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HOUSE BILL No. 1052

Proposed Changes to introduced printing by AM105210

DIGEST OF PROPOSED AMENDMENT

Online sweepstakes games. Removes provisions from the bill that define and establish civil and criminal penalties for conducting a "sweepstakes game". Requires the Indiana gaming commission (commission) to regulate and administer online sweepstakes platforms conducted by registered online sweepstakes operators. Specifies requirements that apply to the operator of an online sweepstakes platform, including completing a registration application and submitting a \$100,000 registration fee, effective for five years. Prohibits a person from operating an online sweepstakes game in Indiana without a registration issued by the commission. Allows an operator doing business in Indiana before July 1, 2026, to continue operating conditionally while a timely registration application is pending. Makes gross retail and use tax provisions applicable to the sale of certain bona fide products. Specifies the commission's enforcement powers concerning online sweepstakes games.

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

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from:

(A) a retailer authorized to sell lottery tickets under IC 4-30-9; or

(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.

1 SECTION ~~4-31-2.1-5~~ [2], 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 ~~4-31-2.1-16.5~~ [3], 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.

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

11 SECTION ~~4-31-6-6~~⁵, IC 4-31-6-6, AS AMENDED BY
 12 P.L.172-2011, SECTION 9, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) The commission may refuse
 14 or deny a license application, revoke or suspend a license, or otherwise
 15 penalize a licensee, if:

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

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

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

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

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

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

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

38 (6) The applicant or licensee has demonstrated financial
 39 irresponsibility by accumulating unpaid obligations, defaulting
 40 on obligations, or issuing drafts or checks that are dishonored or
 41 not paid.

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



1 misrepresentation in an application for a license.

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

3 involving bookmaking, touting, or similar pursuits or has

4 consorted with a person convicted of such an offense.

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

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

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

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

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

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

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

12 racing matter.

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

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

15 all questions asked by the commission or its representatives

16 pertaining to a racing matter.

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

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

19 ordered redistributed by the commission.

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

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

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

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

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

25 racing official while performing official duties.

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

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

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

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

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

31 pending in Indiana or another jurisdiction.

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

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

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

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

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

37 **horse, or Indiana bred horse.**

38 SECTION ~~↔~~[6], IC 4-31-7-9, AS AMENDED BY P.L.32-2019,

39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

40 JULY 1, 2026]: Sec. 9. (a) After December 31, 2013, the following

41 individuals may not wager on horse racing at a licensed facility:

42 (1) A member of the commission:

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

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

- (1) A member of the commission.
- (2) The following individuals employed by the commission:
 - (A) The executive director.
 - (B) The assistant executive director.
 - (C) The director of security.
 - (D) The general counsel.
 - (E) The deputy general counsel.
 - (F) A steward.
 - (G) (F) A judge.

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

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

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

(b) A person whose breath test shows a reading of an alcohol concentration equivalent (as defined in IC 9-13-2-2.4) to more than 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
29 P.L.168-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The judges, ~~the stewards~~, a
31 commission veterinarian, a member of the commission, or the
32 executive director of the commission may order a test of a biological
33 sample on a horse for 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.

42 SECTION ~~↔~~[9]. IC 4-31-12-6, AS AMENDED BY



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

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

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

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

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

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

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

26 SECTION ~~9~~[10]. IC 4-31-12-7, AS AMENDED BY
 27 P.L.168-2019, SECTION 11, IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A veterinarian
 29 appointed by the commission or employed by a permit holder may not,
 30 during the period of the veterinarian's employment, do the following
 31 with respect to a breed of horse registered with the commission for
 32 racing at the track of the veterinarian's employment:

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

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

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

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

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veterinarian's employment.

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

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

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

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

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

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

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

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

(5) Referral of the matter to the commission for its consideration.

However, at least two (2) of the ~~stewards~~ or judges must concur in a sanction.

(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 one hundred eighty (180) days of the date of the violation.

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



1 SECTION 1~~4~~²[2]. IC 4-31-13-1, AS AMENDED BY
 2 P.L.210-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The commission may issue
 4 orders under IC 4-21.5 to:

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

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

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

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

23 SECTION 1~~2~~³[3]. IC 4-31-13-2, AS AMENDED BY
 24 P.L.152-2025, SECTION 13, IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The commission
 26 may adopt rules under IC 4-22-2 to delegate to the ~~stewards and~~ judges
 27 of racing meetings under the jurisdiction of the commission the power
 28 to conduct disciplinary hearings on behalf of the commission. The
 29 ~~stewards and~~ judges shall give at least twelve (12) hours notice of any
 30 such hearing. The ~~stewards and~~ judges, on behalf of the commission,
 31 may impose one (1) or more of the following sanctions against a
 32 licensee who violates this article or the rules or orders of the
 33 commission:

