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# HOUSE BILL No. 1052

**AM105210 has been incorporated into introduced printing.**

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**Synopsis:** Various administrative law matters.

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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 4-30-3-20, AS AMENDED BY P.L.152-2025,  
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 UPON PASSAGE]: Sec. 20. (a) This section does not apply to:  
4 (1) an activity specifically authorized by:  
5 (A) IC 4-29 or IC 4-29.5 (tribal gaming and tribal-state  
6 compact);  
7 (B) IC 4-31 (pari-mutuel wagering on horse races);  
8 (C) IC 4-33 (riverboat gambling);  
9 (D) IC 4-35 (gambling games at racetracks); **or**  
10 (E) IC 4-38 (sports wagering); **or**  
11 (F) **IC 4-39 (online sweepstakes games);**  
12 (2) the purchase of a tangible lottery ticket for a lottery game  
13 from:  
14 (A) a retailer authorized to sell lottery tickets under  
15 IC 4-30-9; or

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(B) the commission; or  
(3) a free:  
    (A) interactive game; or  
    (B) promotional game;  
offered by the commission.

(b) Unless specifically granted authority by a statute passed by the general assembly, the commission and Indiana gaming commission shall not, independently or by public-private partnership, operate or authorize the use or operation of the following:

- (1) A lottery game operated through a video lottery terminal.
- (2) A video gaming terminal.
- (3) A lottery courier service.
- (4) The sale of digital representations of:
  - (A) casino-style games, including:
    - (i) poker;
    - (ii) roulette;
    - (iii) slot machines; or
    - (iv) blackjack;over the Internet;
  - (B) scratch-off games; or
  - (C) draw games.

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

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

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

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

SECTION 4. IC 4-31-3-11.5, AS AMENDED BY P.L.152-2025, 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 5. 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.



(8) The applicant or licensee has been convicted of a crime involving bookmaking, touting, or similar pursuits or has consortled 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 6. IC 4-31-7-9, AS AMENDED BY P.L.32-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) After December 31, 2013, the following individuals may not wager on horse racing at a licensed facility:

(1) A member of the commission.

(2) An employee of the commission.

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22 SECTION 7. IC 4-31-8-4, AS AMENDED BY P.L.168-2019,  
23 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2026]: Sec. 4. (a) A permit holder shall provide an alcohol  
25 breath-testing device that is approved by the commission and operated  
26 by a person certified to use such a device. **The necessary  
27 qualifications for an individual administering a breath-testing  
28 device and the policies and procedures of the breath-testing  
29 program are subject to the approval of either the executive  
30 director of the commission or the director of security of the  
31 commission.** All drivers, jockeys, judges, starters, assistant starters,  
32 and drivers of starting gates shall submit to a breath test at each racing  
33 program in which they participate. In addition, the executive director  
34 of the commission, a member of the commission, a commission  
35 investigator, the ~~stewards~~, **judges**, or the track chief of security may  
36 order a licensee to submit to a breath test at any time there is reason to  
37 believe the licensee may have consumed sufficient alcohol to cause the  
38 licensee to fail a breath test.

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



1 of the person's breath, is subject to the following sanctions:

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

4 (2) A judge, a starter, an assistant starter, or a driver of the  
5 starting gate shall be relieved of all duties for that program, and  
6 a report shall be made to the commission for appropriate action.  
7 (3) Any other licensee shall be suspended, beginning that day,  
8 under the rules of the commission.

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

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

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

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

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

28 SECTION 8. IC 4-31-12-5, AS AMENDED BY P.L.168-2019,  
29 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2026]: Sec. 5. (a) The judges, ~~the stewards~~, a commission  
31 veterinarian, a member of the commission, or the executive director of  
32 the commission may order a test of a biological sample on a horse for  
33 the purpose of analysis.

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

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

37 (2) Any other horses designated by the judges, ~~the stewards~~, a  
38 commission veterinarian, a member of the commission, or the  
39 executive director of the commission. The judges and  
40 veterinarian shall designate for the taking of a biological sample  
41 a horse that races markedly contrary to form.



1 SECTION 9. IC 4-31-12-6, AS AMENDED BY P.L.111-2022,  
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2026]: Sec. 6. (a) The commission:

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

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

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

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

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

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

27 SECTION 10. IC 4-31-12-7, AS AMENDED BY P.L.168-2019,  
 28 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2026]: Sec. 7. (a) A veterinarian appointed by the commission  
 30 or employed by a permit holder may not, during the period of the  
 31 veterinarian's employment, do the following with respect to a breed of  
 32 horse registered with the commission for racing at the track of the  
 33 veterinarian's employment:

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

36 (2) Perform an endoscopic examination on a horse the day the  
 37 horse is scheduled to race.

