit" means a realized or unrealized benefit (other than a  
16 gain) and includes benefits from proprietorship or management and  
17 unequal advantage in a series of transactions.

18 (j) "Sweepstakes game" means a game, contest, or promotion  
19 that:

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

34 (f) (k) "Tournament" means a contest in which:

35 (1) the consideration to enter the contest may take the form of a  
36 separate entry fee or the deposit of the required consideration to  
37 play in any manner accepted by the:

38 (A) video golf machine; or

39 (B) pinball machine or similar amusement device described  
40 in subsection (m)(2); (n)(2);

41 on which the entrant will compete;

42 (2) each player's score is recorded; and



1 (3) the contest winner and other prize winners are determined by  
2 objectively comparing the recorded scores of the competing  
3 players.

6 (m) For purposes of this chapter:

7 (1) a card game; or

8 (2) an electronic version of a card game;

9 is a game of chance and may not be considered a bona fide contest of  
10 skill.

14 (1) video golf games; or

15 (2) pinball machines and similar amusement devices that award  
16 no prizes other than to mechanically confer an immediate and  
17 unrecorded right to replay on players that is presumed to be  
18 without value under this section;

19 is not considered gambling even if the value of a prize awarded in the  
20 course of the tournament exceeds the amount of the player's  
21 consideration.

22 SECTION 41. IC 35-45-5-3, AS AMENDED BY P.L.158-2013,  
23 SECTION 531, IS AMENDED TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who knowingly or  
25 intentionally:

26 (1) engages in pool-selling;

27 (2) engages in bookmaking;

28 (3) maintains, in a place accessible to the public, slot machines,  
29 one-ball machines or variants thereof, pinball machines that  
30 award anything other than an immediate and unrecorded right of  
31 replay, roulette wheels, dice tables, or money or merchandise  
32 pushcards, punchboards, jars, or spindles;

33 (4) conducts lotteries or policy or numbers games or sells  
34 chances therein;

35 (5) conducts any banking or percentage games played with cards,  
36 dice, or counters, or accepts any fixed share of the stakes therein;  
37 or

38 (6) accepts, or offers to accept, for profit, money, or other  
39 property risked in gambling;

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1       this subsection.

2           (b) An operator who knowingly or intentionally uses the Internet  
3       to:

4           (1) engage in pool-selling:

5           (A) in Indiana; or

6           (B) in a transaction directly involving a person located in  
7       Indiana;

8           (2) engage in bookmaking:

9           (A) in Indiana; or

10           (B) in a transaction directly involving a person located in  
11       Indiana;

12           (3) maintain, on an Internet site a website accessible to residents  
13       of Indiana, the equivalent of:

14           (A) slot machines;

15           (B) one-ball machines or variants of one-ball machines;

16           (C) pinball machines that award anything other than an  
17       immediate and unrecorded right of replay;

18           (D) roulette wheels;

19           (E) dice tables; or

20           (F) money or merchandise pushcards, punchboards, jars, or  
21       spindles;

22           (4) conduct lotteries or policy or numbers games or sell chances  
23       in lotteries or policy or numbers games:

24           (A) in Indiana; or

25           (B) in a transaction directly involving a person located in  
26       Indiana;

27           (5) conduct any banking or percentage games played with the  
28       computer equivalent of cards, dice, or counters, or accept any  
29       fixed share of the stakes in those games:

30           (A) in Indiana; or

31           (B) in a transaction directly involving a person located in  
32       Indiana; or

33           (6) accept, or offer to accept, for profit, money or other property  
34       risked in gambling:

35           (A) in Indiana; or

36           (B) in a transaction directly involving a person located in  
37       Indiana; or

38           (7) conduct a sweepstakes game:

39           (A) in Indiana; or

40           (B) in a transaction directly involving a person located  
41       in Indiana;



1       commits professional gambling over the Internet, a Level 6 felony.  
 2       SECTION 42. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,  
 3       SECTION 240, IS AMENDED TO READ AS FOLLOWS  
 4       [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
 5       apply throughout this chapter.

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

10      (c) "Enterprise" means:

11       (1) a sole proprietorship, corporation, limited liability company,  
 12       partnership, business trust, or governmental entity; or  
 13       (2) a union, an association, or a group, whether a legal entity or  
 14       merely associated in fact.

