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HOUSE BILL No. 1052

Proposed Changes to introduced printing by AM105204

DIGEST OF PROPOSED AMENDMENT

Agreement with manufacturer or distributor. Allows an organization operating electronic pull tab devices to enter into an agreement with the licensed manufacturer or licensed distributor that provided the electronic pull tab system to the organization to provide, install, maintain, and service all components key to the function and operation of the electronic pull tab system. Provides that the agreement may include, with the approval of the Indiana gaming commission (commission), the provision of cash management services and operational cash required to facilitate the electronic pull tab transactions. Allows the commission to require an independent audit if the agreement includes the provision of cash management services or operational cash. Specifies enforcement actions the commission may take for the failure to accurately account for the provision of cash management services and operational cash.

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

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

1 SECTION 1. IC 4-31-2.1-5, AS ADDED BY P.L.105-2022,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 5. "Breeder" means any of the following:
4 (1) The owner or lessee of a standardbred horse's dam at the time of ~~registration with the commission~~: **breeding**.
5 (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**.
6 (3) The owner or lessee of a quarter horse's dam at the time of
7 ~~the dam's~~ registration with the commission.
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2026

IN 1052—LS 6389/DI 137



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

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

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

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

22 (1) the refusal, denial, revocation, suspension, or other penalty
 23 is in the public interest for the purpose of maintaining proper
 24 control over horse racing meetings or pari-mutuel wagering; and
 25 (2) any of the conditions listed in subsection (b) apply to the
 26 applicant or licensee.
 27 (b) The conditions referred to in subsection (a) are as follows:
 28 (1) The applicant or licensee has been convicted of a felony or
 29 misdemeanor that could compromise the integrity of racing by
 30 the applicant's or licensee's participation in racing.
 31 (2) The applicant or licensee has had a license of the legally
 32 constituted racing authority of a state, province, or country
 33 denied, suspended, or revoked for cause within the preceding
 34 five (5) years.
 35 (3) The applicant or licensee is presently under suspension for
 36 cause of a license by the legally constituted racing authority of
 37 a state, province, or country.
 38 (4) The applicant or licensee has violated or attempted to violate
 39 a provision of this article, a rule adopted by the commission, or
 40 a law or rule with respect to horse racing in a jurisdiction.
 41 (5) The applicant or licensee has perpetrated or attempted to
 42 perpetrate a fraud or misrepresentation in connection with the

2026

IN 1052—LS 6389/DI 137



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1 racing or breeding of horses or pari-mutuel wagering.

2 (6) The applicant or licensee has demonstrated financial

3 irresponsibility by accumulating unpaid obligations, defaulting

4 on obligations, or issuing drafts or checks that are dishonored or

5 not paid.

6 (7) The applicant or licensee has made a material

7 misrepresentation in an application for a license.

8 (8) The applicant or licensee has been convicted of a crime

9 involving bookmaking, touting, or similar pursuits or has

10 consorted with a person convicted of such an offense.

11 (9) The applicant or licensee has abandoned, mistreated, abused,

12 neglected, or engaged in an act of cruelty to a horse.

13 (10) The applicant or licensee has engaged in conduct that is

14 against the best interest of horse racing **or compromises the**

15 **integrity of operations at a licensed facility.**

16 (11) The applicant or licensee has failed to comply with a written

17 order or ruling of the commission or judges pertaining to a

18 racing matter.

19 (12) The applicant or licensee has failed to answer correctly

20 under oath, to the best of the applicant's or licensee's knowledge,

21 all questions asked by the commission or its representatives

22 pertaining to a racing matter.

23 (13) The applicant or licensee has failed to return to a permit

24 holder any purse money, trophies, or awards paid in error or

25 ordered redistributed by the commission.

26 (14) The applicant or licensee has had possession of an alcoholic

27 beverage on a permit holder's premises, other than a beverage

28 legally sold through the permit holder's concession operation.

29 (15) The applicant or licensee has interfered with or obstructed

30 a member of the commission, a commission employee, or a

31 racing official while performing official duties.

32 (16) The name of the applicant or licensee appears on the

33 department of state revenue's most recent tax warrant list, and

34 the person's tax warrant has not been satisfied.

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

36 (18) The applicant or licensee has racing disciplinary charges

37 pending in Indiana or another jurisdiction.

38 (19) The applicant or licensee is unqualified to perform the

39 duties required under this article or the rules of the commission.