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

40 (b) Except as provided in subsection (c), an owner or trainer may  
 41 not directly or indirectly employ or pay compensation to a veterinarian



1 with respect to the care of a horse belonging to a breed of horse  
2 registered with the commission for racing at the track of the  
3 veterinarian's employment.

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

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

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

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

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

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

25 (B) effective at all other racing meetings under the  
26 jurisdiction of the commission.

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

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

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

38 (c) A sanction under this section may be appealed to the  
39 commission. Judges ~~and stewards~~ imposing sanctions under this  
40 section must prove the person's violation by a preponderance of the  
41 evidence. The commission shall adopt rules establishing procedures for



1 appeals and stays of appeals. The commission shall conduct a hearing  
 2 on an appeal filed under this section as provided in IC 4-21.5.

3 SECTION 12. IC 4-31-13-1, AS AMENDED BY P.L.210-2013,  
 4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2026]: Sec. 1. (a) The commission may issue orders under  
 6 IC 4-21.5 to:

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

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

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

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

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

- 35 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
- 36 (2) A temporary order or other immediate action in the nature of  
 37 a summary suspension if a licensee's actions constitute an  
 38 immediate danger to the public health, safety, or welfare.
- 39 (3) Suspension of a license held by the licensee for not more  
 40 than three (3) years. The suspension of a license under this  
 41 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. 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 14. IC 4-33-4-3, AS AMENDED BY P.L.93-2024, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The commission shall do the following:

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

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

(B) The regulatory process provided in this article.

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

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

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

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

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

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

- (A) Certify the revenue received by a riverboat.
- (B) Receive complaints from the public.
- (C) Conduct other investigations into the conduct of the gambling games and the maintenance of the equipment that the commission considers necessary and proper.

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

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

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

- (1) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program agrees to refrain from entering a riverboat or other facility under the jurisdiction of the commission **or from placing a wager with a certificate holder licensed under IC 4-38**.
- (2) That the name **and last four (4) digits of the Social Security number** of a person participating in the program will be included on a list of persons excluded from all facilities under the jurisdiction of the commission.
- (3) Except as provided by rule of the commission, a person who participates in the voluntary exclusion program may not petition the commission for readmittance to a facility under the jurisdiction of the commission.
- (4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission **and to a certificate holder licensed under IC 4-38** 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**

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1 shall make all reasonable attempts as determined by the  
 2 commission to cease all direct marketing efforts to a person  
 3 participating in the program.

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

11 SECTION 15. IC 4-33-18 IS REPEALED [EFFECTIVE JULY 1,  
 12 2026]. (Indiana Department of Gaming Research).

13 SECTION 16. IC 4-39 IS ADDED TO THE INDIANA CODE AS  
 14 A **NEW ARTICLE** TO READ AS FOLLOWS [EFFECTIVE UPON  
 15 PASSAGE]:

16 **ARTICLE 39. ONLINE SWEEPSTAKES GAMES**

17 **Chapter 1. General Provisions**

18 **Sec. 1. The commission shall regulate and administer online**  
 19 **sweepstakes platforms conducted by registered online sweepstakes**  
 20 **operators under this article.**

21 **Sec. 2. The commission has the following powers and duties for**  
 22 **the purpose of administering, regulating, and enforcing the**  
 23 **conduct of online sweepstakes games authorized under this article:**

24 (1) **All powers and duties specified in this article.**

25 (2) **All powers necessary and proper to fully and effectively**  
 26 **execute this article.**

27 (3) **Jurisdiction and supervision over the following:**

28 (A) **All online sweepstakes game operations in Indiana.**

29 (B) **All persons engaged in offering, conducting, or**  
 30 **participating in online sweepstakes games under this**  
 31 **article.**

32 (4) **To investigate and reinvestigate applicants, online**  
 33 **sweepstakes operator registrants, and other licensees**  
 34 **involved with online sweepstakes games conducted under**  
 35 **this article.**

36 (5) **To investigate alleged violations of this article.**

37 (6) **To revoke, suspend, or renew registrations under this**  
 38 **article.**

39 (7) **To take any reasonable or appropriate action to enforce**  
 40 **this article.**