34 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
 35 (2) A temporary order or other immediate action in the nature of
 36 a summary suspension if a licensee's actions constitute an
 37 immediate danger to the public health, safety, or welfare.
 38 (3) Suspension of a license held by the licensee for not more
 39 than three (3) years. The suspension of a license under this
 40 subdivision is:
 41 (A) valid even though the suspension extends beyond the
 42 period of the racing meeting for which the ~~stewards and~~



judges have been appointed; and

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

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

(5) Referral of the matter to the commission for its consideration.

However, at least two (2) of the ~~stewards~~ or judges at a racing meeting must concur in a suspension or civil penalty.

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

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

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

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

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

(B) The regulatory process provided in this article.

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

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

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

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

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

7 (B) Receive complaints from the public.

8 (C) Conduct other investigations into the conduct of the
9 gambling games and the maintenance of the equipment that
10 the commission considers necessary and proper.

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

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

18 (1) Except as provided by rule of the commission, a person who
19 participates in the voluntary exclusion program agrees to refrain
20 from entering a riverboat or other facility under the jurisdiction
21 of the commission **or from placing a wager with a certificate**
22 **holder licensed under JC 4-38.**

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

27 (3) Except as provided by rule of the commission, a person who
28 participates in the voluntary exclusion program may not petition
29 the commission for readmittance to a facility under the
30 jurisdiction of the commission.

31 (4) That the list of patrons entering the voluntary exclusion
32 program and the personal information of the participants are
33 confidential and may only be disseminated by the commission to
34 the owner or operator of a facility under the jurisdiction of the
35 commission **and to a certificate holder licensed under**
36 **IC 4-38**Lfor purposes of enforcement and to other entities, upon
37 request by the participant and agreement by the commission.

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

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(6) That an owner of a facility under the jurisdiction of the commission **and a certificate holder licensed under IC 4-381** 1 may not cash the check of a person participating in the program or extend credit to the person in any manner. However, the voluntary exclusion program does not preclude an owner **or a certificate holder** from seeking the payment of a debt accrued by a person before entering the program.

← SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: See. 7. (a) As used in this section, "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.

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

(1) in Indiana; or

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

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

ARTICLE 39. ONLINE SWEEPSTAKES GAMES

Chapter 1. General Provisions

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

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

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

(2) All powers necessary and proper to fully and effectively

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1 execute this article.

2 (3) Jurisdiction and supervision over the following:

3 (A) All online sweepstakes game operations in Indiana.

4 (B) All persons engaged in offering, conducting, or

5 participating in online sweepstakes games under this

6 article.

7 (4) To investigate and reinvestigate applicants, online

8 sweepstakes operator registrants, and other licensees

9 involved with online sweepstakes games conducted under

10 this article.

11 (5) To investigate alleged violations of this article.

12 (6) To revoke, suspend, or renew registrations under this

13 article.

14 (7) To take any reasonable or appropriate action to enforce

15 this article.

16 Sec. 3. The commission may do the following:

17 (1) Take appropriate administrative enforcement or

18 disciplinary action against a person that violates this article.

19 (2) Conduct hearings.

20 (3) Issue subpoenas for the attendance of witnesses and

21 subpoenas duces tecum for the production of books, records,

22 and other relevant documents.

23 (4) Administer oaths and affirmations to witnesses.

24 Chapter 2. Definitions

25 Sec. 0.5. Except as otherwise provided, the definitions in this

26 chapter apply throughout this article.

27 Sec. 1. "Authorized player" means a person who:

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

29 (2) is physically located in Indiana; and

30 (3) opens and maintains an access account with an online

31 sweepstakes operator.

32 Sec. 2. "Bona fide product" means a digital or tangible good,

33 service, or product that has independent value and is genuinely

34 offered for sale or use by an online sweepstakes operator. The term

35 includes online entertainment and social casino games using

36 standard play tokens.

37 Sec. 3. "Commission" means the Indiana gaming commission

38 established by IC 4-33-3-1.

39 Sec. 4. (a) "Online sweepstakes game" means a game, contest,

40 or promotion that is available on the Internet and is accessible on

41 a mobile phone, computer terminal, or similar access device that:

42 (1) uses a dual-currency system or multi-currency system of



1 payment allowing a player a chance to win a prize; and
 2 (2) simulates lottery games or casino-style gaming, including
 3 slot machines, video poker, table games, lottery games,
 4 bingo, and sports wagering.