40 (20) **The applicant or licensee made a material**

41 **misrepresentation when registering, nominating, entering, or**

42 **racing a horse as an Indiana owned horse, Indiana sired**



horse, or Indiana bred horse.

SECTION 5. IC 4-31-7-9, AS AMENDED BY P.L.32-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) After December 31, 2013, the following individuals may not wager on horse racing at a licensed facility:

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

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

(1) A member of the commission.

(2) The following individuals employed by the commission:

- (A) The executive director.
- (B) The assistant executive director.
- (C) The director of security.
- (D) The general counsel.
- (E) The deputy general counsel.
- (F) A steward.
- (G) (F) A judge.

(3) The spouse of an individual described in subdivision (1) or (2).

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

SECTION 6. IC 4-31-8-4, AS AMENDED BY P.L.168-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A permit holder shall provide an alcohol breath-testing device that is approved by the commission and operated by a person certified to use such a device. **The necessary qualifications for an individual administering a breath-testing device and the policies and procedures of the breath-testing program are subject to the approval of either the executive director of the commission or the director of security of the commission.** All drivers, jockeys, judges, starters, assistant starters, and drivers of starting gates shall submit to a breath test at each racing program in which they participate. In addition, the executive director of the commission, a member of the commission, a commission investigator, the **stewards, judges,** or the track chief of security may

2026

IN 1052—LS 6389/DI 137



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order a licensee to submit to a breath test at any time there is reason to believe the licensee may have consumed sufficient alcohol to cause the licensee to fail a breath test.

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

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

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

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

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

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

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

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

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

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

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

2026

IN 1052—LS 6389/DI 137



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(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.

SECTION 8. IC 4-31-12-6, AS AMENDED BY P.L.111-2022,

SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 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;

(2) shall approve a laboratory for the analysis of a biological 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.

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

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

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

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

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

(2) Perform an endoscopic examination on a horse the day the

2026

IN 1052—LS 6389/DI 137



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1 horse is scheduled to race.

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

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

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

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

21 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
22 (2) A temporary order or other immediate action in the nature of
23 a summary suspension where a licensee's actions constitute an
24 immediate danger to the public health, safety, or welfare.
25 (3) Suspension of a license held by the licensee for up to one (1)
26 year. The suspension of a license under this subdivision is:

27 (A) valid even though the suspension extends beyond the
28 period of the racing meeting for which the ~~stewards and~~ judges have been appointed; and
29
30 (B) effective at all other racing meetings under the
31 jurisdiction of the commission

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

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

2026

JN 1052—LS 6389/DJ 137



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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:

11 (1) deny, suspend, diminish, or revoke permits and licenses as
12 authorized by this article; and
13 (2) impose civil penalties, in addition to any other penalty
14 imposed by the commission on a person who violates this article
15 or a rule or an order of the commission.

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

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



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

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

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

(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. 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 4-32.3-5-2, AS ADDED BY P.L.58-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section does not apply to an agreement with a licensed manufacturer or distributor under section 16.7(h) of this chapter.

42 SECTION 14. IC 4-32.3-5-16.7, AS ADDED BY P.L.74-2025,

2026

IN 1052—LS 6389/DI 137



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1 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 16.7. (a) Except as provided in subsection (b), the
 3 following organizations that are qualified organizations may have
 4 electronic pull tab devices:

5 (1) A bona fide fraternal organization.
 6 (2) A bona fide veterans organization.

7 (b) An organization described in subsection (a) may operate
 8 electronic pull tab devices if the organization:

9 (1) is recognized as a veteran's organization or a fraternal
 10 organization under IC 4-32.3-2-31;
 11 (2) has been continuously operating in Indiana for a minimum of
 12 five (5) years prior to the application for an electronic pull tab
 13 endorsement; and
 14 (3) holds or obtains a valid charitable gaming license under
 15 IC 4-32.3-4.

16 (c) An organization described in subsection (a) may only operate
 17 electronic pull tab devices at a single, fixed location that is:

18 (1) the organization's:
 19 (A) primary meeting facility;
 20 (B) primary lodge hall; or
 21 (C) headquarters as identified in the organization's:
 22 (i) articles of incorporation or bylaws; and
 23 (ii) application to the commission for use of electronic
 24 pulltabs; and

25 (2) owned, leased, or controlled solely by the organization.

