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## HOUSE BILL No. 1052

AM105206 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:  
4 (1) The owner or lessee of a standardbred horse's dam at the time  
5 of ~~registration with the commission.~~ **breeding.**  
6 (2) The owner or lessee of a thoroughbred horse's dam at the  
7 time of ~~registration with the commission.~~ **foaling for**  
8 **thoroughbreds. The commission shall recognize the breeder**  
9 **of a horse as the person designated as such on the Jockey**  
10 **Club Certificate of Registration for the horse.**  
11 (3) The owner or lessee of a quarter horse's dam at the time of  
12 **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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**individual who:**

**(1) is licensed by the commission; and**

**(2) serves as a judge or steward at a licensed facility.**

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

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

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

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

- (1) The applicant or licensee has been convicted of a felony or misdemeanor that could compromise the integrity of racing by the applicant's or licensee's participation in racing.
- (2) The applicant or licensee has had a license of the legally constituted racing authority of a state, province, or country denied, suspended, or revoked for cause within the preceding five (5) years.
- (3) The applicant or licensee is presently under suspension for cause of a license by the legally constituted racing authority of a state, province, or country.
- (4) The applicant or licensee has violated or attempted to violate a provision of this article, a rule adopted by the commission, or a law or rule with respect to horse racing in a jurisdiction.
- (5) The applicant or licensee has perpetrated or attempted to perpetrate a fraud or misrepresentation in connection with the racing or breeding of horses or pari-mutuel wagering.
- (6) The applicant or licensee has demonstrated financial irresponsibility by accumulating unpaid obligations, defaulting



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

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

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

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

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

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

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

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

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

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

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

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

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

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

**(20) The applicant or licensee made a material misrepresentation when registering, nominating, entering, or 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



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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).~~

~~(b) (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 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

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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.

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 horse is scheduled to race.

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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.

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(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.

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

(1) deny, suspend, diminish, or revoke permits and licenses as authorized by this article; and

(2) impose civil penalties, in addition to any other penalty imposed by the commission on a person who violates this article or a rule or an order of the commission.

(b) The commission or the commission's designee, as determined under the rules of the commission, on its own motion or in addition to a penalty assessed by the ~~stewards and judges~~, may issue orders under IC 4-21.5 to rule a person off one (1) or more permit holders' premises, if necessary in the public interest to maintain proper control over recognized meetings.

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

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

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

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

(2) A temporary order or other immediate action in the nature of a summary suspension if a licensee's actions constitute an

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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.



- 1 (3) Provide for the establishment and collection of license fees
- 2 and taxes imposed under this article.
- 3 (4) Deposit the license fees and taxes in the state gaming fund
- 4 established by IC 4-33-13.
- 5 (5) Levy and collect penalties for noncriminal violations of this
- 6 article.
- 7 (6) Deposit the penalties in the state gaming fund established by
- 8 IC 4-33-13.
- 9 (7) Be present through the commission's gaming agents during
- 10 the time gambling operations are conducted on a riverboat to do
- 11 the following:
  - 12 (A) Certify the revenue received by a riverboat.
  - 13 (B) Receive complaints from the public.
  - 14 (C) Conduct other investigations into the conduct of the
  - 15 gambling games and the maintenance of the equipment that
  - 16 the commission considers necessary and proper.
- 17 (8) Adopt rules to establish and implement a voluntary exclusion
- 18 program that meets the requirements of subsection (b).
- 19 (9) Establish the requirements for a power of attorney submitted
- 20 under IC 4-33-6-2(c), IC 4-33-6-22, IC 4-33-6.5-2(c), or
- 21 IC 4-33-6.5-16.
- 22 (b) Rules adopted under subsection (a)(8) must provide the
- 23 following:
  - 24 (1) Except as provided by rule of the commission, a person who
  - 25 participates in the voluntary exclusion program agrees to refrain
  - 26 from entering a riverboat or other facility under the jurisdiction
  - 27 of the commission **or from placing a wager with a certificate**
  - 28 **holder licensed under IC 4-38.**
  - 29 (2) That the name **and last four (4) digits of the Social Security**
  - 30 **number** of a person participating in the program will be
  - 31 included on a list of persons excluded from all facilities under
  - 32 the jurisdiction of the commission.
  - 33 (3) Except as provided by rule of the commission, a person who
  - 34 participates in the voluntary exclusion program may not petition
  - 35 the commission for readmittance to a facility under the
  - 36 jurisdiction of the commission.
  - 37 (4) That the list of patrons entering the voluntary exclusion
  - 38 program and the personal information of the participants are
  - 39 confidential and may only be disseminated by the commission to
  - 40 the owner or operator of a facility under the jurisdiction of the
  - 41 commission **and to a certificate holder licensed under IC 4-38**

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

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

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

SECTION 14. IC 4-33-18 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Indiana Department of Gaming Research).