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

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

15 Sec. 5. "Online sweepstakes operator" or "operator" means
 16 a person that owns, operates, manages, controls, or otherwise
 17 conducts an online sweepstakes platform available to a person
 18 located in Indiana.

19 Sec. 6. "Online sweepstakes platform" or "platform" means
 20 a uniquely branded website or application operated by an online
 21 sweepstakes operator for the participation in online sweepstakes
 22 games.

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

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

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

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

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

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

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

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

42 Sec. 10. "Promotional play tokens" means free promotional



1 sweepstakes entry tokens that:

2 (1) cannot be purchased;
 3 (2) allow a person to participate in online sweepstakes
 4 games;
 5 (3) are made available by free alternative methods of entry;
 6 and
 7 (4) may be offered as bonuses, including the sale of standard
 8 play tokens.

9 Sec. 11. "Standard play token" means a virtual token used for
 10 online social games that cannot be:

11 (1) redeemed for anything of real world value;
 12 (2) exchanged for any other type of token, credit, or
 13 consideration, including promotional play tokens; and
 14 (3) transferred by an authorized player to another person.

15 Chapter 3. Authority to Conduct Online Sweepstakes Games

16 Sec. 1. (a) An operator shall register each online sweepstakes
 17 platform with the commission in the manner required by this
 18 chapter before operating in Indiana.

19 (b) An operator shall complete a registration application in the
 20 form and manner required by the commission. The registration
 21 application must include the following:

22 (1) The names and website locations of all platforms
 23 operated by the applicant.
 24 (2) The name and principal address of the applicant.
 25 (3) The address of any offices of the applicant in Indiana, if
 26 applicable, and the applicant's designated registered agent
 27 for process in Indiana.
 28 (4) A certificate of good standing issued by the secretary of
 29 state.
 30 (5) Other information the commission deems necessary to
 31 ensure compliance with this article.

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

36 (d) A registration fee payment under subsection (c) is effective
 37 for five (5) years.

38 Sec. 2. (a) The commission shall act promptly on registration
 39 applications that the commission receives under section 1 of this
 40 chapter. The commission shall issue or deny registration within one
 41 hundred twenty (120) days of receiving a completed application
 42 and registration fee. Whether an application is complete is



1 determined by the commission.

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

7 Sec. 3. An operator doing business in Indiana before July 1,
 8 2026, may continue operating conditionally while a registration
 9 application is pending, if the operator submits the registration
 10 application within ninety (90) days of the commission making the
 11 application available.

12 Sec. 4. (a) Within ninety (90) days of the expiration of a
 13 registration, an operator may submit to the commission an
 14 application under section 1 of this chapter to renew the
 15 registration.

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

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

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

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

Chapter 4. Operator Requirements

27 Sec. 1. An operator shall use commercially reasonable methods
 28 to do the following:

29 (1) Prevent a prohibited player from participating in an
 30 online sweepstakes game.

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

33 (3) Limit an authorized player to one (1) account per
 34 platform but allow an authorized player to use the same
 35 account across multiple platforms operated by a single
 36 operator.

37 (4) Use geolocation to identify an authorized player's
 38 location, sufficient to verify that an authorized player
 39 participating in an online sweepstakes game is located in
 40 Indiana.

41 (5) Protect the privacy, financial information, and personal



identifying information of participants.

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

Sec. 2. (a) An operator shall:

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

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

(b) An operator shall:

- (1) collect, report, and pay all applicable taxes and fees;
- (2) maintain all books, records, and documents pertaining to the operator's online sweepstakes platforms in a manner approved by the commission; and
- (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

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1 does not take effect until the expiration of the previously
 2 imposed limit under the terms of the authorized player's
 3 original election.

4 (3) Prominently displayed messages and links to responsible
 5 social gameplay tools and resources.

6 (4) Training to customer-facing employees to identify signs
 7 of gaming disorders or unhealthy behavior and address those
 8 instances with defined responsible social gameplay protocols
 9 and interventions.

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

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

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

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

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

23 (B) no purchase is necessary.

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

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

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

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

Chapter 5. Violations

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

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



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

3 **(1) impose a civil penalty under subsection (a); or**
 4 **(2) suspend or revoke the registration of an operator's online**
 5 **sweepstakes platform or platforms.**

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

9 **Chapter 6. Taxation of Bona Fide Products**

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

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

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

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

18 SECTION 1~~↔~~[8]. IC 7.1-1-3-27.5 IS ADDED TO THE
 19 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2026]: Sec. 27.5. "Organized sporting
 21 competition" means a sporting event sanctioned by a recognized
 22 governing or regulatory body.