41 **Sec. 3. The commission may do the following:**

42 (1) **Take appropriate administrative enforcement or**



1                   **disciplinary action against a person that violates this article.**

2                   **(2) Conduct hearings.**

3                   **(3) Issue subpoenas for the attendance of witnesses and**  
 4                   **subpoenas duces tecum for the production of books, records,**  
 5                   **and other relevant documents.**

6                   **(4) Administer oaths and affirmations to witnesses.**

7                   **Chapter 2. Definitions**

8                   **Sec. 0.5. Except as otherwise provided, the definitions in this**  
 9                   **chapter apply throughout this article.**

10                  **Sec. 1. "Authorized player" means a person who:**

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

12                  **(2) is physically located in Indiana; and**

13                  **(3) opens and maintains an access account with an online**  
 14                  **sweepstakes operator.**

15                  **Sec. 2. "Bona fide product" means a digital or tangible good,**  
 16                  **service, or product that has independent value and is genuinely**  
 17                  **offered for sale or use by an online sweepstakes operator. The term**  
 18                  **includes online entertainment and social casino games using**  
 19                  **standard play tokens.**

20                  **Sec. 3. "Commission" means the Indiana gaming commission**  
 21                  **established by IC 4-33-3-1.**

22                  **Sec. 4. (a) "Online sweepstakes game" means a game, contest,**  
 23                  **or promotion that is available on the Internet and is accessible on**  
 24                  **a mobile phone, computer terminal, or similar access device that:**

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

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

31                  **(1) uses a terminal or other access device in a retail or public**  
 32                  **setting explicitly for use in online sweepstakes game play;**  
 33                  **(2) is based on an outcome or occurrence within a sporting**  
 34                  **event;**

35                  **(3) does not award prizes with real world value based on the**  
 36                  **outcome of game play; or**

37                  **(4) allows a participant to partake in a sweepstakes game**  
 38                  **ancillary to the purchase of food, nonalcoholic beverages,**  
 39                  **merchandise, or services other than virtual tokens.**

40                  **Sec. 5. "Online sweepstakes operator" or "operator" means**  
 41                  **a person that owns, operates, manages, controls, or otherwise**  
 42                  **conducts an online sweepstakes platform available to a person**



1       **located in Indiana.**

2       **Sec. 6. "Online sweepstakes platform" or "platform" means**  
 3       **a uniquely branded website or application operated by an online**  
 4       **sweepstakes operator for the participation in online sweepstakes**  
 5       **games.**

6       **Sec. 7. "Person" means an individual, a sole proprietorship, a**  
 7       **partnership, an association, a fiduciary, a corporation, a limited**  
 8       **liability company, or any other business entity.**

9       **Sec. 8. "Prize" means property, service, credit, cash, cash**  
 10       **equivalent, or another thing of real world value awarded to an**  
 11       **authorized player in connection with an online sweepstakes game.**

12       **Sec. 9. "Prohibited player" means any of the following:**

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

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

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

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

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

25       **Sec. 10. "Promotional play tokens" means free promotional**  
 26       **sweepstakes entry tokens that:**

27       **(1) cannot be purchased;**

28       **(2) allow a person to participate in online sweepstakes**  
 29       **games;**

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

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

34       **Sec. 11. "Standard play token" means a virtual token used for**  
 35       **online social games that cannot be:**

36       **(1) redeemed for anything of real world value;**

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

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

40       **Chapter 3. Authority to Conduct Online Sweepstakes Games**

41       **Sec. 1. (a) An operator shall register each online sweepstakes**  
 42       **platform with the commission in the manner required by this**



1       **chapter before operating in Indiana.**

2       **(b) An operator shall complete a registration application in the**  
 3       **form and manner required by the commission. The registration**  
 4       **application must include the following:**

5       **(1) The names and website locations of all platforms**  
 6       **operated by the applicant.**

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

8       **(3) The address of any offices of the applicant in Indiana, if**  
 9       **applicable, and the applicant's designated registered agent**  
 10      **for process in Indiana.**

11      **(4) A certificate of good standing issued by the secretary of**  
 12      **state.**

13      **(5) Other information the commission deems necessary to**  
 14      **ensure compliance with this article.**

15      **(c) An operator shall submit to the commission a registration**  
 16      **fee of one hundred thousand dollars (\$100,000) for each platform**  
 17      **registered with the commission. The commission shall deposit**  
 18      **amounts received under this subsection in the state general fund.**

19      **(d) A registration fee payment under subsection (c) is effective**  
 20      **for five (5) years.**