26 (d) The number of electronic pull tab devices permitted at any
 27 facility or location may not exceed the following:

28 (1) In the case of a facility or location with an occupancy limit of
 29 not more than ninety-nine (99) individuals, not more than three
 30 (3) electronic pull tab devices.

31 (2) In the case of a facility or location with an occupancy limit of
 32 at least one hundred (100) individuals, but not more than two
 33 hundred fifty (250) individuals, not more than five (5) electronic
 34 pull tab devices.

35 (3) In the case of a facility or location with an occupancy limit of
 36 more than two hundred fifty (250) individuals, not more than
 37 seven (7) electronic pull tab devices.

38 (e) An electronic pull tab device that is a:

39 (1) tablet must conspicuously state on the exterior of the device
 40 or case containing the device: "If you or someone you know has
 41 a gambling problem and wants help, call 1-800-9-WITH-IT."; or
 42 (2) cabinet-style or scaled down tabletop version of a cabinet



1 style device must conspicuously state on the front exterior of the
 2 device: "If you or someone you know has a gambling problem
 3 and wants help, call 1-800-9-WITH-IT.".

4 (f) An organization operating electronic pull tabs under this
 5 section may not:

6 (1) enter into a partnership, a joint venture, or an agreement with
 7 another entity to conduct electronic pull tab gaming outside of
 8 the single, fixed location as set forth in subsection (c); and
 9 (2) establish additional locations for the operation of electronic
 10 pull tabs, either directly or indirectly, including:

11 (A) establishing a secondary facility for gaming;
 12 (B) partnering with another organization or entity to expand
 13 gaming operations beyond the allowed number of devices
 14 set forth in subsection (d); and
 15 (C) leasing, licensing, or subleasing gaming rights to a third
 16 party.

17 (g) An organization operating electronic pull tabs under this
 18 section must also conduct paper pull tab games.

19 (h) An organization operating electronic pull tab devices under
 20 this section may enter into an agreement with the licensed
 21 manufacturer or licensed distributor that provided the electronic
 22 pull tab system to the organization to provide, install, maintain,
 23 and service all components key to the function and operation of the
 24 electronic pull tab system. An agreement under this subsection
 25 may, if approved by the commission, include the provision of cash
 26 management services and operational cash required to facilitate
 27 the electronic pull tab transactions. If an agreement under this
 28 subsection includes the provision of cash management services or
 29 operational cash, the commission may require the qualified
 30 organization, licensed manufacturer, or licensed distributor to
 31 submit any records maintained concerning the provision of cash
 32 management services or operational cash for an independent audit
 33 by a certified public accountant selected by the commission, the
 34 cost of which must be paid by the qualified organization, licensed
 35 manufacturer, or licensed distributor.

36 (h) (i) If an organization violates this section, the gaming
 37 commission may:

38 (1) suspend or revoke the organization's charity gaming license;
 39 and
 40 (2) order that all gaming revenue earned as a result of a violation
 41 of this section shall be paid to the commission as a fine.

42 SECTION 15. IC 4-32.3-8-1, AS AMENDED BY P.L. 74-2025,



1 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2026]: Sec. 1. (a) The commission may suspend or revoke the
 3 license of or levy a civil penalty against a qualified organization, a
 4 manufacturer, a distributor, or an individual under this article for any
 5 of the following:

6 (1) Violation of:

7 (A) a provision of this article, IC 35-45-5-3, IC 35-45-5-3.5,
 8 IC 35-45-5-4, or a rule of the commission; or

9 (B) any other local ordinance, state or federal statute, or
 10 administrative rule or regulation that would cause the
 11 commission to determine that the person is not of good
 12 moral character or reputation.

13 (2) Failure to accurately account for a licensed supply.

14 (3) Failure to accurately account for sales proceeds from an
 15 event or activity licensed or permitted under this article.

16 (4) Commission of a fraud, deceit, or misrepresentation.

17 (5) Conduct prejudicial to public confidence in the commission.

18 (6) Failure to ensure the integrity of charitable gaming in
 19 Indiana.

20 (7) Sale or lease of an electronic pull tab device or electronic
 21 pull tab system that has not been approved by the commission
 22 for use under this article.

23 **(8) Failure to accurately account for the provision of cash**
 24 **management services and operational cash under an**
 25 **agreement approved by the commission under**
 26 **IC 4-32.3-5-16.7(h).**

27 (b) If a violation is of a continuing nature, the commission may
 28 impose a civil penalty upon a licensee or an individual for each day the
 29 violation continues.

