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# HOUSE BILL No. 1052

**AM105205 has been incorporated into introduced printing.**

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**Synopsis:** Various administrative law matters.

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2026

IN 1052—LS 6389/DI 137



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Introduced

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

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

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

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

## HOUSE BILL No. 1052

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

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

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

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

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

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

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

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1       **individual who:**

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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1 licensee to fail a breath test.

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

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

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

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

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

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

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

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

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

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

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

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

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



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.

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.2013-2013,  
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

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 4-33-18 IS REPEALED [EFFECTIVE JULY 1,  
 16 2026]. (Indiana Department of Gaming Research).

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

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

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

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

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



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

7           SECTION 20. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY  
 8           1, 2026]. Sec. 9. ~~Surety Bonds~~: The required surety bond executed and  
 9           filed on behalf of a commissioner, an enforcement officer, or the  
 10           prosecutor shall be made payable to the State of Indiana and  
 11           conditioned upon the faithful discharge of the bonded party's respective  
 12           duties.

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

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

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

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

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

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

41           (e) If:



1                     (1) the commission is unable to procure advertising of a notice  
 2                     as required under subsection (a) at the rates set forth in IC 5-3-1;  
 3                     or  
 4                     (2) the newspaper published in the county as described in  
 5                     subsection (a) refuses to publish the notice;  
 6                     the commission may, instead of publication in a newspaper as required  
 7                     under subsection (a), require the designated member of the local board  
 8                     of the county to post printed notices in three (3) prominent locations in  
 9                     the county.

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

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

16                         (A) a manager;  
 17                         (B) a bartender;  
 18                         (C) a waiter or a waitress; or  
 19                         (D) **except for a current or retired law enforcement**  
 20                         **officer, a contractor or an employee responsible for**  
 21                         **examining an individual's identification to determine the**  
 22                         **individual's age, including controlling the entry of**  
 23                         **individuals to a licensed premises at a time when entry**  
 24                         **into the licensed premises is restricted to those individuals**  
 25                         **at least twenty-one (21) years of age.**

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

28                         (A) manager; or  
 29                         (B) sales clerk.

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

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

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

41                         (1) A premises consisting of a permanent building or structure,



1                   **that does not contain sleeping or living quarters**, where the  
 2                   tobacco product or electronic cigarette is sold or distributed.

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

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

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

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

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

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

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

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

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

29                   (6) If the applicant is applying for a new certificate under section  
 30                   3.2 of this chapter, a copy of each of the following:

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

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

36                   (i) the sales or purchase agreement; or

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

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



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

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

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

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

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

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

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

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

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

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

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

42                   (1) A person who does not have lawful status (as defined in



1                   IC 9-13-2-92.3).

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

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

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

8                   (C) a crime in a state other than Indiana having a penalty  
9                   equal to the penalty for an Indiana Level 1, Level 2, Level  
10                  3, Level 4, or Level 5 felony.

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

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

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

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

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

19                   (ii) for the duration of the period in which the person  
20                  sells or distributes in the manner described in section  
21                  1 of this chapter.

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

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

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

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

31                  (5) A minor.

32                  (6) A person non compos mentis.

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

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

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

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

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

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

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

(c) A wholesale tobacco sales certificate is:

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

(2) nontransferable.

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

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



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

9 (1) either:

(A) in the employee's possession; or

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

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

14 when selling tobacco products.

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

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

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

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



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

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

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

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

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

- 29                   (1) Civic center.
- 30                   (2) Convention center.
- 31                   (3) Sports arena.
- 32                   (4) Bowling center.
- 33                   (5) Bona fide club.
- 34                   (6) Drug store.
- 35                   (7) Grocery store.
- 36                   (8) Boat.
- 37                   (9) Dining car.
- 38                   (10) Pullman car.
- 39                   (11) Club car.
- 40                   (12) Passenger airplane.
- 41                   (13) Horse racetrack facility holding a recognized meeting



1                    permit under IC 4-31-5.

2                    (14) Satellite facility (as defined in IC 4-31-2.1-36).

3                    (15) Catering hall under IC 7.1-3-20-24 that is not open to the

4                    public.

5                    (16) That part of a restaurant which is separate from a room in

6                    which is located a bar over which alcoholic beverages are sold

7                    or dispensed by the drink.

8                    (17) Entertainment complex.

9                    (18) Indoor golf facility.

10                   (19) A recreational facility such as a golf course, bowling center,

11                   or similar facility that has the recreational activity and not the

12                   sale of food and beverages as the principal purpose or function

13                   of the person's business.

14                   (20) A licensed premises owned or operated by a postsecondary

15                   educational institution described in IC 21-17-6-1.

16                   (21) An automobile racetrack.

17                   (22) An indoor theater under IC 7.1-3-20-26.

18                   (23) A senior residence facility campus (as defined in

19                   IC 7.1-3-1-29(c)) at which alcoholic beverages are given or

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

21                   (24) A hotel other than a part of a hotel that is a room in a

22                   restaurant in which a bar is located over which alcoholic

23                   beverages are sold or dispensed by the drink.

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

25                   applies.

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

27                   applies.

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

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

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

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

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

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

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

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

36                   not the area:

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

38                        manufactured, sold, or consumed within the farm winery

39                        premises; or

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

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



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

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

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

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

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

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

(B) operates under 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



1                   seated at a table or booth in the bar area and shall not be seated  
 2                   at the bar over which alcoholic beverages are sold or dispensed  
 3                   by the drink.

