
HOUSE BILL No. 1052

AM105203 has been incorporated into introduced printing.

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



commission veterinarian, a member of the commission, or the executive director of the commission. The judges and veterinarian shall designate for the taking of a biological sample 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:

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

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

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

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

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 is
 19 **available on the Internet and is accessible on a mobile phone,**
 20 **computer terminal, or similar access device that:**

21 (1) **utilizes a dual-currency system of payment allowing a**
 22 **player to exchange currency for a cash prize, cash award, or**
 23 **cash equivalents or a chance to win a cash prize, cash award,**
 24 **or cash equivalents; and**

25 (2) **simulates casino-style gaming, including slot machines,**
 26 **video poker, table games, lottery games, bingo, and sports**
 27 **wagering.**

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

32 (1) **in Indiana; or**

33 (2) **in a transaction directly involving a person located in**
 34 **Indiana.**

35 SECTION 15. IC 4-33-18 IS REPEALED [EFFECTIVE JULY 1,
 36 2026]. (Indiana Department of Gaming Research).

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

41 SECTION 17. IC 7.1-1-3-27.5 IS ADDED TO THE INDIANA
 42 CODE AS A **NEW SECTION** TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: Sec. 27.5. "**Organized sporting**
2 **competition**" means a sporting event sanctioned by a recognized
3 **governing or regulatory body.**

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

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

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

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

26 SECTION 21. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY
27 1, 2026]. Sec. 9. **Surety Bonds:** The required surety bond executed and
28 filed on behalf of a commissioner, an enforcement officer, or the
29 prosecutor shall be made payable to the State of Indiana and
30 conditioned upon the faithful discharge of the bonded party's respective
31 duties.

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

38 SECTION 23. IC 7.1-2-2-10 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **Enforcement**
40 **Officers: Bond and Oath of Office:** Each enforcement officer shall
41 execute a surety bond in the amount of one thousand dollars (\$1,000),
42 with surety approved by the commission, and an oath of office, both of



1 which shall be filed with the executive secretary of the commission.

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

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

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

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

18 (e) If:

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

22 (2) the newspaper published in the county as described in
 23 subsection (a) refuses to publish the notice;

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

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

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

34 (A) a manager;

35 (B) a bartender;

36 (C) a waiter or a waitress; or

37 (D) **except for a current or retired law enforcement**
 38 **officer, a contractor or an employee responsible for**
 39 **examining an individual's identification to determine the**
 40 **individual's age, including controlling the entry of**
 41 **individuals to a licensed premises at a time when entry**



1 **into the licensed premises is** restricted to those individuals
 2 at least twenty-one (21) years of age.

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

5 (A) manager; or
 6 (B) sales clerk.

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

10 SECTION 26. IC 7.1-3-18.5-1, AS AMENDED BY P.L.32-2019,
 11 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2026]: Sec. 1. (a) A person may not sell or otherwise
 13 distribute in exchange for consideration a tobacco product or electronic
 14 cigarette at retail **or wholesale** without a valid tobacco sales certificate
 15 issued by the commission.

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

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

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

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

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

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

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

40 (2) Except as provided in section 6(c) of this chapter, a fee of
 41 two hundred dollars (\$200).



(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.**

(8) **A floor plan of the premises where tobacco products or electronic cigarettes will be sold.**

(b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed. **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

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1 in an application filed under this section constitutes grounds for denial
 2 **or revocation** of the certificate.

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

5 (1) If the person is an individual, the person must be at least
 6 twenty-one (21) years of age.
 7 (2) The person must be authorized to do business in Indiana.
 8 (3) The person has not had an interest in a certificate revoked **or**
 9 **suspended** by the commission for that business location within
 10 the preceding one (1) year.

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

13 SECTION 29. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024,
 14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the
 16 commission shall not issue a tobacco sales certificate except as
 17 otherwise authorized in this title and subject to the other restrictions
 18 contained in this title, to the following persons:

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

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

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

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

27 (C) a crime in a state other than Indiana having a penalty
 28 equal to the penalty for an Indiana Level 1, Level 2, Level
 29 3, Level 4, or Level 5 felony.

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

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

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

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

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

38 (ii) for the duration of the period in which the person
 39 sells or distributes in the manner described in section
 40 1 of this chapter.