21      **Sec. 2. (a) The commission shall act promptly on registration**  
 22      **applications that the commission receives under section 1 of this**  
 23      **chapter. The commission shall issue or deny registration within one**  
 24      **hundred twenty (120) days of receiving a completed application**  
 25      **and registration fee. Whether an application is complete is**  
 26      **determined by the commission.**

27      **(b) If the commission denies a registration application, the**  
 28      **commission shall state with specificity the reasons for the denial**  
 29      **and provide the applicant a reasonable opportunity to submit**  
 30      **within thirty (30) days additional evidence the commission requires**  
 31      **to demonstrate compliance with this article.**

32      **Sec. 3. An operator doing business in Indiana before July 1,**  
 33      **2026, may continue operating conditionally while a registration**  
 34      **application is pending, if the operator submits the registration**  
 35      **application within ninety (90) days of the commission making the**  
 36      **application available.**

37      **Sec. 4. (a) Within ninety (90) days of the expiration of a**  
 38      **registration, an operator may submit to the commission an**  
 39      **application under section 1 of this chapter to renew the**  
 40      **registration.**

41      **(b) An operator may continue operating while a renewal**  
 42      **application is pending until the registration renewal is issued or**



1       denied.

2           (c) The commission may provide a simplified process for the  
3       renewal of previously approved registrations.

4           (d) An operator that applies to renew a registration under this  
5       section shall submit to the commission a renewal fee of one  
6       hundred thousand dollars (\$100,000).

7           Sec. 5. Except as otherwise provided in this chapter, a person  
8       may not operate an online sweepstakes game in Indiana without a  
9       registration issued by the commission.

10          **Chapter 4. Operator Requirements**

11          **Sec. 1. An operator shall use commercially reasonable methods  
12       to do the following:**

13           (1) Prevent a prohibited player from participating in an  
14       online sweepstakes game.

15           (2) Verify the identity and age of a person participating in an  
16       online sweepstakes game.

17           (3) Limit an authorized player to one (1) account per  
18       platform but allow an authorized player to use the same  
19       account across multiple platforms operated by a single  
20       operator.

21           (4) Use geolocation to identify an authorized player's  
22       location, sufficient to verify that an authorized player  
23       participating in an online sweepstakes game is located in  
24       Indiana.

25           (5) Protect the privacy, financial information, and personal  
26       identifying information of participants.

27           (6) Initiate all prize redemptions within forty-eight (48)  
28       hours of receiving a valid redemption request from an  
29       authorized player.

30          **Sec. 2. (a) An operator shall:**

31           (1) establish internal and accounting controls applicable to  
32       online sweepstakes games; and

33           (2) ensure that the security and integrity of all financial  
34       transactions and prize redemptions in connection with online  
35       sweepstakes games comply with this article and rules  
36       adopted by the commission under this article.

37          **(b) An operator shall:**

38           (1) collect, report, and pay all applicable taxes and fees;

39           (2) maintain all books, records, and documents pertaining to  
40       the operator's online sweepstakes platforms in a manner  
41       approved by the commission; and

42           (3) make the items listed in subdivision (2) available for



**inspection by the commission upon commercially reasonable notice by the commission during ordinary business hours in accordance with rules adopted by the commission under this article.**

(c) An operator may allow a person to make purchases of bona fide products over the Internet by using:

- (1) debit and credit cards;
- (2) automated clearinghouse transfers; and
- (3) any other means approved by the commission.

**Sec. 3. An operator shall provide responsible social gameplay tools to participants, including the following:**

**(1) Self-exclusion with determinate and irrevocable exclusion time frames, and the ability to terminate the online sweepstakes game account. During the course of the exclusion or termination an operator shall take commercially reasonable steps to prevent the person from participating in online sweepstakes games offered by the operator. An operator shall not knowingly mail or otherwise forward gaming related promotional materials or electronic mail to an authorized player during a period in which the authorized player has elected to temporarily or permanently suspend or terminate the account.**

(2) The ability to set limits that take effect immediately on play time and purchases. However, if an authorized player makes an increase to a previously imposed limit, the increase does not take effect until the expiration of the previously imposed limit under the terms of the authorized player's original election.

