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# HOUSE BILL No. 1052

Proposed Changes to introduced printing by AM105208

## DIGEST OF PROPOSED AMENDMENT

Low THC hemp extract. Prohibits the distribution or sale of low THC hemp extract to a person who is less than 21 years of age. Specifies verification requirements, penalties, and a defense.

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

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

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

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

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

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

13 SECTION 3. IC 4-31-3-11.5, AS AMENDED BY P.L.152-2025,  
14 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 11.5. The commission shall employ or contract for  
 2 judges ~~and stewards~~ to attend each recognized meeting held under a  
 3 permit issued under this article. A contracted judge ~~or steward~~ shall be  
 4 considered an employee of the commission for the purpose of  
 5 IC 4-6-2-1.5(a). The permit holder shall, in the manner prescribed by  
 6 the rules of the commission, reimburse the commission for the salaries  
 7 and other expenses of the judges ~~and stewards~~ who serve at the permit  
 8 holder's racetrack.

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

- 14 (1) the refusal, denial, revocation, suspension, or other penalty  
   15 is in the public interest for the purpose of maintaining proper  
   16 control over horse racing meetings or pari-mutuel wagering; and  
   17 (2) any of the conditions listed in subsection (b) apply to the  
   18 applicant or licensee.
- 19 (b) The conditions referred to in subsection (a) are as follows:  
   20 (1) The applicant or licensee has been convicted of a felony or  
   21 misdemeanor that could compromise the integrity of racing by  
   22 the applicant's or licensee's participation in racing.  
   23 (2) The applicant or licensee has had a license of the legally  
   24 constituted racing authority of a state, province, or country  
   25 denied, suspended, or revoked for cause within the preceding  
   26 five (5) years.  
   27 (3) The applicant or licensee is presently under suspension for  
   28 cause of a license by the legally constituted racing authority of  
   29 a state, province, or country.  
   30 (4) The applicant or licensee has violated or attempted to violate  
   31 a provision of this article, a rule adopted by the commission, or  
   32 a law or rule with respect to horse racing in a jurisdiction.  
   33 (5) The applicant or licensee has perpetrated or attempted to  
   34 perpetrate a fraud or misrepresentation in connection with the  
   35 racing or breeding of horses or pari-mutuel wagering.  
   36 (6) The applicant or licensee has demonstrated financial  
   37 irresponsibility by accumulating unpaid obligations, defaulting  
   38 on obligations, or issuing drafts or checks that are dishonored or  
   39 not paid.  
   40 (7) The applicant or licensee has made a material  
   41 misrepresentation in an application for a license.  
   42 (8) The applicant or licensee has been convicted of a crime



1 involving bookmaking, touting, or similar pursuits or has  
 2 consorted with a person convicted of such an offense.  
 3 (9) The applicant or licensee has abandoned, mistreated, abused,  
 4 neglected, or engaged in an act of cruelty to a horse.  
 5 (10) The applicant or licensee has engaged in conduct that is  
 6 against the best interest of horse racing **or compromises the**  
 7 **integrity of operations at a licensed facility.**  
 8 (11) The applicant or licensee has failed to comply with a written  
 9 order or ruling of the commission or judges pertaining to a  
 10 racing matter.  
 11 (12) The applicant or licensee has failed to answer correctly  
 12 under oath, to the best of the applicant's or licensee's knowledge,  
 13 all questions asked by the commission or its representatives  
 14 pertaining to a racing matter.  
 15 (13) The applicant or licensee has failed to return to a permit  
 16 holder any purse money, trophies, or awards paid in error or  
 17 ordered redistributed by the commission.  
 18 (14) The applicant or licensee has had possession of an alcoholic  
 19 beverage on a permit holder's premises, other than a beverage  
 20 legally sold through the permit holder's concession operation.  
 21 (15) The applicant or licensee has interfered with or obstructed  
 22 a member of the commission, a commission employee, or a  
 23 racing official while performing official duties.  
 24 (16) The name of the applicant or licensee appears on the  
 25 department of state revenue's most recent tax warrant list, and  
 26 the person's tax warrant has not been satisfied.  
 27 (17) The applicant or licensee has pending criminal charges.  
 28 (18) The applicant or licensee has racing disciplinary charges  
 29 pending in Indiana or another jurisdiction.  
 30 (19) The applicant or licensee is unqualified to perform the  
 31 duties required under this article or the rules of the commission.  
 32 (20) **The applicant or licensee made a material**  
 33 **misrepresentation when registering, nominating, entering, or**  
 34 **racing a horse as an Indiana owned horse, Indiana sired**  
 35 **horse, or Indiana bred horse.**  
 36 SECTION 5. IC 4-31-7-9, AS AMENDED BY P.L.32-2019,  
 37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2026]: Sec. 9. (a) ~~After December 31, 2013, the following~~  
 39 ~~individuals may not wager on horse racing at a licensed facility:~~  
 40 (1) A member of the commission;  
 41 (2) An employee of the commission;  
 42 (3) A racing official.