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

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

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

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

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

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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:~~

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

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

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

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

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

(A) a manager;

(B) a bartender;

(C) a waiter or a waitress; or

(D) **except for a current or retired law enforcement officer, a contractor or an employee responsible for examining an individual's identification to determine the individual's age, including controlling the entry of individuals to a licensed premises at a time when entry into the licensed premises is restricted to those individuals at least twenty-one (21) years of age.**

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

(A) manager; or

(B) sales clerk.

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

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

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

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

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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.



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

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

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

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

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

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

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

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

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

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



IC 9-13-2-92.3).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) A minor.

(6) A person non compos mentis.

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

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

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

SECTION 29. 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 30. 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:

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

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

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

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

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

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1 (1) driver's license issued by the state of Indiana or another state;  
 2 or  
 3 (2) identification card issued by the state of Indiana, another  
 4 state, or the United States;  
 5 to sell tobacco products.

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:  
 10 (A) in the employee's possession; or  
 11 (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.

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

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

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

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

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



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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



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- 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:

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

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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 24-8-2-1 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **Except as otherwise**  
 31 **provided**, the definitions in this chapter apply throughout this article.

32 SECTION 38. IC 24-8-2-1.1 IS ADDED TO THE INDIANA  
 33 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2026]: Sec. 1.1. "Authorized player" means  
 35 a person who:

36 (1) is at least twenty-one (21) years of age;

37 (2) is physically located in Indiana; and

38 (3) opens and maintains an access account with an online  
 39 sweepstakes operator.

40 SECTION 39. IC 24-8-2-1.2 IS ADDED TO THE INDIANA  
 41 CODE AS A NEW SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2026]: **Sec. 1.2. "Bona fide product" means a digital or tangible good, service, or product that has independent value and is genuinely offered for sale or use by an online sweepstakes operator. The term includes online entertainment and social casino games using standard play tokens.**

SECTION 40. IC 24-8-2-1.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.6. (a) "Online sweepstakes game" means a game, contest, or promotion that is available on the Internet and is accessible on a mobile phone, computer terminal, or similar access device that:**

- (1) utilizes a dual-currency system or multi-currency system of payment allowing a player a chance to win a prize; and**
- (2) simulates lottery games or casino-style gaming, including slot machines, video poker, table games, lottery games, bingo, and sports wagering.**

**(b) The term does not include a game that:**

- (1) uses a terminal or other access device in a retail or public setting explicitly for use in online sweepstakes game play;**
- (2) is based on an outcome or occurrence within a sporting event;**
- (3) does not award prizes with real world value based on the outcome of game play; or**
- (4) allows a participant to partake in a sweepstakes game ancillary to the purchase of food, nonalcoholic beverages, merchandise, or services other than virtual tokens.**

SECTION 41. IC 24-8-2-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.7. "Online sweepstakes operator" or "operator" means a person that owns, operates, manages, controls, or otherwise conducts an online sweepstakes platform available to a person located in Indiana.**

SECTION 42. IC 24-8-2-1.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 1.8. "Online sweepstakes platform" or "platform" means a uniquely branded website or application operated by an online sweepstakes operator for the participation in online sweepstakes games.**

SECTION 43. IC 24-8-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3. (a) Except as provided in subsection (b), "prize" means a gift, award, or other item distributed in a promotion.**



(b) For purposes of IC 24-8-5.5, "prize" means property, service, credit, cash, cash equivalent, or another thing of real world value awarded to a participant in connection with an online sweepstakes game.

SECTION 44. IC 24-8-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. "Prohibited player" means any of the following:**

(1) An employee, officer, or agent of an operator, except for product testing purposes consistent with the individual's scope of work.

(2) An immediate family member residing in the same household as an employee, officer, or agent of an operator.

(3) An individual with access to nonpublic information about the online sweepstakes games of an operator that could influence the likelihood of obtaining a prize, award, cash, or cash equivalents.

(4) An individual accessing an online sweepstakes game as an agent or proxy for another person.

(5) A person under twenty-one (21) years of age.