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

- 8                   (1) A provision of this title.
- 9                   (2) A rule or regulation of the commission adopted in the  
 10                   administration of this title.
- 11                   **(3) An order of the commission to suspend or revoke a  
 12                   permit or certificate issued under this title.**

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

- 17                   (1) The chairman of the Indiana horse racing commission, or the  
 18                   chairman's designee, is an ex officio member.
- 19                   (2) Two (2) members who are ~~members of county fair boards~~  
 20                   **racing participants**, appointed by the governor.
- 21                   (3) Four (4) members appointed by the governor who have in the  
 22                   past participated or shown an interest in the standardbred  
 23                   industry. This interest may, but does not necessarily have to be,  
 24                   evidenced by virtue of being an owner, driver, veterinarian,  
 25                   trainer, or breeder.

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

29                   SECTION 37. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,  
 30                   SECTION 240, IS AMENDED TO READ AS FOLLOWS  
 31                   [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
 32                   apply throughout this chapter.

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

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



- (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 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 35-42-2-1).
- (7) Kidnapping (IC 35-42-3-2).
- (8) Human and sexual trafficking crimes (IC 35-42-3.5).
- (9) Child exploitation (IC 35-42-4-4).
- (10) Robbery (IC 35-42-5-1).
- (11) Carjacking (IC 35-42-5-2) (before its repeal).
- (12) Arson (IC 35-43-1-1).
- (13) Burglary (IC 35-43-2-1).
- (14) Theft (IC 35-43-4-2).
- (15) Receiving stolen property (IC 35-43-4-2) (before its amendment on July 1, 2018).
- (16) Forgery (IC 35-43-5-2).
- (17) An offense under IC 35-43-5.
- (18) Bribery (IC 35-44.1-1-2).
- (19) Official misconduct (IC 35-44.1-1-1).
- (20) Conflict of interest (IC 35-44.1-1-4).
- (21) Perjury (IC 35-44.1-2-1).
- (22) Obstruction of justice (IC 35-44.1-2-2).
- (23) Intimidation (IC 35-45-2-1).
- (24) Promoting prostitution (IC 35-45-4-4).
- (25) Professional gambling (IC 35-45-5-3).
- (26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)).

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**DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY**

1 (27) Promoting professional gambling (IC 35-45-5-4).  
2 (28) Dealing in or manufacturing cocaine or a narcotic drug  
3 (IC 35-48-4-1).  
4 (29) Dealing in methamphetamine (IC 35-48-4-1.1).  
5 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).  
6 (31) Dealing in a schedule I, II, or III controlled substance  
7 (IC 35-48-4-2).  
8 (32) Dealing in a schedule IV controlled substance  
9 (IC 35-48-4-3).  
10 (33) Dealing in a schedule V controlled substance  
11 (IC 35-48-4-4).  
12 (34) Dealing in marijuana, hash oil, hashish, or salvia  
13 (IC 35-48-4-10).  
14 (35) Money laundering (IC 35-45-15-5).  
15 (36) A violation of IC 35-47.5-5.  
16 (37) A violation of any of the following:  
17 (A) IC 23-14-48-9.  
18 (B) IC 30-2-9-7(b).  
19 (C) IC 30-2-10-9(b).  
20 (D) IC 30-2-13-38(f).  
21 (38) Practice of law by a person who is not an attorney  
22 (IC 33-43-2-1).  
23 (39) An offense listed in IC 35-48-4 involving the manufacture  
24 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a  
25 synthetic drug lookalike substance (as defined in  
26 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under  
27 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled  
28 substance analog (as defined in IC 35-48-1.1-8), or a substance  
29 represented to be a controlled substance (as described in  
30 IC 35-48-4-4.6).  
31 (40) Dealing in a controlled substance resulting in death  
32 (IC 35-42-1-1.5).  
33 (41) Organized retail theft (IC 35-43-4-2.2).  
34 **(42) Sale of alcohol without a permit (IC 7.1-5-10-5).**  
35 SECTION 38. IC 35-46-1-8, AS AMENDED BY P.L.186-2025,  
36 SECTION 242, IS AMENDED TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen  
38 (18) years of age who knowingly or intentionally encourages, aids,  
39 induces, or causes a child to commit an act of delinquency (as defined  
40 by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a  
41 Class A misdemeanor, except as provided in subsections (b) through

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1 (e).

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

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

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

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

23 (2) the child who commits the delinquent act is less than sixteen  
24 (16) years of age; and  
25 (3) the child is between the ages of fifteen and sixteen.

35 (4) a Level 2 felony if the delinquent act would be a Level 3  
36 felony if committed by an adult;

37 (5) a Level 1 felony if the delinquent act would be a Level 1 or  
38 2 felony if committed by an adult; or

39 (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the  
40 delinquent act would be murder if committed by an adult.

41 (f) A person who refuses to provide either:

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8 SECTION 39. IC 35-46-6-3, AS AMENDED BY P.L.163-2025,  
9 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally  
11 uses or distributes nitrous oxide with intent to cause a condition of  
12 intoxication, euphoria, excitement, exhilaration, stupefaction, or  
13 dulling of the senses of another person, unless the nitrous oxide is to be  
14 used for medical purposes, commits a Class B misdemeanor. However,  
15 the offense is a Class A misdemeanor if the person has a prior  
16 unrelated conviction under this section.

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

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

26 beverage preparation or other culinary purposes, or  
27 (2) a person that uses flavored nitrous oxide in food and

28 beverage recipes or for other legitimate culinary purposes; **or**  
29 **(3) a law enforcement agency that is disposing of flavored**  
30 **nitrous oxide by donation to a nonprofit organization.**