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

5 (1) A member of the commission.

6 (2) The following individuals employed by the commission:

7 (A) The executive director.

8 (B) The assistant executive director

9 (C) The director of secur

10 (D) The general counsel.

11 (E) The deputy general counsel  
12 (F) a lawyer

12 (F) A steward.  
12 (G) (F) A steward.

13 (G) (F) A judge.  
14 (G) The

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

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

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

42 (1) A driver or jockey may not be permitted to drive or ride and

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1 shall be suspended under the rules of the commission.  
 2 (2) A judge, a starter, an assistant starter, or a driver of the  
 3 starting gate shall be relieved of all duties for that program, and  
 4 a report shall be made to the commission for appropriate action.  
 5 (3) Any other licensee shall be suspended, beginning that day,  
 6 under the rules of the commission.  
 7 (c) The ~~stewards~~ and judges may, on behalf of the commission,  
 8 impose the following sanctions against a licensee who refuses to  
 9 submit to a breath test:  
 10 (1) For the first refusal, a civil penalty of one hundred dollars  
 11 (\$100) and a seven (7) day suspension.  
 12 (2) For a second refusal, a civil penalty of two hundred fifty  
 13 dollars (\$250) and a thirty (30) day suspension.  
 14 (3) For any additional refusals to submit to a breath test, a civil  
 15 penalty of two hundred fifty dollars (\$250), a sixty (60) day  
 16 suspension, and referral of the case to the commission for any  
 17 further action that the commission considers necessary.  
 18 (d) A sanction under subsection (c) may be appealed to the ~~[~~  
 19 ~~commission, office of administrative law proceedings under~~  
 20 ~~IC 4-15-10.5. IC 4-21.5 applies to an appeal under this section. The~~  
 21 ~~commission has the burden of proving an alleged violation by a~~  
 22 ~~preponderance of the evidence.~~ An appeal stays the sanction until  
 23 further action by the commission. The appeal must be heard by the ~~[~~  
 24 ~~commission office of administrative law proceedings~~ within thirty  
 25 (30) days after the date of the appeal.

26 SECTION 7. IC 4-31-12-5, AS AMENDED BY P.L.168-2019,  
 27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2026]: Sec. 5. (a) The judges, ~~the stewards~~, a commission  
 29 veterinarian, a member of the commission, or the executive director of  
 30 the commission may order a test of a biological sample on a horse for  
 31 the purpose of analysis.  
 32 (b) A biological sample shall be taken from the following horses  
 33 after the running of each race:  
 34 (1) The horse that finishes first in each race.  
 35 (2) Any other horses designated by the judges, ~~the stewards~~, a  
 36 commission veterinarian, a member of the commission, or the  
 37 executive director of the commission. The judges and  
 38 veterinarian shall designate for the taking of a biological sample  
 39 a horse that races markedly contrary to form.  
 40 SECTION 8. IC 4-31-12-6, AS AMENDED BY P.L.111-2022,  
 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2026]: Sec. 6. (a) The commission:

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

4 (2) shall approve a laboratory for the analysis of a biological  
5 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.