SECTION 45. IC 24-8-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 5.5. "Promotional play tokens" means free promotional sweepstakes entry tokens that:**

(1) cannot be purchased;

(2) allow users to participate in online sweepstakes games;

(3) are made available by free alternative methods of entry; and

(4) may be offered as bonuses, including the sale of standard play tokens.

SECTION 46. IC 24-8-2-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7.5. "Standard play token" means a virtual token used for online social games that cannot be:**

(1) redeemed for anything of real-world value;

(2) exchanged for any other type of token, credit, or consideration, including promotional play tokens; and

(3) transferred by an authorized player to another person.

SECTION 47. IC 24-8-3-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. This chapter does not apply to online sweepstakes games.**

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SECTION 48. IC 24-8-4-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. This chapter does not apply to online sweepstakes games.**

SECTION 49. IC 24-8-5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. This chapter does not apply to online sweepstakes games.**

SECTION 50. IC 24-8-5.5 ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

**Chapter 5.5. Online Sweepstakes Games**

**Sec. 1. The operator of an online sweepstakes game shall use commercially reasonable methods to do the following:**

- (1) Prevent prohibited persons from participating in an online sweepstakes game.
- (2) Verify the identity and age of a person participating in an online sweepstakes game.
- (3) Limit an authorized player to one (1) account per platform.
- (4) Use geolocation to identify the location of a person participating in an online sweepstakes game.
- (5) Protect the privacy, financial information, and personal identifying information of participants.
- (6) Initiate all prize redemptions within forty-eight (48) hours of receiving a valid redemption request from an authorized player.

**Sec. 2. An operator of an online sweepstakes game shall provide responsible social gameplay tools to participants, including the following:**

- (1) Self-exclusion with determinate and irrevocable exclusion time frames. During the course of the exclusion an operator shall take reasonable steps to prevent the person from participating in online sweepstakes games offered by the operator and cease direct marketing to the person.
- (2) The ability to set limits on play time and purchases.
- (3) Prominently displayed messages and links to responsible social gameplay tools and resources.
- (4) Training to customer-facing employees to identify signs of gaming disorders or unhealthy behavior and address those instances with defined responsible social gameplay protocols and interventions.



1       **Sec. 3. An operator of an online sweepstakes game shall ensure**  
 2       **that advertisements, marketing materials, and platforms:**

3       (1) fairly and accurately depict the actual product and  
 4       gameplay;

5       (2) clearly and conspicuously display key terms and  
 6       conditions, including that:

7           (A) sweepstakes participation is limited to individuals  
 8           who are at least twenty-one (21) years of age; and

9           (B) that no purchase is necessary;

10       (3) provide information and links to responsible social  
 11       gameplay resources;

12       (4) are not deceptive or misleading, including by presenting  
 13       exaggerated claims of financial gain or unrealistic odds of  
 14       winning a prize; and

15       (5) do not knowingly market to an individual less than  
 16       twenty-one (21) years of age.

17       **Sec. 4. Except as otherwise provided in this chapter, a person**  
 18       **may not operate an online sweepstakes game in Indiana without a**  
 19       **registration issued by the attorney general.**

20       **Sec. 5. (a) An online sweepstakes operator shall register each**  
 21       **online sweepstakes platform with the attorney general in the**  
 22       **manner required by this section before operating in Indiana.**

23       (b) An operator shall complete a registration application in the  
 24       form and manner required by the attorney general. The  
 25       registration application must include the following:

26       (1) The names and website locations of all platforms  
 27       operated by the applicant.

28       (2) The name and principal address of the applicant.

29       (3) The address of any offices of the applicant in Indiana, if  
 30       applicable, and its designated registered agent for process in  
 31       Indiana.

32       (4) A certificate of good standing issued by the secretary of  
 33       state.

34       (5) Other information the attorney general deems necessary  
 35       to ensure compliance with the provisions of this chapter.

36       (c) An operator shall submit to the attorney general a  
 37       registration fee of one hundred thousands dollars (\$100,000) for  
 38       each platform registered with the attorney general. A registration  
 39       fee payment is effective for five (5) years.

40       **Sec. 6. (a) The attorney general shall act promptly on**  
 41       **registration applications that the attorney general receives under**  
 42       **section 5 of this chapter. The attorney general shall issue or deny**



1 registration within one hundred twenty (120) days of receiving a  
 2 completed application and registration fee. Whether an application  
 3 is complete is determined by the attorney general.

4 (b) If the attorney general denies a registration application, the  
 5 attorney general shall state with specificity the reasons for the  
 6 denial and provide the applicant a reasonable opportunity to  
 7 submit within thirty (30) days additional evidence the attorney  
 8 general requires to demonstrate compliance with this chapter.