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

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

33 SECTION ~~↔~~[20]. IC 7.1-1-3-48.7 IS ADDED TO THE
 34 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2026]: Sec. 48.7. "Wholesale" means the
 36 business of selling, bartering, exchanging, or distributing tobacco
 37 products or electronic cigarettes to certificate holders in Indiana
 38 for the purpose of resale.

39 SECTION 2~~↔~~[1]. IC 7.1-2-1-8 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. Bond and Oath of
 41 Office: Each commissioner shall execute a surety bond in the amount
 42 of ten thousand dollars (\$10,000), with surety approved by the

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1 governor; and an oath of office, both of which shall be filed in the
 2 office of the secretary of state.

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

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

15 SECTION 2~~↔~~[4]. IC 7.1-2-2-10 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. Enforcement
 17 Officers: Bond and Oath of Office: Each enforcement officer shall
 18 execute a surety bond in the amount of one thousand dollars (\$1,000),
 19 with surety approved by the commission; and an oath of office, both of
 20 which shall be filed with the executive secretary of the commission.

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

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

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

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

37 (e) If:

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

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



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

5 SECTION 2~~5~~[6]. IC 7.1-3-1.5-1, AS AMENDED BY
 6 P.L.163-2025, SECTION 11, IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this
 8 chapter, "alcohol server" means the following:

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

11 (A) a manager;
 12 (B) a bartender;
 13 (C) a waiter or a waitress; or
 14 (D) **except for a current or retired law enforcement**
 15 **officer, a contractor or an employee responsible for**
 16 **examining an individual's identification to determine the**
 17 **individual's age, including controlling the entry of**
 18 **individuals to a licensed premises at a time when entry**
 19 **into the licensed premises is**~~1~~**restricted to those**
 20 **individuals at least twenty-one (21) years of age.**

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

23 (A) manager; or
 24 (B) sales clerk.

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

28 SECTION 2~~6~~[7]. IC 7.1-3-18.5-1, AS AMENDED BY
 29 P.L.32-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person may not sell or
 31 otherwise distribute in exchange for consideration a tobacco product or
 32 electronic cigarette at retail **or wholesale** without a valid tobacco sales
 33 certificate issued by the commission.

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

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

39 (2) A premises upon which a cigarette vending machine is
 40 located.

41 SECTION 2~~7~~[8]. IC 7.1-3-18.5-1.5 IS ADDED TO THE
 42 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) A person may not sell
 2 tobacco products or electronic cigarettes at wholesale or
 3 participate in the wholesale distribution of tobacco products or
 4 electronic cigarettes without a valid wholesale tobacco sales
 5 certificate issued by the commission.

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

10 SECTION 2~~8~~[9]. IC 7.1-3-18.5-2, AS AMENDED BY
 11 P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person who desires a
 13 certificate must provide the following to the commission:

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

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

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

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

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

23 (6) If the applicant is applying for a new certificate under section
 24 3.2 of this chapter, a copy of each of the following:

25 (A) If the new ownership of the business is a business
 26 entity, the articles of incorporation, articles of organization,
 27 or any other formation documents of the business entity.

28 (B) If the new ownership of the business is an individual,
 29 either:

30 (i) the sales or purchase agreement; or

31 (ii) an affidavit signed by the applicant concerning the
 32 sale or purchase, on a form prescribed by the
 33 commission, that includes the name and address of the
 34 seller and purchaser.

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

37 (7) A photocopy of the owner's driver's license, identification
 38 card issued under IC 9-24-16-1, a similar card issued under
 39 the laws of another state or the federal government, or
 40 another government issued document that bears the owner's
 41 photograph and birth date. If the applicant is a business with
 42 multiple owners, the applicant must designate at least one (1)



managing owner for whom a photocopy of the managing owner's identification must be provided under this subdivision.

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

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

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

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

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

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

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

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

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

SECTION ~~29~~[30]. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the commission shall not issue a tobacco sales certificate except as otherwise authorized in this title and subject to the other restrictions contained in this title, to the following persons:

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

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

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

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



or

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

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

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

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

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

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

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

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

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

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

(5) A minor.

(6) A person non compos mentis.

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

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

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

38 SECTION 3~~0~~[1]. IC 7.1-3-18.5-2.6, AS ADDED BY
39 P.L.94-2008, SECTION 38, IS AMENDED TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2026]: Sec. 2.6. An application for a tobacco
41 **sales** certificate must contain the express statement of the applicant that
42 the applicant consents for the duration of the certificate term (if the

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1 commission issues the certificate to the applicant) to the entrance,
2 inspection, and search by an enforcement officer, without a warrant or
3 other process, of the applicant's ~~retail~~ premises to determine whether
4 the applicant is complying with the provisions of this title. The consent
5 required by this section is renewed and continued by the retention of a
6 certificate or the certificate's use by the applicant or the applicant's
7 agents.