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



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

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

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

(5) A minor.

(6) A person non compos mentis.

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

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

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

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

SECTION 31. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission under this chapter must contain the following information:

(1) The certificate number.

(2) The certificate holder's name.

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

(4) The expiration date of the certificate.

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(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.

10 SECTION 32. IC 7.1-3-18.5-5.1 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: Sec. 5.1. If a retail location's retail
13 tobacco sales certificate is suspended or revoked, the commission
14 shall not renew or grant a new retail tobacco sales certificate for
15 the retail location until the retail location's application has been
16 investigated and recommended for approval by the local board.

17 SECTION 33. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024,
18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must
20 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;
sell tobacco products.

(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;

34 when selling tobacco products.

34 which selling tobacco products.

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

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

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



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

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

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

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

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

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

39 (c) It is a defense to a charge under this section for a new applicant
 40 for a permit if, not later than thirty (30) days after being cited by the
 41 commission, the new applicant who was cited produces a receipt for a
 42 cashier's check or money order showing that an application for the



1 appropriate permit was applied for on the date of the citation.
 2 SECTION 35. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,
 3 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this
 5 chapter shall not apply if the public place involved is one (1) of the
 6 following:
 7 (1) Civic center.
 8 (2) Convention center.
 9 (3) Sports arena.
 10 (4) Bowling center.
 11 (5) Bona fide club.
 12 (6) Drug store.
 13 (7) Grocery store.
 14 (8) Boat.
 15 (9) Dining car.
 16 (10) Pullman car.
 17 (11) Club car.
 18 (12) Passenger airplane.
 19 (13) Horse racetrack facility holding a recognized meeting
 20 permit under IC 4-31-5.
 21 (14) Satellite facility (as defined in IC 4-31-2.1-36).
 22 (15) Catering hall under IC 7.1-3-20-24 that is not open to the
 23 public.
 24 (16) That part of a restaurant which is separate from a room in
 25 which is located a bar over which alcoholic beverages are sold
 26 or dispensed by the drink.
 27 (17) Entertainment complex.
 28 (18) Indoor golf facility.
 29 (19) A recreational facility such as a golf course, bowling center,
 30 or similar facility that has the recreational activity and not the
 31 sale of food and beverages as the principal purpose or function
 32 of the person's business.
 33 (20) A licensed premises owned or operated by a postsecondary
 34 educational institution described in IC 21-17-6-1.
 35 (21) An automobile racetrack.
 36 (22) An indoor theater under IC 7.1-3-20-26.
 37 (23) A senior residence facility campus (as defined in
 38 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
 39 furnished as provided under IC 7.1-3-1-29.
 40 (24) A hotel other than a part of a hotel that is a room in a
 41 restaurant in which a bar is located over which alcoholic

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1 beverages are sold or dispensed by the drink.

2 (25) The location of an allowable event to which IC 7.1-3-6.1

3 applies.

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

5 applies.

6 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the

7 minor is in the company of a parent, legal guardian or custodian,

8 or family member who is at least twenty-one (21) years of age.

9 (28) A farm winery and any additional locations of the farm

10 winery under IC 7.1-3-12, if the minor is in the company of a

11 parent, legal guardian or custodian, or family member who is at

12 least twenty-one (21) years of age and the minor is accompanied

13 by the adult in any area that the adult may be present whether or

14 not the area:

15 (A) is separated in any manner from where the wine is

16 manufactured, sold, or consumed within the farm winery

17 premises; or

18 (B) operates under a retailer's permit.

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

20 (A) the person who holds the artisan distiller's permit also

21 holds a farm winery permit under IC 7.1-3-12, or

22 IC 7.1-3-20-16.4(a) applies to the person; and

23 (B) the minor is in the company of a parent, legal guardian

24 or custodian, or family member who is at least twenty-one

25 (21) years of age.

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

27 (31) The licensed premises of a food hall under IC 7.1-3-20-29

28 and the food and beverage vending space of a food hall vendor

29 permittee under IC 7.1-3-20-30. However, sections 9 and 10 of

30 this chapter apply to a bar within the food and beverage vending

31 space of a food hall vendor permittee under IC 7.1-3-20-30 that

32 serves alcoholic beverages intended to be consumed while sitting

33 or standing at the bar.