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

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

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

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

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

42 (c) An owner or trainer may pay a veterinarian employed by the

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1 commission or a permit holder for an endoscopic examination  
 2 permitted under subsection (a).

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

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

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

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

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

21 (B) effective at all other racing meetings under the  
 22 jurisdiction of the commission.

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

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

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

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

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

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1       IC 4-21.5 to:

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

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

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

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

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

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

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

31           (2) A temporary order or other immediate action in the nature of  
32           a summary suspension if a licensee's actions constitute an  
33           immediate danger to the public health, safety, or welfare.

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

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

40              (B) effective at all other racing meetings under the  
41              jurisdiction of the commission.

42           (4) A rule that a person must stay off the premises of one (1) or



1 more permit holders if necessary in the public interest to  
 2 maintain proper control over recognized meetings.

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

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

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

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

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

27 (A) The credibility and integrity of gambling operations  
 28 authorized by this article.

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

30 (2) Conduct all hearings concerning civil violations of this  
 31 article.

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

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

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

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

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

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(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** 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**

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1                   **certificate holder** from seeking the payment of a debt accrued  
 2                   by a person before entering the program.

3                   SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA  
 4                   CODE AS A NEW SECTION TO READ AS FOLLOWS  
 5                   [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) As used in this section,  
 6                   "swEEPSTaKES game" means a game, contest, or promotion that is  
 7                   aVAILABLE oN tHe InTeRnET and is accessible on a mobile phone,  
 8                   cOmPUTER tERmInAl, or similar access device that:

- 9                   (1) utilizes a dual-currency system of payment allowing a  
 10                   player to exchange currency for a cash prize, cash award, or  
 11                   cash equivalents or a chance to win a cash prize, cash award,  
 12                   or cash equivalents; and
- 13                   (2) simulates casino-style gaming, including slot machines,  
 14                   video poker, table games, lottery games, bingo, and sports  
 15                   wagering.

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

- 20                   (1) in Indiana; or
- 21                   (2) in a transaction directly involving a person located in  
 22                   Indiana.

23                   SECTION 15. IC 4-33-18 IS REPEALED [EFFECTIVE JULY 1,  
 24                   2026]. (Indiana Department of Gaming Research).

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

29                   SECTION 17. IC 7.1-1-3-27.5 IS ADDED TO THE INDIANA  
 30                   CODE AS A NEW SECTION TO READ AS FOLLOWS  
 31                   [EFFECTIVE JULY 1, 2026]: Sec. 27.5. "Organized sporting  
 32                   competition" means a sporting event sanctioned by a recognized  
 33                   governing or regulatory body.

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

- 40                   (1) a facility to which IC 7.1-3-1-25(a) applies;
- 41                   (2) a tract that contains a premises described in  
 42                   IC 7.1-3-1-14(d)(2); or



**(3) a facility primarily used for professional competition.**

SECTION 19. 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.

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

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

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

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

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

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

(c) The rates which shall be paid for the advertising of a notice

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1 required under this title shall be those required to be paid in case of  
 2 other notices published for or on behalf of the state.

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

6 (e) If:

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

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

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

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

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

22 (A) a manager;

23 (B) a bartender;

24 (C) a waiter or a waitress; or

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

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

34 (A) manager; or

35 (B) sales clerk.

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

39 SECTION 26. IC 7.1-3-18.5-1, AS AMENDED BY P.L.32-2019,  
 40 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2026]: Sec. 1. (a) A person may not sell or otherwise  
 42 distribute in exchange for consideration a tobacco product or electronic



1 cigarette at retail **or wholesale** without a valid tobacco sales certificate  
 2 issued by the commission.