30 (c) For purposes of subsection (a), a finding that a person has
 31 violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be
 32 supported by a preponderance of the evidence.

33 1 SECTION 1~~33~~30. IC 4-33-4-3, AS AMENDED BY
 34 P.L.93-2024, SECTION 30, IS AMENDED TO READ AS FOLLOWS

35 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The commission shall do the
 36 following:

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

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

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

42 (2) Conduct all hearings concerning civil violations of this



1 article.

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

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

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

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

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

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

14 (B) Receive complaints from the public.

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

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

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

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

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

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

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

38 (4) That the list of patrons entering the voluntary exclusion
 39 program and the personal information of the participants are
 40 confidential and may only be disseminated by the commission to
 41 the owner or operator of a facility under the jurisdiction of the
 42 commission **and to a certificate holder licensed under**



1 **IC 4-38** ~~↔~~ [1] for purposes of enforcement and to other entities,
 2 upon request by the participant and agreement by the
 3 commission.

4 (5) That an owner of a facility under the jurisdiction of the
 5 commission **and a certificate holder licensed under IC 4-38** ~~↔~~
 6 ~~↔~~ [1] shall make all reasonable attempts as determined by the
 7 commission to cease all direct marketing efforts to a person
 8 participating in the program.

9 (6) That an owner of a facility under the jurisdiction of the
 10 commission **and a certificate holder licensed under IC 4-38** ~~↔~~
 11 ~~↔~~ [1] may not cash the check of a person participating in the
 12 program or extend credit to the person in any manner. However,
 13 the voluntary exclusion program does not preclude an owner **or**
 14 **a certificate holder** from seeking the payment of a debt accrued
 15 by a person before entering the program.

16 SECTION 1 ~~↔~~ [7]. IC 4-33-10-7 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) **As used in this section,**
 19 **"sweepstakes game"** means a game, contest, or promotion that is
 20 **available on the Internet and is accessible on a mobile phone,**
 21 **computer terminal, or similar access device that:**

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

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

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

33 (1) in Indiana; or

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

36 SECTION 1 ~~↔~~ [8]. IC 4-33-18 IS REPEALED [EFFECTIVE
 37 JULY 1, 2026]. (Indiana Department of Gaming Research).

38 SECTION 1 ~~↔~~ [9]. IC 7.1-1-3-8.5 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. "Certificate" means
 40 a **retail or wholesale** tobacco sales certificate for purposes of
 41 IC 7.1-3-18.5.

42 SECTION ~~↔~~ [20]. IC 7.1-1-3-27.5 IS ADDED TO THE



1 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2026]: Sec. 27.5. "Organized sporting
 3 competition" means a sporting event sanctioned by a recognized
 4 governing or regulatory body.

5 SECTION ~~28~~²¹ IC 7.1-1-3-45.7 IS ADDED TO THE
 6 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2026]: Sec. 45.7. "Sports arena" means an
 8 indoor or outdoor facility where the main purpose and function of
 9 the facility is organized sporting competition. The term does not
 10 include:

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

15 SECTION ~~29~~²² IC 7.1-1-3-48.7 IS ADDED TO THE
 16 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 48.7. "Wholesale" means the
 18 business of selling, bartering, exchanging, or distributing tobacco
 19 products or electronic cigarettes to certificate holders in Indiana
 20 for the purpose of resale.

21 SECTION 2~~2~~³ IC 7.1-2-1-8 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. Bond and Oath of
 23 Office: Each commissioner shall execute a surety bond in the amount
 24 of ten thousand dollars (\$10,000), with surety approved by the
 25 governor, and an oath of office, both of which shall be filed in the
 26 office of the secretary of state.

27 SECTION 2~~2~~⁴ IC 7.1-2-1-9 IS REPEALED [EFFECTIVE
 28 JULY 1, 2026]. Sec. 9. Surety Bonds: The required surety bond
 29 executed and filed on behalf of a commissioner, an enforcement
 30 officer, or the prosecutor shall be made payable to the State of Indiana
 31 and conditioned upon the faithful discharge of the bonded party's
 32 respective duties.

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

39 SECTION 2~~2~~⁶ IC 7.1-2-2-10 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. Enforcement
 41 Officers: Bond and Oath of Office: Each enforcement officer shall
 42 execute a surety bond in the amount of one thousand dollars (\$1,000),



1 with surety approved by the commission; and an oath of office, both of
 2 which shall be filed with the executive secretary of the commission.