9 Sec. 7. An operator doing business in Indiana before July 1,  
 10 2026, may continue operating conditionally while a registration  
 11 application is pending, if the operator submits the registration  
 12 application within ninety (90) days of the attorney general making  
 13 the application available.

14 Sec. 8. (a) Within ninety (90) days of the expiration of a  
 15 registration, an operator may submit to the attorney general an  
 16 application under section 5 of this chapter to renew the  
 17 registration.

18 (b) An operator may continue operating while a renewal  
 19 application is pending until the registration renewal is issued or  
 20 denied.

21 (c) The attorney general may provide a simplified process for  
 22 the renewal of previously approved registrations.

23 Sec. 9. IC 6-2.5 applies to the sale of bona fide products.

24 Sec. 10. A registered operator shall contract with a certified  
 25 public accountant to conduct an annual independent audit  
 26 consistent with the standards accepted by the Indiana board of  
 27 accountancy. A registered operator or their certified public  
 28 accountant shall submit to the attorney general a copy of the audit  
 29 report each year not later than one hundred twenty (120) days  
 30 after the end of the operator's fiscal year.

31 Sec. 11. (a) The attorney general has all powers and duties  
 32 necessary to carry out this chapter and may adopt rules necessary  
 33 to enforce this chapter.

34 (b) If the attorney general has good cause to believe that an  
 35 operator has violated this chapter, the attorney general may  
 36 investigate, hold hearings, and take any other action to determine  
 37 whether an operator has violated this chapter.

38 (c) If the attorney general finds that an operator has violated  
 39 a material provision of this chapter, the attorney general may  
 40 impose a civil penalty of not more than one thousand dollars  
 41 (\$1,000) for each violation of this chapter, not to exceed ten  
 42 thousand dollars (\$10,000) for multiple violations that arise out of



1 the same transaction or occurrence.

2 (d) Upon a third or subsequent occurrence giving rise to a  
3 violation, the attorney general may:

4 (1) impose a civil penalty under subsection (c); or

5 (2) suspend or revoke the registration of an operator's  
6 platform.

7 (e) An operator subject to a civil penalty, suspension of  
8 registration, or revocation of registration may request review  
9 before the attorney general and appeal under IC 4-21.5.

10 SECTION 51. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,  
11 SECTION 240, IS AMENDED TO READ AS FOLLOWS  
12 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
13 apply throughout this chapter.

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

18 (c) "Enterprise" means:

19 (1) a sole proprietorship, corporation, limited liability company,  
20 partnership, business trust, or governmental entity; or

21 (2) a union, an association, or a group, whether a legal entity or  
22 merely associated in fact.

23 (d) "Pattern of racketeering activity" means engaging in at least  
24 two (2) incidents of racketeering activity that have the same or similar  
25 intent, result, accomplice, victim, or method of commission, or that are  
26 otherwise interrelated by distinguishing characteristics that are not  
27 isolated incidents. However, the incidents are a pattern of racketeering  
28 activity only if at least one (1) of the incidents occurred after August  
29 31, 1980, and if the last of the incidents occurred within five (5) years  
30 after a prior incident of racketeering activity.

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

34 (1) A provision of IC 23-19, or of a rule or order issued under  
35 IC 23-19.

36 (2) A violation of IC 35-45-9.

37 (3) A violation of IC 35-47.

38 (4) A violation of IC 35-49-3.

39 (5) Murder (IC 35-42-1-1).

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

42 (7) Kidnapping (IC 35-42-3-2).