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

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

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

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

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

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

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

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

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

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

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

34 (6) If the applicant is applying for a new certificate under section  
 35 3.2 of this chapter, a copy of each of the following:

36 (A) If the new ownership of the business is a business  
 37 entity, the articles of incorporation, articles of organization,  
 38 or any other formation documents of the business entity.

39 (B) If the new ownership of the business is an individual,  
 40 either:

41 (i) the sales or purchase agreement; or

42 (ii) an affidavit signed by the applicant concerning the



sale or purchase, on a form prescribed by the commission, that includes the name and address of the seller and purchaser.

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

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

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

(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.

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

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

33 (1) If the person is an individual, the person must be at least  
34 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

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

f. The fees collected under this section shall be deposited in the

39 (1) The fees collected under this section shall be deposited in the  
40 enforcement and administration fund under IC 7.1-4-10.  
41 SECTION 29. IC 7.1-3.185.2.4, AS ADDED BY P.L. 107, 2024.

41 SECTION 29. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024,  
42 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the  
 2 commission shall not issue a tobacco sales certificate except as  
 3 otherwise authorized in this title and subject to the other restrictions  
 4 contained in this title, to the following persons:

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

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

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

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

13 (C) a crime in a state other than Indiana having a penalty  
 14 equal to the penalty for an Indiana Level 1, Level 2, Level  
 15 3, Level 4, or Level 5 felony.

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

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

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

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

23 (i) at the time of the application for a certificate; and  
 24 (ii) for the duration of the period in which the person  
 25 sells or distributes in the manner described in section  
 26 1 of this chapter.

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

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

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

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

36 (5) A minor.

37 (6) A person non compos mentis.

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

42 (8) A person who has made an application for a permit or



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

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

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

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

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

27 (b) A **retail tobacco sales** certificate is:  
 28 (1) valid for three (3) years after the date of issuance, unless the  
 29 commission suspends the **retail tobacco sales** certificate; and  
 30 (2) nontransferable.

31 (c) A **wholesale tobacco sales** certificate is:  
 32 (1) valid for one (1) year after the date of issuance, unless the  
 33 commission suspends the **wholesale tobacco sales** certificate;  
 34 and  
 35 (2) nontransferable.

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



1                   SECTION 33. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024,  
 2                   SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3                   JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must  
 4                   hold a valid:  
 5                   (1) driver's license issued by the state of Indiana or another state;  
 6                   or  
 7                   (2) identification card issued by the state of Indiana, another  
 8                   state, or the United States;  
 9                   to sell tobacco products.  
 10                  (b) An employee must have the employee's driver's license or  
 11                  identification card or a copy of the employee's driver's license or  
 12                  identification card:  
 13                  (1) either:  
 14                   (A) in the employee's possession; or  
 15                   (B) on file with the employee's employer; and  
 16                  (2) upon request, readily available to show to an excise officer  
 17                  or law enforcement;  
 18                  when selling tobacco products.  
 19                  (c) If an employee holds a valid license or identification card as  
 20                  described in subsection (a) but is unable to show the license,  
 21                  identification card, or a copy to an excise officer under subsection (b)  
 22                  because:  
 23                  (1) the employee has left the license, identification card, or copy  
 24                  in another location; or  
 25                  (2) the license, identification card, or copy has otherwise been  
 26                  lost or mislaid;  
 27                  the employee may, within five (5) days of the employee's inability to  
 28                  show the license, identification card, or copy to the excise officer,  
 29                  produce to the excise officer or to the office of the commission  
 30                  satisfactory evidence of a license or identification card issued to the  
 31                  individual that was valid at the time the individual was unable to show  
 32                  the license, identification card, or copy.  
 33                  (d) If an employee who is unable to show a license, identification  
 34                  card, or copy to an excise officer fails to produce satisfactory evidence  
 35                  within five (5) days in the manner described in subsection (c), the  
 36                  commission may impose a civil penalty on the certificate holder under  
 37                  IC 7.1-3-23-3.  
 38                  (e) **The commission shall take the following actions with**  
 39                  **respect to a certificate holder's certificate if the certificate holder's**  
 40                  **employees violate this section:**  
 41                  (1) **For three (3) violations in a one (1) year period, suspend**  
 42                  **the certificate for a period of five (5) days.**