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

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

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

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

19 (e) If:

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

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

29 SECTION 2~~5~~[8]. IC 7.1-3-1.5-1, AS AMENDED BY
 30 P.L.163-2025, SECTION 11, IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this
 32 chapter, "alcohol server" means the following:

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

35 (A) a manager;
 36 (B) a bartender;

37 (C) a waiter or a waitress; or

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



1 **into the licensed premises is** ~~→~~ L **restricted to those**
 2 **individuals 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 ~~2~~ [9]. IC 7.1-3-18.5-1, AS AMENDED BY
 11 P.L.32-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person may not sell or
 13 otherwise distribute in exchange for consideration a tobacco product or
 14 electronic cigarette at retail **or wholesale** without a valid tobacco sales
 15 certificate 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~~ [30]. IC 7.1-3-18.5-1.5 IS ADDED TO THE
 24 INDIANA 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~~ [31]. IC 7.1-3-18.5-2, AS AMENDED BY
 35 P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person who desires a
 37 certificate must 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).

42 (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

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

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

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



1 **or revocation** of the certificate.

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

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

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

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

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

12 SECTION ~~29~~^[32]. IC 7.1-3-18.5-2.4, AS ADDED BY
13 P.L.107-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2026]: Sec. 2.4. (a) Subject to available
15 resources, the commission shall not issue a tobacco sales certificate
16 except as otherwise authorized in this title and subject to the other
17 restrictions contained in this title, to the following persons:

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

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

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

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

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

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

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

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

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

36 (i) at the time of the application for a certificate; and
37 (ii) for the duration of the period in which the person
38 sells or distributes in the manner described in section
39 1 of this chapter.

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

41 (i) that owns the premises to which the certificate will
42 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 **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 3-~~3~~[3]. 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 3~~4~~4. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission under this chapter must contain the following information:

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

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

42

2026

IN 1052—LS 6389/DI 137



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- (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.

9 SECTION 3~~↔~~[5]. IC 7.1-3-18.5-5.1 IS ADDED TO THE
10 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2026]: Sec. 5.1. If a retail location's retail
12 tobacco sales certificate is suspended or revoked, the commission
13 shall not renew or grant a new retail tobacco sales certificate for
14 the retail location until the retail location's application has been
15 investigated and recommended for approval by the local board.

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

20 (1) driver's license issued by the state of Indiana or another state;
21 or
22 (2) identification card issued by the state of Indiana, another
23 state, or the United States;
24 to sell tobacco products.

28 (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;

or law enforcement,
when selling tobacco products

37 because:

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

40 (2) the license, identification card, or copy has otherwise been

42 the employee may, within five (5) days of the employee's inability to



1 show the license, identification card, or copy to the excise officer,
 2 produce to the excise officer or to the office of the commission
 3 satisfactory evidence of a license or identification card issued to the
 4 individual that was valid at the time the individual was unable to show
 5 the license, identification card, or copy.

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

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

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

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

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

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

22 SECTION 3~~4~~7. IC 7.1-5-6-3, AS AMENDED BY
 23 P.L.32-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) It is unlawful for a person to
 25 act as a clerk in a package liquor store, or as a bartender, waiter,
 26 waitress, **security, bouncer**, or manager for a retailer permittee unless
 27 that person has applied for and been issued the appropriate permit. This
 28 section does not apply to dining car or boat employees, to a person
 29 described in IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d).
 30 A person who knowingly or intentionally violates this subsection
 31 commits a Class C infraction. However, the violation is a Class B
 32 misdemeanor if the person has a prior unrelated adjudication or
 33 conviction for a violation of this section within the previous five (5)
 34 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 3~~5~~8. IC 7.1-5-7-11, AS AMENDED BY
 3 P.L.163-2025, SECTION 47, IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The provisions
 5 of sections 9 and 10 of this chapter shall not apply if the public place
 6 involved is one (1) of the 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
 42 beverages are sold or dispensed by the drink.



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

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

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

(28) A farm winery and any additional locations of the farm winery under IC 7.1-3-12, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age and the minor is accompanied by the adult in any area that the adult may be present whether or not the area:

- (A) is separated in any manner from where the wine is manufactured, sold, or consumed within the farm winery premises; or
- (B) operates under a retailer's permit.