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

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

26       (1) A provision of IC 23-19, or of a rule or order issued under  
 27       IC 23-19.  
 28       (2) A violation of IC 35-45-9.  
 29       (3) A violation of IC 35-47.  
 30       (4) A violation of IC 35-49-3.  
 31       (5) Murder (IC 35-42-1-1).  
 32       (6) Battery as a Class C felony before July 1, 2014, or a Level 5  
 33       felony after June 30, 2014 (IC 35-42-2-1).  
 34       (7) Kidnapping (IC 35-42-3-2).  
 35       (8) Human and sexual trafficking crimes (IC 35-42-3.5).  
 36       (9) Child exploitation (IC 35-42-4-4).  
 37       (10) Robbery (IC 35-42-5-1).  
 38       (11) Carjacking (IC 35-42-5-2) (before its repeal).  
 39       (12) Arson (IC 35-43-1-1).  
 40       (13) Burglary (IC 35-43-2-1).  
 41       (14) Theft (IC 35-43-4-2).



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

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1 substance analog (as defined in IC 35-48-1.1-8), or a substance  
 2 represented to be a controlled substance (as described in  
 3 IC 35-48-4-4.6).

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

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

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

8 SECTION 43. IC 35-46-1-8, AS AMENDED BY P.L.186-2025,  
 9 SECTION 242, IS AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen  
 11 (18) years of age who knowingly or intentionally encourages, aids,  
 12 induces, or causes a child to commit an act of delinquency (as defined  
 13 by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a  
 14 Class A misdemeanor, except as provided in subsections (b) through  
 15 (e).

16 (b) If the delinquent act described in subsection (a) would be a  
 17 felony if committed by an adult, the offense described in subsection (a)  
 18 is a felony of the same level as the delinquent act would be if  
 19 committed by an adult.

20 (c) The offense described in subsection (a) is a Level 5 felony if:

21 (1) the person committing the offense is at least twenty-one (21)  
 22 years of age and knowingly or intentionally furnishes:

23 (A) an alcoholic beverage to a child in violation of  
 24 IC 7.1-5-7-8 when the person committing the offense knew  
 25 or reasonably should have known that the person furnished  
 26 the alcoholic beverage was a child; or

27 (B) a controlled substance (as defined in IC 35-48-1.1-7) or  
 28 a drug (as defined in IC 9-13-2-49.1) in violation of Indiana  
 29 law; and

30 (2) the consumption, ingestion, or use of the alcoholic beverage,  
 31 controlled substance, or drug is the proximate cause of the death  
 32 of any person.

33 (d) Except as provided in subsection (c), the offense described in  
 34 subsection (a) is a Level 6 felony if:

35 (1) the person committing the offense is at least twenty-one (21)  
 36 years of age;

37 (2) the child who commits the delinquent act is less than sixteen  
 38 (16) years of age; and

39 (3) the act would be a misdemeanor if committed by an adult.

40 (e) If the person who commits the offense described in subsection  
 41 (a) is at least twenty-one (21) years of age, and the child who commits



1       the delinquent act is less than sixteen (16) years of age, the offense is:  
 2       (1) a Level 5 felony if the delinquent act would be a Level 6  
 3       felony if committed by an adult;  
 4       (2) a Level 4 felony if the delinquent act would be a Level 5  
 5       felony if committed by an adult;  
 6       (3) a Level 3 felony if the delinquent act would be a Level 4  
 7       felony if committed by an adult;  
 8       (4) a Level 2 felony if the delinquent act would be a Level 3  
 9       felony if committed by an adult;  
 10      (5) a Level 1 felony if the delinquent act would be a Level 1 or  
 11      2 felony if committed by an adult; or  
 12      (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the  
 13      delinquent act would be murder if committed by an adult.

14      **(f) A person who refuses to provide either:**  
 15      **(1) the person's name, address, and date of birth; or**  
 16      **(2) the person's driver's license, if in the person's possession;**  
 17      **to a law enforcement officer who has reason to believe the person**  
 18      **is not at least twenty-one (21) years of age and has committed an**  
 19      **act that would not be an infraction or a misdemeanor if committed**  
 20      **by a person twenty-one (21) years of age or older, commits a Class**  
 21      **C misdemeanor.**

22      SECTION 44. IC 35-46-6-3, AS AMENDED BY P.L.163-2025,  
 23      SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24      JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally  
 25      uses or distributes nitrous oxide with intent to cause a condition of  
 26      intoxication, euphoria, excitement, exhilaration, stupefaction, or  
 27      dulling of the senses of another person, unless the nitrous oxide is to be  
 28      used for medical purposes, commits a Class B misdemeanor. However,  
 29      the offense is a Class A misdemeanor if the person has a prior  
 30      unrelated conviction under this section.

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

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

38      (1) a retail or wholesale restaurant supply company that sells or  
 39      distributes flavored nitrous oxide to a person for use in food and  
 40      beverage preparation or other culinary purposes; **or**  
 41      (2) a person that uses flavored nitrous oxide in food and  
 42      beverage recipes or for other legitimate culinary purposes; **or**



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

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