1                   **(2) For four (4) violations in a one (1) year period, suspend**  
 2                   **the certificate for a period of an additional five (5) days.**  
 3                   **(3) For five (5) violations in a one (1) year period, suspend**  
 4                   **the certificate for a period of an additional five (5) days.**  
 5                   **(4) For six (6) or more violations in a one (1) year period,**  
 6                   **revoke the certificate.**

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

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

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

28                  SECTION 35. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,  
 29                  SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30                  JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this  
 31                  chapter shall not apply if the public place involved is one (1) of the  
 32                  following:

- 33                   (1) Civic center.
- 34                   (2) Convention center.
- 35                   (3) Sports arena.
- 36                   (4) Bowling center.
- 37                   (5) Bona fide club.
- 38                   (6) Drug store.
- 39                   (7) Grocery store.
- 40                   (8) Boat.
- 41                   (9) Dining car.
- 42                   (10) Pullman car.



- (11) Club car.
- (12) Passenger airplane.
- (13) Horse racetrack facility holding a recognized meeting permit under IC 4-31-5.
- (14) Satellite facility (as defined in IC 4-31-2.1-36).
- (15) Catering hall under IC 7.1-3-20-24 that is not open to the public.
- (16) That part of a restaurant which is separate from a room in which is located a bar over which alcoholic beverages are sold or dispensed by the drink.
- (17) Entertainment complex.
- (18) Indoor golf facility.
- (19) A recreational facility such as a golf course, bowling center, or similar facility that has the recreational activity and not the sale of food and beverages as the principal purpose or function of the person's business.
- (20) A licensed premises owned or operated by a postsecondary educational institution described in IC 21-17-6-1.
- (21) An automobile racetrack.
- (22) An indoor theater under IC 7.1-3-20-26.
- (23) A senior residence facility campus (as defined in IC 7.1-3-1-29(c)) at which alcoholic beverages are given or furnished as provided under IC 7.1-3-1-29.
- (24) A hotel other than a part of a hotel that is a room in a restaurant in which a bar is located over which alcoholic beverages are sold or dispensed by the drink.
- (25) The location of an allowable event to which IC 7.1-3-6-1 applies.
- (26) The location of a charity auction to which IC 7.1-3-6-2 applies.
- (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.
- (28) A farm winery and any additional locations of the farm winery under IC 7.1-3-12, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age and the minor is accompanied by the adult in any area that the adult may be present whether or not the area:
  - (A) is separated in any manner from where the wine is manufactured, sold, or consumed within the farm winery premises; or

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(B) operates under a retailer's permit.

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

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

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

## ① An art instruction

(31) The licensed premises of a food hall under IC 7.1-5-4.5.

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

(34) A restaurant that satisfies the gross food sales requirement provided in JC 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

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

5 SECTION 36. IC 7.1-5-8-1 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C  
 7 misdemeanor for a person to recklessly hinder, obstruct, interfere with,  
 8 or prevent the observance or enforcement of any of the following:

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

14 SECTION 37. IC 15-19-2-3, AS ADDED BY P.L.2-2008,  
 15 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board  
 17 consists of seven (7) members selected as follows:

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

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

30 [ SECTION 38. IC 24-4-22-3.5 IS ADDED TO THE INDIANA  
 31 CODE AS A NEW SECTION READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2026]: Sec. 3.5. (a) After June 30, 2026, a person may not  
 33 distribute, sell, or offer for sale low THC hemp extract at retail or  
 34 online to a person who is less than twenty-one (21) years of age.

35 (b) Any website owned, managed, or operated by a person who  
 36 distributes or sells a low THC hemp extract directly to consumers  
 37 must verify a consumer's age before completing a purchase by:

38 (1) using a reliable online age verification service; or  
 39 (2) obtaining and examining a copy of a government issued  
 40 identification.