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

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

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

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

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

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

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

2026

IN 1052—LS 6389/DI 137



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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 3~~9~~[9]. 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 ~~47~~⁴⁰, 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, evidenced by virtue of being an owner, driver, veterinarian, trainer, or breeder.



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

4 SECTION ~~38~~^[41]. IC 35-31.5-2-320.5 IS ADDED TO THE
 5 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2026]: Sec. 320.5. "Sweepstakes game", for
 7 purposes of IC 35-45-5, has the meaning set forth in
 8 IC 35-45-5-1(j).

9 SECTION ~~39~~^[42]. IC 35-31.5-2-336, AS ADDED BY
 10 P.L.114-2012, SECTION 67, IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 336. "Tournament", for
 12 purposes of IC 35-45-5, has the meaning set forth in ~~IC 35-45-5-1(j)~~^[43]
 13 ~~IC 35-45-5-1(k)~~.

14 SECTION 4~~4~~^[3]. IC 35-31.5-2-337, AS ADDED BY
 15 P.L.114-2012, SECTION 67, IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 337. "Toy crane
 17 machine", for purposes of IC 35-45-5, has the meaning set forth in
 18 ~~IC 35-45-5-1(k)~~^[44]~~IC 35-45-5-1(l)~~.

19 SECTION 4~~4~~^[4]. IC 35-45-5-1, AS AMENDED BY
 20 P.L.3-2008, SECTION 252, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section
 22 apply throughout this chapter.

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

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

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

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

39 (4) It is a video game machine or device operated for
 40 consideration to play poker, blackjack, any other card game,
 41 keno, or any simulation or variation of these games, including
 42 any game in which numerals, numbers, pictures, representations,



1 or symbols are used as an equivalent or substitute for the cards
 2 used in these games.

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

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

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

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

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

19 (e) "Gambling device" means:

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

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

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

29 (4) a policy ticket or wheel; or

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

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

36 (f) "Gambling information" means:

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

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

40 (g) "Interactive computer service" means an Internet service, an
 41 information service, a system, or an access software provider that
 42 provides or enables computer access to a computer served by multiple



1 users. The term includes the following:

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

4 (2) A system operated or services offered by a library, school,
5 state educational institution, or private postsecondary
6 educational institution.

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

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

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

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

19 (2) simulates casino-style gaming, including slot machines,
20 video poker, table games, lottery games, bingo, and sports
21 wagering.

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

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

26 (A) video golf machine; or

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

29 on which the entrant will compete;

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

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

34 (f) (l) "Toy crane machine" means a device that is used to lift
35 prizes from an enclosed space by manipulating a mechanical claw.

36 (f) (m) For purposes of this chapter:

37 (1) a card game; or

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

39 is a game of chance and may not be considered a bona fide contest of
40 skill.

41 (f) (n) In the application of the definition of gambling set forth in
42 subsection (d), the payment of consideration to participate in a



1 tournament conducted on:

2 (1) video golf games; or

3 (2) pinball machines and similar amusement devices that award

4 no prizes other than to mechanically confer an immediate and

5 unrecorded right to replay on players that is presumed to be

6 without value under this section;

7 is not considered gambling even if the value of a prize awarded in the

8 course of the tournament exceeds the amount of the player's

9 consideration.

10 SECTION 4~~2~~5. IC 35-45-5-3, AS AMENDED BY

11 P.L.158-2013, SECTION 531, IS AMENDED TO READ AS

12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who

13 knowingly or intentionally:

14 (1) engages in pool-selling;

15 (2) engages in bookmaking;

16 (3) maintains, in a place accessible to the public, slot machines,

17 one-ball machines or variants thereof, pinball machines that

18 award anything other than an immediate and unrecorded right of

19 replay, roulette wheels, dice tables, or money or merchandise

20 pushcards, punchboards, jars, or spindles;

21 (4) conducts lotteries or policy or numbers games or sells

22 chances therein;

23 (5) conducts any banking or percentage games played with cards,

24 dice, or counters, or accepts any fixed share of the stakes therein;

25 or

26 (6) accepts, or offers to accept, for profit, money, or other

27 property risked in gambling;

28 commits professional gambling, a Level 6 felony. However, the offense

29 is a Level 5 felony if the person has a prior unrelated conviction under

30 this subsection.