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

35 (33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of

36 which the small brewery permit holder is the proprietor as

37 provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by

38 a parent, legal guardian, custodian, or family member who is at

39 least twenty-one (21) years of age. The minor may be in any area

40 in which the accompanying adult may be present, whether or not

41 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 36. 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 37. 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.
- (3) Four (4) members appointed by the governor who have in the past participated or shown an interest in the standardbred industry. This interest may, but does not necessarily have to be,



1 evidenced by virtue of being an owner, driver, veterinarian,
 2 trainer, or breeder.

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

6 SECTION 38. IC 35-31.5-2-320.5 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2026]: Sec. 320.5. "Sweepstakes game", for
 9 purposes of IC 35-45-5, has the meaning set forth in
 10 **IC 35-45-5-1(j).**

11 SECTION 39. IC 35-31.5-2-336, AS ADDED BY P.L.114-2012,
 12 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 336. "Tournament", for purposes of IC 35-45-5,
 14 has the meaning set forth in ~~IC 35-45-5-1(j).~~ **IC 35-45-5-1(k).**

15 SECTION 40. IC 35-31.5-2-337, AS ADDED BY P.L.114-2012,
 16 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2026]: Sec. 337. "Toy crane machine", for purposes of
 18 IC 35-45-5, has the meaning set forth in ~~IC 35-45-5-1(k).~~
IC 35-45-5-1(l).

20 SECTION 41. IC 35-45-5-1, AS AMENDED BY P.L.3-2008,
 21 SECTION 252, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section
 23 apply throughout this chapter.

24 (b) "Electronic gaming device" means any electromechanical
 25 device, electrical device, or machine that satisfies at least one (1) of the
 26 following requirements:

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

32 (2) It is a slot machine or any simulation or variation of a slot
 33 machine.

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

40 (4) It is a video game machine or device operated for
 41 consideration to play poker, blackjack, any other card game,



1 keno, or any simulation or variation of these games, including
2 any game in which numerals, numbers, pictures, representations,
3 or symbols are used as an equivalent or substitute for the cards
4 used in these games.

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

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

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

16 (1) bona fide contests of skill, speed, strength, or endurance in
17 which awards are made only to entrants or the owners of entries;
18 or

19 (2) bona fide business transactions that are valid under the law
20 of contracts.

21 (e) "Gambling device" means:

22 (1) a mechanism by the operation of which a right to money or
23 other property may be credited, in return for consideration, as the
24 result of the operation of an element of chance;

25 (2) a mechanism that, when operated for a consideration, does
26 not return the same value or property for the same consideration
27 upon each operation;

28 (3) a mechanism, furniture, fixture, construction, or installation
29 designed primarily for use in connection with professional
30 gambling;

31 (4) a policy ticket or wheel; or

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

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

38 (f) "Gambling information" means:

39 (1) a communication with respect to a wager made in the course
40 of professional gambling; or

41 (2) information intended to be used for professional gambling.



5 (1) A service or system that provides access or is an intermediary
6 to the Internet.

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

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

15 (j) "Sweepstakes game" means a game, contest, or promotion
16 that is available on the Internet and is accessible on a mobile
17 phone, computer terminal, or similar access device that:

18 (1) utilizes a dual-currency system of payment allowing a
19 player to exchange currency for a cash prize, cash award, or
20 cash equivalents or a chance to win a cash prize, cash award,
21 or cash equivalents; and

22 (2) simulates casino-style gaming, including slot machines,
23 video poker, table games, lottery games, bingo, and sports
24 wagering.

25 (c) (4) "Tournament" means a contest in which:

23 (f) (K) "Tournament" means a contest in which:
24 (1) the consideration to enter the contest may take the form of a
25 separate entry fee or the deposit of the required consideration to
26 play in any manner accepted by the:

play in any manner accepted by the:

(A) video golf machine; or

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

32 on which the entrant will compete;

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

34 (3) the contest winner and other prize winners are determined by

35 objectively comparing the recorded scores of the competing

36 players.

36 players.
37 (k) (1) "Toy crane machine" means a device that is used to lift
38 prizes from an enclosed space by manipulating a mechanical arm.

38 prizes from an enclosed space by manipu
39 (1) (m) For purposes of this chapter:

39 (ii) For purposes of this chapter—
40 (1) a card game; or
41 (2) an electronic version of a card game;



1 skill.