41 (c) A person who violates this section is subject to the  
 42 following:

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(1) Notwithstanding IC 34-28-5-4, a person who:

(A) violates this section; and

(B) does not have a prior unrelated judgment for a violation of this section;

commits a Class C infraction and is subject to a civil penalty of not more than one thousand dollars (\$1,000).

(2) A person who has only one (1) prior unrelated judgment for a violation of this section commits a Class B infraction. If the person's violation:

(A) occurs more than two (2) years after the preceding violation, the person is liable for the penalty set forth in IC 34-28-5-4; or

(B) occurs not more than two (2) years after the preceding violation:

(i) the person is liable for a civil penalty of not more than five thousand dollars (\$5,000); and

(ii) the person's retail merchant's certificate issued under IC 6-2.5-8 shall be suspended for a period of not more than six (6) months.

(3) A person who has at least two (2) prior unrelated judgments for a violation of this section commits a Class A infraction. If the person's violation:

(A) occurs more than two (2) years after the immediately preceding violation, the person is liable for the penalty set forth in IC 34-28-5-4; or

(B) occurs not more than two (2) years after the immediately preceding violation:

(i) the person is liable for a civil penalty of ten thousand dollars (\$10,000);

(ii) the person's retail merchant certificate under IC 6-2.5-8 shall be revoked; and

(iii) the person shall be subject to a one (1) year waiting period to reapply for a retail merchant's certificate under IC 6-2.5-8.

(d) It is a defense to a violation under this section that the distributor or seller examined the purchaser's or recipient's driver's license, or other valid government issued identification, that positively identified the purchaser or recipient as being at least twenty-one (21) years of age.

[1] SECTION 3~~8~~9. IC 35-31.5-2-320.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 320.5. "Sweepstakes game", for

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1       purposes of IC 35-45-5, has the meaning set forth in  
 2       **IC 35-45-5-1(j).**

3       SECTION ~~39~~<sup>[40]</sup>. IC 35-31.5-2-336, AS ADDED BY  
 4       P.L.114-2012, SECTION 67, IS AMENDED TO READ AS  
 5       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 336. "Tournament", for  
 6       purposes of IC 35-45-5, has the meaning set forth in ~~IC 35-45-5-1(j).~~  
 7       IC 35-45-5-1(k).

8       SECTION 4~~40~~<sup>[1]</sup>. IC 35-31.5-2-337, AS ADDED BY  
 9       P.L.114-2012, SECTION 67, IS AMENDED TO READ AS  
 10      FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 337. "Toy crane  
 11      machine", for purposes of IC 35-45-5, has the meaning set forth in  
 12      ~~IC 35-45-5-1(k).~~ IC 35-45-5-1(l).

13      SECTION 4~~40~~<sup>[2]</sup>. IC 35-45-5-1, AS AMENDED BY  
 14      P.L.3-2008, SECTION 252, IS AMENDED TO READ AS FOLLOWS  
 15      [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
 16      apply throughout this chapter.

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

20       (1) It is a contrivance which for consideration affords the player  
 21       an opportunity to obtain money or other items of value, the  
 22       award of which is determined by chance even if accomplished by  
 23       some skill, whether or not the prize is automatically paid by the  
 24       contrivance.

25       (2) It is a slot machine or any simulation or variation of a slot  
 26       machine.

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

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

39       The term does not include a toy crane machine or any other device  
 40       played for amusement that rewards a player exclusively with a toy, a  
 41       novelty, candy, other noncash merchandise, or a ticket or coupon  
 42       redeemable for a toy, a novelty, or other noncash merchandise that has



1 a wholesale value of not more than the lesser of ten (10) times the  
 2 amount charged to play the amusement device one (1) time or  
 3 twenty-five dollars (\$25).