31 (b) An operator who knowingly or intentionally uses the Internet

32 to:

33 (1) engage in pool-selling:

34 (A) in Indiana; or

35 (B) in a transaction directly involving a person located in

36 Indiana;

37 (2) engage in bookmaking:

38 (A) in Indiana; or

39 (B) in a transaction directly involving a person located in

40 Indiana;

41 (3) maintain, on an Internet site a website accessible to residents

42 of Indiana, the equivalent of:

2026

IN 1052—LS 6389/DI 137



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1 (A) slot machines;
2 (B) one-ball machines or variants of one-ball machines;
3 (C) pinball machines that award anything other than an
4 immediate and unrecorded right of replay;
5 (D) roulette wheels;
6 (E) dice tables; or
7 (F) money or merchandise pushcards, punchboards, jars, or
8 spindles;

9 (4) conduct lotteries or policy or numbers games or sell chances
10 in lotteries or policy or numbers games:
11 (A) in Indiana; or
12 (B) in a transaction directly involving a person located in
13 Indiana;

14 (5) conduct any banking or percentage games played with the
15 computer equivalent of cards, dice, or counters, or accept any
16 fixed share of the stakes in those games:
17 (A) in Indiana; or
18 (B) in a transaction directly involving a person located in
19 Indiana; or

20 (6) accept, or offer to accept, for profit, money or other property
21 risked in gambling:
22 (A) in Indiana; or
23 (B) in a transaction directly involving a person located in
24 Indiana; or

25 (7) **conduct a sweepstakes game:**
26 (A) **in Indiana; or**
27 (B) **in a transaction directly involving a person located**
28 **in Indiana;**

29 commits professional gambling over the Internet, a Level 6 felony.

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

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

38 (c) "Enterprise" means:
39 (1) a sole proprietorship, corporation, limited liability company,
40 partnership, business trust, or governmental entity; or
41 (2) a union, an association, or a group, whether a legal entity or
42 merely associated in fact.

2026

IN 1052—LS 6389/DI 137



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- (1) A provision of IC 23-19, or of a rule or order issued under IC 23-19.
- (2) A violation of IC 35-45-9.
- (3) A violation of IC 35-47.
- (4) A violation of IC 35-49-3.
- (5) Murder (IC \leftrightarrow [] 35-42-1-1).
- (6) Battery as a Class C felony before July 1, 2014, or a Level 5 felony after June 30, 2014 (IC \leftrightarrow [] 35-42-2-1).
- (7) Kidnapping (IC \leftrightarrow [] 35-42-3-2).
- (8) Human and sexual trafficking crimes (IC \leftrightarrow [] 35-42-3.5).
- (9) Child exploitation (IC \leftrightarrow [] 35-42-4-4).
- (10) Robbery (IC \leftrightarrow [] 35-42-5-1).
- (11) Carjacking (IC \leftrightarrow [] 35-42-5-2) (before its repeal).
- (12) Arson (IC \leftrightarrow [] 35-43-1-1).
- (13) Burglary (IC \leftrightarrow [] 35-43-2-1).
- (14) Theft (IC \leftrightarrow [] 35-43-4-2).
- (15) Receiving stolen property (IC \leftrightarrow [] 35-43-4-2) (before its amendment on July 1, 2018).
- (16) Forgery (IC \leftrightarrow [] 35-43-5-2).
- (17) An offense under IC 35-43-5.
- (18) Bribery (IC \leftrightarrow [] 35-44.1-1-2).
- (19) Official misconduct (IC \leftrightarrow [] 35-44.1-1-1).
- (20) Conflict of interest (IC \leftrightarrow [] 35-44.1-1-4).
- (21) Perjury (IC \leftrightarrow [] 35-44.1-2-1).
- (22) Obstruction of justice (IC \leftrightarrow [] 35-44.1-2-2).
- (23) Intimidation (IC \leftrightarrow [] 35-45-2-1).
- (24) Promoting prostitution (IC \leftrightarrow [] 35-45-4-4).
- (25) Professional gambling (IC \leftrightarrow [] 35-45-5-3).
- (26) Maintaining a professional gambling site (IC \Rightarrow [] 35-45-5-3.5(b)).
- (27) Promoting professional gambling (IC \leftrightarrow [] 35-45-5-4).