**(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.**

**Sec. 4. (a) An operator shall not allow, conduct, or participate in false or misleading advertising concerning the operator's online sweepstakes games.**

**(b) All advertising and marketing materials published, aired, displayed, or distributed by or on behalf of an online sweepstakes operator must comply with the following:**

**(1) The materials may not directly advertise or promote online sweepstakes games to minors.**

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**(2) The materials must conspicuously display key terms and conditions, including that:**

(A) sweepstakes participation is prohibited by individuals who are under twenty-one (21) years of age; and

**(B) no purchase is necessary.**

**(3) The materials must provide information and links to responsible social gameplay resources.**

**(4) The materials must not imply a greater chance of winning a sweepstakes prize based on making purchases of a bona fide product.**

(5) The materials must fairly and accurately depict the actual product and gameplay.

(6) The materials may not falsely state or imply any connection to an entity licensed by the commission.

## Chapter 5. Violations

**Sec. 1. If the commission has good cause to believe that an operator has violated this article, the commission may investigate, hold hearings, and take any other action to determine whether an operator has violated this article.**

**Sec. 2. (a) If the commission finds that an operator has violated this article, the commission may impose a civil penalty of not more than one thousand dollars (\$1,000) for each violation of this article, not to exceed ten thousand dollars (\$10,000) for multiple violations that arise out of the same transaction or occurrence.**

**(b) Upon a third or subsequent occurrence giving rise to a violation, the commission may:**

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

**(2) suspend or revoke the registration of an operator's online sweepstakes platform or platforms.**

**Sec. 3. An operator subject to a civil penalty, suspension of registration, or revocation of registration may request review and appeal under IC 4-21.5.**

## Chapter 6. Taxation of Bona Fide Products

**Sec. 1. IC 6-2.5 applies to the sale of bona fide products:**

**(1) promoted by an online sweepstakes game under this article; and**

**(2) to players located in Indiana at the time of purchase.**

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

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1 SECTION 18. IC 7.1-1-3-27.5 IS ADDED TO THE INDIANA  
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 3 [EFFECTIVE JULY 1, 2026]: Sec. 27.5. **"Organized sporting**  
 4 **competition"** means a sporting event sanctioned by a recognized  
 5 **governing or regulatory body.**

6 SECTION 19. IC 7.1-1-3-45.7 IS ADDED TO THE INDIANA  
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 8 [EFFECTIVE JULY 1, 2026]: Sec. 45.7. **"Sports arena"** means an  
 9 **indoor or outdoor facility where the main purpose and function of**  
 10 **the facility is organized sporting competition. The term does not**  
 11 **include:**

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

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

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

28 SECTION 22. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY  
 29 1, 2026]. **Sec. 9. Surety Bonds.** The required surety bond executed and  
 30 filed on behalf of a commissioner, an enforcement officer, or the  
 31 prosecutor shall be made payable to the State of Indiana and  
 32 conditioned upon the faithful discharge of the bonded party's respective  
 33 duties:

34 SECTION 23. IC 7.1-2-2-3 IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. **Bond and Oath of**  
 36 **Office.** The prosecutor shall execute a surety bond in the amount of  
 37 **five thousand dollars (\$5,000), with surety approved by the governor,**  
 38 **and an oath of office, both of which shall be filed in the office of the**  
 39 **secretary of state.**

40 SECTION 24. IC 7.1-2-2-10 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. **Enforcement**  
 42 **Officers: Bond and Oath of Office.** Each enforcement officer shall



1 execute a surety bond in the amount of one thousand dollars (\$1,000);  
 2 with surety approved by the commission, and an oath of office, both of  
 3 which shall be filed with the executive secretary of the commission.

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

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

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

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

20 (e) If:

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

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

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

30 SECTION 26. IC 7.1-3-1.5-1, AS AMENDED BY P.L.163-2025,  
 31 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 32 JULY 1, 2026]: Sec. 1. As used in this chapter, "alcohol server" means  
 33 the following:

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

36 (A) a manager;

37 (B) a bartender;

38 (C) a waiter or a waitress; or

39 (D) except for a current or retired law enforcement  
 40 officer, a contractor or an employee responsible for  
 41 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 27. 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, **that does not contain sleeping or living quarters**, where the

tobacco product or electronic cigarette is sold or distributed.  
(2) A premises upon which a cigarette vending machine is located.