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

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

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

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

13 (e) "Gambling device" means:

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

17       (2) a mechanism that, when operated for a consideration, does  
 18            not return the same value or property for the same consideration  
 19            upon each operation;

20       (3) a mechanism, furniture, fixture, construction, or installation  
 21            designed primarily for use in connection with professional  
 22            gambling;

23       (4) a policy ticket or wheel; or

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

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

30 (f) "Gambling information" means:

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

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

34 (g) "Interactive computer service" means an Internet service, an  
 35            information service, a system, or an access software provider that  
 36            provides or enables computer access to a computer served by multiple  
 37            users. The term includes the following:

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

40       (2) A system operated or services offered by a library, school,  
 41            state educational institution, or private postsecondary  
 42            educational institution.



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

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

(j) "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 of payment allowing a player to exchange currency for a cash prize, cash award, or cash equivalents or a chance to win a cash prize, cash award, or cash equivalents; and

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

¶ (k) "Tournament" means a contest in which:

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

(A) video golf machine; or

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

on which the entrant will compete;

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

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

\_fk\_ (I) "Toy crane machine" means a device that is used to lift prizes from an enclosed space by manipulating a mechanical claw.

(+) (m) For purposes of this chapter:

(1) a card game; or

(2) an electronic version of a card game;

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

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

(1) video golf games; or

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



1 is not considered gambling even if the value of a prize awarded in the  
2 course of the tournament exceeds the amount of the player's  
3 consideration.

4 SECTION 4~~3~~[3]. IC 35-45-5-3, AS AMENDED BY  
5 P.L.158-2013, SECTION 531, IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who  
7 knowingly or intentionally:

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

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

25 (b) An operator who knowingly or intentionally uses the Internet  
26 to:

- (1) engage in pool-selling:
  - (A) in Indiana; or
  - (B) in a transaction directly involving a person located in Indiana;
- (2) engage in bookmaking:
  - (A) in Indiana; or
  - (B) in a transaction directly involving a person located in Indiana;
- (3) maintain, on ~~an Internet site~~ a website accessible to residents of Indiana, the equivalent of:
  - (A) slot machines;
  - (B) one-ball machines or variants of one-ball machines;
  - (C) pinball machines that award anything other than an immediate and unrecorded right of replay;
  - (D) roulette wheels;
  - (E) dice tables; or

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1 (F) money or merchandise pushcards, punchboards, jars, or  
2 spindles;

3 (4) conduct lotteries or policy or numbers games or sell chances  
4 in lotteries or policy or numbers games;

5 (A) in Indiana; or

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

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

11 (A) in Indiana; or

12 (B) in a transaction directly involving a person located in  
13 Indiana; or

14 (6) accept, or offer to accept, for profit, money or other property  
15 risked in gambling;

16 (A) in Indiana; or

17 (B) in a transaction directly involving a person located in  
18 Indiana; or

19 (7) conduct a sweepstakes game:

20 (A) in Indiana; or

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

32 (c) "Enterprise" means:

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

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

37 (d) "Pattern of racketeering activity" means engaging in at least  
38 two (2) incidents of racketeering activity that have the same or similar  
39 intent, result, accomplice, victim, or method of commission, or that are  
40 otherwise interrelated by distinguishing characteristics that are not  
41 isolated incidents. However, the incidents are a pattern of racketeering  
42 activity only if at least one (1) of the incidents occurred after August

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1       31, 1980, and if the last of the incidents occurred within five (5) years  
 2       after a prior incident of racketeering activity.