2 (m) (n) In the application of the definition of gambling set forth in
 3 subsection (d), the payment of consideration to participate in a
 4 tournament conducted on:

5 (1) video golf games; or
 6 (2) pinball machines and similar amusement devices that award
 7 no prizes other than to mechanically confer an immediate and
 8 unrecorded right to replay on players that is presumed to be
 9 without value under this section;

10 is not considered gambling even if the value of a prize awarded in the
 11 course of the tournament exceeds the amount of the player's
 12 consideration.

13 SECTION 42. IC 35-45-5-3, AS AMENDED BY P.L.158-2013,
 14 SECTION 531, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who knowingly or
 16 intentionally:

17 (1) engages in pool-selling;
 18 (2) engages in bookmaking;
 19 (3) maintains, in a place accessible to the public, slot machines,
 20 one-ball machines or variants thereof, pinball machines that
 21 award anything other than an immediate and unrecorded right of
 22 replay, roulette wheels, dice tables, or money or merchandise
 23 pushcards, punchboards, jars, or spindles;
 24 (4) conducts lotteries or policy or numbers games or sells
 25 chances therein;
 26 (5) conducts any banking or percentage games played with cards,
 27 dice, or counters, or accepts any fixed share of the stakes therein;
 28 or
 29 (6) accepts, or offers to accept, for profit, money, or other
 30 property risked in gambling;

31 commits professional gambling, a Level 6 felony. However, the offense
 32 is a Level 5 felony if the person has a prior unrelated conviction under
 33 this subsection.

34 (b) An operator who knowingly or intentionally uses the Internet
 35 to:

36 (1) engage in pool-selling:
 37 (A) in Indiana; or
 38 (B) in a transaction directly involving a person located in
 39 Indiana;
 40 (2) engage in bookmaking:
 41 (A) in Indiana; or



1 (c) "Enterprise" means:

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

6 (d) "Pattern of racketeering activity" means engaging in at least
7 two (2) incidents of racketeering activity that have the same or similar
8 intent, result, accomplice, victim, or method of commission, or that are
9 otherwise interrelated by distinguishing characteristics that are not
10 isolated incidents. However, the incidents are a pattern of racketeering
11 activity only if at least one (1) of the incidents occurred after August
12 31, 1980, and if the last of the incidents occurred within five (5) years
13 after a prior incident of racketeering activity.

17 (1) A provision of IC 23-19, or of a rule or order issued under
18 IC 23-19

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

25 (7) Kidnapping (IC 35-42-3-2).
26 (8) Human and sexual trafficking crimes (IC 35-42-3-5)

(9) Child exploitation (JC 35-42-4-4)

(10) Robbery (JC 35-42-5-1)

28 (10) Kidnapping (IC 35-42-5-1).
29 (11) Carjacking (IC 35-42-5-2) (before its repeal).

(12) Arson (JC 35-43-1-1).

31 (13) Burglary (JC 35-43-2-

32 (14) Theft (JC 35-43-4-2).

33 (15) Receiving stolen prop

34 (1), receiving their property
amendment on July 1, 2018).

35 (16) Forgery (JC 35-43-5-2).

36 (17) An offense under JC 35-43-5

37 (18) Bribery (IC 35-44.1-1-2).

38 (19) Official misconduct (JC 3)

39 (20) Conflict of interest (IC 35-44.1-1-4).

40 (21) Perjury (IC 35-44.1-2-1).

41 (22) Obstruction of justice (IC)