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

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

SECTION 29. IC 7.1-3-18.5-2, AS AMENDED BY P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person who desires a certificate must provide the following to the commission:

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

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1 (2) Except as provided in section 6(c) of this chapter, a fee of  
2 two hundred dollars (\$200).  
3 (3) The name under which the applicant transacts or intends to  
4 transact business.  
5 (4) The address of the applicant's principal place of business or  
6 headquarters, if any.  
7 (5) The statement required under section 2.6 of this chapter.  
8 (6) If the applicant is applying for a new certificate under section  
9 3.2 of this chapter, a copy of each of the following:  
10 (A) If the new ownership of the business is a business  
11 entity, the articles of incorporation, articles of organization,  
12 or any other formation documents of the business entity.  
13 (B) If the new ownership of the business is an individual,  
14 either:  
15 (i) the sales or purchase agreement; or  
16 (ii) an affidavit signed by the applicant concerning the  
17 sale or purchase, on a form prescribed by the  
18 commission, that includes the name and address of the  
19 seller and purchaser.  
20 (C) The certificate held by the previous ownership of the  
21 business.  
22 (7) **A photocopy of the owner's driver's license, identification**  
23 **card issued under IC 9-24-16-1, a similar card issued under**  
24 **the laws of another state or the federal government, or**  
25 **another government issued document that bears the owner's**  
26 **photograph and birth date. If the applicant is a business with**  
27 **multiple owners, the applicant must designate at least one (1)**  
28 **managing owner for whom a photocopy of the managing**  
29 **owner's identification must be provided under this**  
30 **subdivision.**  
31 (8) **A floor plan of the premises where tobacco products or**  
32 **electronic cigarettes will be sold.**  
33 (b) A separate certificate is required for each location where the  
34 tobacco products or electronic cigarettes are sold or distributed. ~~A retail~~  
35 ~~An establishment may not hold more than one (1) active tobacco sales~~  
36 ~~certificate for a retail location at any time. Except when the real estate~~  
37 ~~for a retail location is transferred to an independent third party,~~  
38 ~~the commission shall not issue a certificate to a retail location~~  
39 ~~where a tobacco sales certificate was revoked within one (1) year~~  
40 ~~prior to the date of the application.~~  
41 (c) A certificate holder shall conspicuously display the holder's  
42 certificate on the holder's premises where the tobacco products or

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1        electronic cigarettes are sold or distributed.

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

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

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

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

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

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

15           SECTION 30. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024,  
 16           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17           JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the  
 18           commission shall not issue a tobacco sales certificate except as  
 19           otherwise authorized in this title and subject to the other restrictions  
 20           contained in this title, to the following persons:

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

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

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

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

29                (C) a crime in a state other than Indiana having a penalty  
 30                equal to the penalty for an Indiana Level 1, Level 2, Level  
 31                3, Level 4, or Level 5 felony.

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

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

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

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

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

40                        (ii) for the duration of the period in which the person  
 41                        sells or distributes in the manner described in section



1                   1 of this chapter.

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

3                   (i) that owns the premises to which the certificate will

4                   be applicable; or

5                   (ii) that has a bona fide lease on the premises for the

6                   full period for which the certificate is to be issued.

7                   (4) A person whose place of business is conducted by a manager

8                   or agent, unless the manager or agent possesses the same

9                   qualifications required for the issuance of a tobacco sales

10                  certificate to the person.

11                  (5) A minor.

12                  (6) A person non compos mentis.

13                  (7) A person who has held a permit or certificate under this title

14                  and who has had that permit or certificate revoked **or suspended**

15                  within one (1) year prior to the date of application for a tobacco

16                  sales certificate.

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

18                  certificate of any type under this title which has been denied less

19                  than one (1) year prior to the person's application for a tobacco

20                  sales certificate unless the first application was denied by reason

21                  of a procedural or technical defect.

22                  (b) Subsection (a)(5) does not prevent a minor from being a

23                  stockholder in a corporation.

24                  SECTION 31. IC 7.1-3-18.5-2.6, AS ADDED BY P.L.94-2008,

25                  SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

26                  JULY 1, 2026]: Sec. 2.6. An application for a tobacco **sales** certificate

27                  must contain the express statement of the applicant that the applicant

28                  consents for the duration of the certificate term (if the commission

29                  issues the certificate to the applicant) to the entrance, inspection, and

30                  search by an enforcement officer, without a warrant or other process,

31                  of the applicant's **retail** premises to determine whether the applicant is

32                  complying with the provisions of this title. The consent required by this

33                  section is renewed and continued by the retention of a certificate or the

34                  certificate's use by the applicant or the applicant's agents.

35                  SECTION 32. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005,

36                  SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

37                  JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission

38                  under this chapter must contain the following information:

39                   (1) The certificate number.