2026

IN 1052—LS 6389/DI 137



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1 (28) Dealing in or manufacturing cocaine or a narcotic drug (IC<
 2 **35-48-4-1).**

3 (29) Dealing in methamphetamine (IC<**35-48-4-1.1).**

4 (30) Manufacturing methamphetamine (IC<**35-48-4-1.2).**

5 (31) Dealing in a schedule I, II, or III controlled substance (IC<
 6 **35-48-4-2).**

7 (32) Dealing in a schedule IV controlled substance (IC<
 8 **35-48-4-3).**

9 (33) Dealing in a schedule V controlled substance (IC<
 10 **35-48-4-4).**

11 (34) Dealing in marijuana, hash oil, hashish, or salvia (IC<
 12 **35-48-4-10).**

13 (35) Money laundering (IC<**35-45-15-5).**

14 (36) A violation of IC 35-47.5-5.

15 (37) A violation of any of the following:
 16 (A) IC 23-14-48-9.
 17 (B) IC 30-2-9-7(b).
 18 (C) IC 30-2-10-9(b).
 19 (D) IC 30-2-13-38(f).

20 (38) Practice of law by a person who is not an attorney (IC<
 21 **33-43-2-1).**

22 (39) An offense listed in IC 35-48-4 involving the manufacture
 23 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
 24 synthetic drug lookalike substance (as defined in
 25 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
 26 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
 27 substance analog (as defined in IC 35-48-1.1-8), or a substance
 28 represented to be a controlled substance (as described in
 29 IC 35-48-4-4.6).

30 (40) Dealing in a controlled substance resulting in death (IC<
 31 **35-42-1-1.5).**

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

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

34 SECTION 4**7**. IC 35-46-1-8, AS AMENDED BY
 35 P.L.186-2025, SECTION 242, IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least
 37 eighteen (18) years of age who knowingly or intentionally encourages,
 38 aids, induces, or causes a child to commit an act of delinquency (as
 39 defined by IC 31-37-1 or IC 31-37-2) commits contributing to
 40 delinquency, a Class A misdemeanor, except as provided in
 41 subsections (b) through (e).

42 (b) If the delinquent act described in subsection (a) would be a



1 felony if committed by an adult, the offense described in subsection (a)
 2 is a felony of the same level as the delinquent act would be if
 3 committed by an adult.

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

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

14 (2) the consumption, ingestion, or use of the alcoholic beverage,
 15 controlled substance, or drug is the proximate cause of the death
 16 of any person.

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

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

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

27 (1) a Level 5 felony if the delinquent act would be a Level 6
 28 felony if committed by an adult;
 29 (2) a Level 4 felony if the delinquent act would be a Level 5
 30 felony if committed by an adult;
 31 (3) a Level 3 felony if the delinquent act would be a Level 4
 32 felony if committed by an adult;
 33 (4) a Level 2 felony if the delinquent act would be a Level 3
 34 felony if committed by an adult;
 35 (5) a Level 1 felony if the delinquent act would be a Level 1 or
 36 2 felony if committed by an adult; or
 37 (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the
 38 delinquent act would be murder if committed by an adult.

39 (f) **A person who refuses to provide either:**

40 (1) **the person's name, address, and date of birth; or**
 41 (2) **the person's driver's license, if in the person's possession;**
 42 **to a law enforcement officer who has reason to believe the person**



1 **is not at least twenty-one (21) years of age and has committed an**
 2 **act that would not be an infraction or a misdemeanor if committed**
 3 **by a person twenty-one (21) years of age or older, commits a Class**
 4 **C misdemeanor.**

5 SECTION 4~~5~~8. IC 35-46-6-3, AS AMENDED BY
 6 P.L.163-2025, SECTION 68, IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who
 8 knowingly or intentionally uses or distributes nitrous oxide with intent
 9 to cause a condition of intoxication, euphoria, excitement, exhilaration,
 10 stupefaction, or dulling of the senses of another person, unless the
 11 nitrous oxide is to be used for medical purposes, commits a Class B
 12 misdemeanor. However, the offense is a Class A misdemeanor if the
 13 person has a prior unrelated conviction under this section.

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

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

- 21 (1) a retail or wholesale restaurant supply company that sells or
 22 distributes flavored nitrous oxide to a person for use in food and
 23 beverage preparation or other culinary purposes; **or**
- 24 (2) a person that uses flavored nitrous oxide in food and
 25 beverage recipes or for other legitimate culinary purposes; **or**
- 26 **(3) a law enforcement agency that is disposing of flavored**
 27 **nitrous oxide by donation to a nonprofit organization.**