1 (23) Intimidation (IC 35-45-2-1).
2 (24) Promoting prostitution (IC 35-45-4-4).
3 (25) Professional gambling (IC 35-45-5-3).
4 (26) Maintaining a professional gambling site
5 (IC 35-45-5-3.5(b)).
6 (27) Promoting professional gambling (IC 35-45-5-4).
7 (28) Dealing in or manufacturing cocaine or a narcotic drug
8 (IC 35-48-4-1).
9 (29) Dealing in methamphetamine (IC 35-48-4-1.1).
10 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
11 (31) Dealing in a schedule I, II, or III controlled substance
12 (IC 35-48-4-2).
13 (32) Dealing in a schedule IV controlled substance
14 (IC 35-48-4-3).
15 (33) Dealing in a schedule V controlled substance
16 (IC 35-48-4-4).
17 (34) Dealing in marijuana, hash oil, hashish, or salvia
18 (IC 35-48-4-10).
19 (35) Money laundering (IC 35-45-15-5).
20 (36) A violation of IC 35-47.5-5.
21 (37) A violation of any of the following:
22 (A) IC 23-14-48-9.
23 (B) IC 30-2-9-7(b).
24 (C) IC 30-2-10-9(b).
25 (D) IC 30-2-13-38(f).
26 (38) Practice of law by a person who is not an attorney
27 (IC 33-43-2-1).
28 (39) An offense listed in IC 35-48-4 involving the manufacture
29 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
30 synthetic drug lookalike substance (as defined in
31 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
32 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
33 substance analog (as defined in IC 35-48-1.1-8), or a substance
34 represented to be a controlled substance (as described in
35 IC 35-48-4-4.6).
36 (40) Dealing in a controlled substance resulting in death
37 (IC 35-42-1-1.5).
38 (41) Organized retail theft (IC 35-43-4-2.2).
39 (42) **Sale of alcohol without a permit (IC 7.1-5-10-5).**
40 SECTION 44. IC 35-46-1-8, AS AMENDED BY P.L.186-2025,
41 SECTION 242, IS AMENDED TO READ AS FOLLOWS

2026

IN 1052—LS 6389/DI 137



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen
 2 (18) years of age who knowingly or intentionally encourages, aids,
 3 induces, or causes a child to commit an act of delinquency (as defined
 4 by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a
 5 Class A misdemeanor, except as provided in subsections (b) through
 6 (e).

7 (b) If the delinquent act described in subsection (a) would be a
 8 felony if committed by an adult, the offense described in subsection (a)
 9 is a felony of the same level as the delinquent act would be if
 10 committed by an adult.

11 (c) The offense described in subsection (a) is a Level 5 felony if:
 12 (1) the person committing the offense is at least twenty-one (21)
 13 years of age and knowingly or intentionally furnishes:

14 (A) an alcoholic beverage to a child in violation of
 15 IC 7.1-5-7-8 when the person committing the offense knew
 16 or reasonably should have known that the person furnished
 17 the alcoholic beverage was a child; or
 18 (B) a controlled substance (as defined in IC 35-48-1.1-7) or
 19 a drug (as defined in IC 9-13-2-49.1) in violation of Indiana
 20 law; and

21 (2) the consumption, ingestion, or use of the alcoholic beverage,
 22 controlled substance, or drug is the proximate cause of the death
 23 of any person.

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

26 (1) the person committing the offense is at least twenty-one (21)
 27 years of age;
 28 (2) the child who commits the delinquent act is less than sixteen
 29 (16) years of age; and
 30 (3) the act would be a misdemeanor if committed by an adult.

31 (e) If the person who commits the offense described in subsection
 32 (a) is at least twenty-one (21) years of age, and the child who commits
 33 the delinquent act is less than sixteen (16) years of age, the offense is:

34 (1) a Level 5 felony if the delinquent act would be a Level 6
 35 felony if committed by an adult;
 36 (2) a Level 4 felony if the delinquent act would be a Level 5
 37 felony if committed by an adult;
 38 (3) a Level 3 felony if the delinquent act would be a Level 4
 39 felony if committed by an adult;
 40 (4) a Level 2 felony if the delinquent act would be a Level 3
 41 felony if committed by an adult;



- (5) a Level 1 felony if the delinquent act would be a Level 1 or 2 felony if committed by an adult; or
- (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the delinquent act would be murder if committed by an adult.

(f) A person who refuses to provide either:

(1) the person's name, address, and date of birth; or

(2) the person's driver's license, if in the person's possession;

to a law enforcement officer who has reason to believe the person is not at least twenty-one (21) years of age and has committed an act that would not be an infraction or a misdemeanor if committed by a person twenty-one (21) years of age or older, commits a Class C misdemeanor.

SECTION 45. IC 35-46-6-3, AS AMENDED BY P.L.163-2025, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally uses or distributes nitrous oxide with intent to cause a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses of another person, unless the nitrous oxide is to be used for medical purposes, commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section.

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

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

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

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

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

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:



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