40                   (2) The certificate holder's name.

41                   (3) The permanent location of the business or vending machine



1 for which the certificate is issued.

2 (4) The expiration date of the certificate.

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

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

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

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

11 (2) nontransferable.

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

19 SECTION 34. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024,  
20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must  
22 hold a valid:

23 (1) driver's license issued by the state of Indiana or another state;  
24 or

25 (2) identification card issued by the state of Indiana, another  
26 state, or the United States;

27 to sell tobacco products.

28 (b) An employee must have the employee's driver's license or  
29 identification card or a copy of the employee's driver's license or  
30 identification card:

31 (1) either:

32 (A) in the employee's possession; or

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

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

36 when selling tobacco products.

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

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



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

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

25 SECTION 35. IC 7.1-5-6-3, AS AMENDED BY P.L.32-2019,  
26 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27 JULY 1, 2026]: Sec. 3. (a) It is unlawful for a person to act as a clerk  
28 in a package liquor store, or as a bartender, waiter, waitress, **security**,  
29 **bouncer**, or manager for a retailer permittee unless that person has  
30 applied for and been issued the appropriate permit. This section does  
31 not apply to dining car or boat employees, to a person described in  
32 IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d). A person  
33 who knowingly or intentionally violates this subsection commits a  
34 Class C infraction. However, the violation is a Class B misdemeanor  
35 if the person has a prior unrelated adjudication or conviction for a  
36 violation of this section within the previous five (5) years.

41 (c) It is a defense to a charge under this section for a new applicant  
42 for a permit if, not later than thirty (30) days after being cited by the

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1 commission, the new applicant who was cited produces a receipt for a  
 2 cashier's check or money order showing that an application for the  
 3 appropriate permit was applied for on the date of the citation.

4 SECTION 36. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,  
 5 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this  
 7 chapter shall not apply if the public place involved is one (1) of the  
 8 following:

- 9 (1) Civic center.
- 10 (2) Convention center.
- 11 (3) Sports arena.
- 12 (4) Bowling center.
- 13 (5) Bona fide club.
- 14 (6) Drug store.
- 15 (7) Grocery store.
- 16 (8) Boat.
- 17 (9) Dining car.
- 18 (10) Pullman car.
- 19 (11) Club car.
- 20 (12) Passenger airplane.
- 21 (13) Horse racetrack facility holding a recognized meeting  
permit under IC 4-31-5.
- 22 (14) Satellite facility (as defined in IC 4-31-2.1-36).
- 23 (15) Catering hall under IC 7.1-3-20-24 that is not open to the  
public.
- 24 (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.
- 25 (17) Entertainment complex.
- 26 (18) Indoor golf facility.
- 27 (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.
- 28 (20) A licensed premises owned or operated by a postsecondary  
educational institution described in IC 21-17-6-1.
- 29 (21) An automobile racetrack.
- 30 (22) An indoor theater under IC 7.1-3-20-26.
- 31 (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.

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(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

(B) operates under a retailer's permit.

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

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

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

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

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

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

(33) A small brewery under IC 7.1-3-2-7(5) and a restaurant of which the small brewery permit holder is the proprietor as provided in IC 7.1-3-2-7(5)(B), if the minor is accompanied by a parent, legal guardian, custodian, or family member who is at least twenty-one (21) years of age. The minor may be in any area

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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 IC 7.1-3-20-14.

(b) For the purpose of this subsection, "food" means meals prepared on the licensed premises. It is lawful for a minor to be on licensed premises in a room, outdoor patio, or terrace in which is located a bar over which alcoholic beverages are sold or dispensed by the drink if all the following conditions are met:

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

(2) The purpose for being on the licensed premises is the consumption of food and not the consumption of alcoholic beverages.

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

SECTION 37. IC 7.1-5-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C misdemeanor for a person to recklessly hinder, obstruct, interfere with, or prevent the observance or enforcement of any of the following:

(1) A provision of this title.

(2) A rule or regulation of the commission adopted in the administration of this title.

**(3) An order of the commission to suspend or revoke a permit or certificate issued under this title.**

SECTION 38. IC 15-19-2-3, AS ADDED BY P.L.2-2008, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board consists of seven (7) members selected as follows:

(1) The chairman of the Indiana horse racing commission, or the chairman's designee, is an ex officio member.

(2) Two (2) members who are members of county fair boards racing participants, appointed by the governor.