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

- 6       (1) A provision of IC 23-19, or of a rule or order issued under  
 7       IC 23-19.
- 8       (2) A violation of IC 35-45-9.
- 9       (3) A violation of IC 35-47.
- 10       (4) A violation of IC 35-49-3.
- 11       (5) Murder (IC [ ] 35-42-1-1).
- 12       (6) Battery as a Class C felony before July 1, 2014, or a Level 5  
 13       felony after June 30, 2014 (IC [ ] 35-42-2-1).
- 14       (7) Kidnapping (IC [ ] 35-42-3-2).
- 15       (8) Human and sexual trafficking crimes (IC [ ] 35-42-3.5).
- 16       (9) Child exploitation (IC [ ] 35-42-4-4).
- 17       (10) Robbery (IC [ ] 35-42-5-1).
- 18       (11) Carjacking (IC [ ] 35-42-5-2) (before its repeal).
- 19       (12) Arson (IC [ ] 35-43-1-1).
- 20       (13) Burglary (IC [ ] 35-43-2-1).
- 21       (14) Theft (IC [ ] 35-43-4-2).
- 22       (15) Receiving stolen property (IC [ ] 35-43-4-2) (before its  
 23       amendment on July 1, 2018).
- 24       (16) Forgery (IC [ ] 35-43-5-2).
- 25       (17) An offense under IC 35-43-5.
- 26       (18) Bribery (IC [ ] 35-44.1-1-2).
- 27       (19) Official misconduct (IC [ ] 35-44.1-1-1).
- 28       (20) Conflict of interest (IC [ ] 35-44.1-1-4).
- 29       (21) Perjury (IC [ ] 35-44.1-2-1).
- 30       (22) Obstruction of justice (IC [ ] 35-44.1-2-2).
- 31       (23) Intimidation (IC [ ] 35-45-2-1).
- 32       (24) Promoting prostitution (IC [ ] 35-45-4-4).
- 33       (25) Professional gambling (IC [ ] 35-45-5-3).
- 34       (26) Maintaining a professional gambling site  
 35       (IC [ ] 35-45-5-3.5(b)).
- 36       (27) Promoting professional gambling (IC [ ] 35-45-5-4).
- 37       (28) Dealing in or manufacturing cocaine or a narcotic drug  
 38       (IC [ ] 35-48-4-1).
- 39       (29) Dealing in methamphetamine (IC [ ] 35-48-4-1.1).
- 40       (30) Manufacturing methamphetamine (IC [ ] 35-48-4-1.2).
- 41       (31) Dealing in a schedule I, II, or III controlled substance  
 42       (IC [ ] 35-48-4-2).



(32) Dealing in a schedule IV controlled substance (IC [ ] 35-48-4-3).  
(33) Dealing in a schedule V controlled substance (IC [ ] 35-48-4-4).  
(34) Dealing in marijuana, hash oil, hashish, or salvia (IC [ ] 35-48-4-10).  
(35) Money laundering (IC [ ] 35-45-15-5).  
(36) A violation of IC 35-47.5-5.  
(37) A violation of any of the following:  
    (A) IC 23-14-48-9.  
    (B) IC 30-2-9-7(b).  
    (C) IC 30-2-10-9(b).  
    (D) IC 30-2-13-38(f).  
(38) Practice of law by a person who is not an attorney (IC [ ] 33-43-2-1).  
(39) An offense listed in IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled 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 4 ~~4-4~~ [5]. 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:

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(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:

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

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

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

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

(1) a Level 5 felony if the delinquent act would be a Level 6 felony if committed by an adult;

(2) a Level 4 felony if the delinquent act would be a Level 5 felony if committed by an adult;

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

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

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

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

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

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

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

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

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1       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who  
2       knowingly or intentionally uses or distributes nitrous oxide with intent  
3       to cause a condition of intoxication, euphoria, excitement, exhilaration,  
4       stupefaction, or dulling of the senses of another person, unless the  
5       nitrous oxide is to be used for medical purposes, commits a Class B  
6       misdemeanor. However, the offense is a Class A misdemeanor if the  
7       person has a prior unrelated conviction under this section.

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

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

15       (1) a retail or wholesale restaurant supply company that sells or  
16       distributes flavored nitrous oxide to a person for use in food and  
17       beverage preparation or other culinary purposes; **or**  
18       (2) a person that uses flavored nitrous oxide in food and  
19       beverage recipes or for other legitimate culinary purposes; **or**  
20       (3) a **law enforcement agency that is disposing of flavored**  
21       **nitrous oxide by donation to a nonprofit organization.**

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