- 1 (8) Human and sexual trafficking crimes (IC 35-42-3.5).
- 2 (9) Child exploitation (IC 35-42-4-4).
- 3 (10) Robbery (IC 35-42-5-1).
- 4 (11) Carjacking (IC 35-42-5-2) (before its repeal).
- 5 (12) Arson (IC 35-43-1-1).
- 6 (13) Burglary (IC 35-43-2-1).
- 7 (14) Theft (IC 35-43-4-2).
- 8 (15) Receiving stolen property (IC 35-43-4-2) (before its
- 9 amendment on July 1, 2018).
- 10 (16) Forgery (IC 35-43-5-2).
- 11 (17) An offense under IC 35-43-5.
- 12 (18) Bribery (IC 35-44.1-1-2).
- 13 (19) Official misconduct (IC 35-44.1-1-1).
- 14 (20) Conflict of interest (IC 35-44.1-1-4).
- 15 (21) Perjury (IC 35-44.1-2-1).
- 16 (22) Obstruction of justice (IC 35-44.1-2-2).
- 17 (23) Intimidation (IC 35-45-2-1).
- 18 (24) Promoting prostitution (IC 35-45-4-4).
- 19 (25) Professional gambling (IC 35-45-5-3).
- 20 (26) Maintaining a professional gambling site
- 21 (IC 35-45-5-3.5(b)).
- 22 (27) Promoting professional gambling (IC 35-45-5-4).
- 23 (28) Dealing in or manufacturing cocaine or a narcotic drug
- 24 (IC 35-48-4-1).
- 25 (29) Dealing in methamphetamine (IC 35-48-4-1.1).
- 26 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 27 (31) Dealing in a schedule I, II, or III controlled substance
- 28 (IC 35-48-4-2).
- 29 (32) Dealing in a schedule IV controlled substance
- 30 (IC 35-48-4-3).
- 31 (33) Dealing in a schedule V controlled substance
- 32 (IC 35-48-4-4).
- 33 (34) Dealing in marijuana, hash oil, hashish, or salvia
- 34 (IC 35-48-4-10).
- 35 (35) Money laundering (IC 35-45-15-5).
- 36 (36) A violation of IC 35-47.5-5.
- 37 (37) A violation of any of the following:
- 38 (A) IC 23-14-48-9.
- 39 (B) IC 30-2-9-7(b).
- 40 (C) IC 30-2-10-9(b).
- 41 (D) IC 30-2-13-38(f).

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

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

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

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

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

SECTION 52. IC 35-46-1-8, AS AMENDED BY P.L.186-2025, SECTION 242, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen (18) years of age who knowingly or intentionally encourages, aids, induces, or causes a child to commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a Class A misdemeanor, except as provided in subsections (b) through (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.

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

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

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

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

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

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- 1 (1) the person committing the offense is at least twenty-one (21)  
 2 years of age;  
 3 (2) the child who commits the delinquent act is less than sixteen  
 4 (16) years of age; and  
 5 (3) the act would be a misdemeanor if committed by an adult.  
 6 (e) If the person who commits the offense described in subsection  
 7 (a) is at least twenty-one (21) years of age, and the child who commits  
 8 the delinquent act is less than sixteen (16) years of age, the offense is:  
 9 (1) a Level 5 felony if the delinquent act would be a Level 6  
 10 felony if committed by an adult;  
 11 (2) a Level 4 felony if the delinquent act would be a Level 5  
 12 felony if committed by an adult;  
 13 (3) a Level 3 felony if the delinquent act would be a Level 4  
 14 felony if committed by an adult;  
 15 (4) a Level 2 felony if the delinquent act would be a Level 3  
 16 felony if committed by an adult;  
 17 (5) a Level 1 felony if the delinquent act would be a Level 1 or  
 18 2 felony if committed by an adult; or  
 19 (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the  
 20 delinquent act would be murder if committed by an adult.

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

- 22 **(1) the person's name, address, and date of birth; or**  
 23 **(2) the person's driver's license, if in the person's possession;**  
 24 **to a law enforcement officer who has reason to believe the person**  
 25 **is not at least twenty-one (21) years of age and has committed an**  
 26 **act that would not be an infraction or a misdemeanor if committed**  
 27 **by a person twenty-one (21) years of age or older, commits a Class**  
 28 **C misdemeanor.**

29 SECTION 53. IC 35-46-6-3, AS AMENDED BY P.L.163-2025,  
 30 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally  
 32 uses or distributes nitrous oxide with intent to cause a condition of  
 33 intoxication, euphoria, excitement, exhilaration, stupefaction, or  
 34 dulling of the senses of another person, unless the nitrous oxide is to be  
 35 used for medical purposes, commits a Class B misdemeanor. However,  
 36 the offense is a Class A misdemeanor if the person has a prior  
 37 unrelated conviction under this section.

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



- 1 (c) The prohibition on the sale, **use, or distribution** of flavored  
2 nitrous oxide in subsection (b) does not apply to:  
3 (1) a retail or wholesale restaurant supply company that sells or  
4 distributes flavored nitrous oxide to a person for use in food and  
5 beverage preparation or other culinary purposes; ~~or~~  
6 (2) a person that uses flavored nitrous oxide in food and  
7 beverage recipes or for other legitimate culinary purposes; **or**  
8 **(3) a law enforcement agency that is disposing of flavored**  
9 **nitrous oxide by donation to a nonprofit organization.**

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