(3) Four (4) members appointed by the governor who have in the



1                   past participated or shown an interest in the standardbred  
 2                   industry. This interest may, but does not necessarily have to be,  
 3                   evidenced by virtue of being an owner, driver, veterinarian,  
 4                   trainer, or breeder.

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

8                   SECTION 39. IC 35-45-5-15 IS ADDED TO THE INDIANA  
 9                   CODE AS A NEW SECTION TO READ AS FOLLOWS  
 10                  [EFFECTIVE UPON PASSAGE]: **Sec. 15. This chapter does not**  
 11                  **apply to online sweepstakes games conducted under IC 4-39.**

12                  SECTION 40. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,  
 13                  SECTION 240, IS AMENDED TO READ AS FOLLOWS  
 14                  [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
 15                  apply throughout this chapter.

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

20                  (c) "Enterprise" means:

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

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

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

36                   (1) A provision of IC 23-19, or of a rule or order issued under  
 37                   IC 23-19.  
 38                   (2) A violation of IC 35-45-9.  
 39                   (3) A violation of IC 35-47.  
 40                   (4) A violation of IC 35-49-3.  
 41                   (5) Murder (IC 35-42-1-1).



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

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1 (B) IC 30-2-9-7(b).  
2 (C) IC 30-2-10-9(b).  
3 (D) IC 30-2-13-38(f).  
4 (38) Practice of law by a person who is not an attorney  
5 (IC 33-43-2-1).  
6 (39) An offense listed in IC 35-48-4 involving the manufacture  
7 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a  
8 synthetic drug lookalike substance (as defined in  
9 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under  
10 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled  
11 substance analog (as defined in IC 35-48-1.1-8), or a substance  
12 represented to be a controlled substance (as described in  
13 IC 35-48-4-4.6).  
14 (40) Dealing in a controlled substance resulting in death  
15 (IC 35-42-1-1.5).  
16 (41) Organized retail theft (IC 35-43-4-2.2).  
17 **(42) Sale of alcohol without a permit (IC 7.1-5-10-5).**  
18 SECTION 41. IC 35-46-1-8, AS AMENDED BY P.L.186-2025,  
19 SECTION 242, IS AMENDED TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen  
21 (18) years of age who knowingly or intentionally encourages, aids,  
22 induces, or causes a child to commit an act of delinquency (as defined  
23 by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a  
24 Class A misdemeanor, except as provided in subsections (b) through  
25 (e).  
26 (b) If the delinquent act described in subsection (a) would be a  
27 felony if committed by an adult, the offense described in subsection (a)  
28 is a felony of the same level as the delinquent act would be if  
29 committed by an adult.  
30 (c) The offense described in subsection (a) is a Level 5 felony if:  
31 (1) the person committing the offense is at least twenty-one (21)  
32 years of age and knowingly or intentionally furnishes:  
33 (A) an alcoholic beverage to a child in violation of  
34 IC 7.1-5-7-8 when the person committing the offense knew  
35 or reasonably should have known that the person furnished  
36 the alcoholic beverage was a child; or  
37 (B) a controlled substance (as defined in IC 35-48-1.1-7) or  
38 a drug (as defined in IC 9-13-2-49.1) in violation of Indiana  
39 law; and  
40 (2) the consumption, ingestion, or use of the alcoholic beverage,  
41 controlled substance, or drug is the proximate cause of the death

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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 delinquent act would be murder if committed by an adult.

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

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

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

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

SECTION 42. IC 35-46-6-3, AS AMENDED BY P.L.163-2025, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally uses or distributes nitrous oxide with intent to cause a condition of intoxication, euphoria, excitement, exhilaration, stupefaction, or dulling of the senses of another person, unless the nitrous oxide is to be used for medical purposes, commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated conviction under this section.

(b) Except as provided in subsection (c), a person who knowingly or intentionally sells, uses, or distributes flavored nitrous oxide

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1       commits a Class B misdemeanor. However, the offense is a Class A  
2       misdemeanor if the person has a prior unrelated conviction under this  
3       section.

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

6           (1) a retail or wholesale restaurant supply company that sells or  
7       distributes flavored nitrous oxide to a person for use in food and  
8       beverage preparation or other culinary purposes; **or**  
9           (2) a person that uses flavored nitrous oxide in food and  
10       beverage recipes or for other legitimate culinary purposes; **or**  
11           **(3) a law enforcement agency that is disposing of flavored**  
12       **nitrous oxide by donation to a nonprofit organization.**

13       SECTION 43. **An emergency is declared for this act.**

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