8 SECTION 3~~↔~~[2]. IC 7.1-3-18.5-3, AS AMENDED BY
9 P.L.224-2005, SECTION 11, IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A certificate
11 issued by the commission under this chapter must contain the following
12 information:

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

18 (b) A retail tobacco sales certificate is:

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

22 (c) A wholesale tobacco sales certificate is:

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

38 (1) driver's license issued by the state of Indiana or another state;
39 or
40 (2) identification card issued by the state of Indiana, another
41 state, or the United States;
42 to sell tobacco products.

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4 (1) either:

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

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

9 when selling tobacco products.

10 (c) If an employee holds a valid license or identification card as
11 described in subsection (a) but is unable to show the license,
12 identification card, or a copy to an excise officer under subsection (b)
13 because:

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

19 show the license, identification card, or copy to the excise officer,
20 produce to the excise officer or to the office of the commission
21 satisfactory evidence of a license or identification card issued to the
22 individual that was valid at the time the individual was unable to show
23 the license, identification card, or copy.

31 employees violate this section.

32 (1) For three (3) violations in a one (1) year period, suspend

33 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.

37 the certificate for a period of an additional five (5) days.
38 (4) For six (6) or more violations in a one (1) year period,
39 revoke the certificate.

SECTION 3-~~4~~5. IC 7.1-5-6-3, AS AMENDED BY
P.L.32-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2026]: Sec. 3. (a) It is unlawful for a person to

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1 act as a clerk in a package liquor store, or as a bartender, waiter,
 2 waitress, **security, bouncer**, or manager for a retailer permittee unless
 3 that person has applied for and been issued the appropriate permit. This
 4 section does not apply to dining car or boat employees, to a person
 5 described in IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d).
 6 A person who knowingly or intentionally violates this subsection
 7 commits a Class C infraction. However, the violation is a Class B
 8 misdemeanor if the person has a prior unrelated adjudication or
 9 conviction for a violation of this section within the previous five (5)
 10 years.

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

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

20 SECTION 3~~5~~6, IC 7.1-5-7-11, AS AMENDED BY
 21 P.L.163-2025, SECTION 47, IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The provisions
 23 of sections 9 and 10 of this chapter shall not apply if the public place
 24 involved is one (1) of the following:

- 25 (1) Civic center.
- 26 (2) Convention center.
- 27 (3) Sports arena.
- 28 (4) Bowling center.
- 29 (5) Bona fide club.
- 30 (6) Drug store.
- 31 (7) Grocery store.
- 32 (8) Boat.
- 33 (9) Dining car.
- 34 (10) Pullman car.
- 35 (11) Club car.
- 36 (12) Passenger airplane.
- 37 (13) Horse racetrack facility holding a recognized meeting
 38 permit under IC 4-31-5.
- 39 (14) Satellite facility (as defined in IC 4-31-2.1-36).
- 40 (15) Catering hall under IC 7.1-3-20-24 that is not open to the
 41 public.
- 42 (16) That part of a restaurant which is separate from a room in



1 which is located a bar over which alcoholic beverages are sold
2 or dispensed by the drink.
3 (17) Entertainment complex.
4 (18) Indoor golf facility.
5 (19) A recreational facility such as a golf course, bowling center,
6 or similar facility that has the recreational activity and not the
7 sale of food and beverages as the principal purpose or function
8 of the person's business.
9 (20) A licensed premises owned or operated by a postsecondary
10 educational institution described in IC 21-17-6-1.
11 (21) An automobile racetrack.
12 (22) An indoor theater under IC 7.1-3-20-26.
13 (23) A senior residence facility campus (as defined in
14 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
15 furnished as provided under IC 7.1-3-1-29.
16 (24) A hotel other than a part of a hotel that is a room in a
17 restaurant in which a bar is located over which alcoholic
18 beverages are sold or dispensed by the drink.
19 (25) The location of an allowable event to which IC 7.1-3-6.1
20 applies.
21 (26) The location of a charity auction to which IC 7.1-3-6.2
22 applies.
23 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the
24 minor is in the company of a parent, legal guardian or custodian,
25 or family member who is at least twenty-one (21) years of age.
26 (28) A farm winery and any additional locations of the farm
27 winery under IC 7.1-3-12, if the minor is in the company of a
28 parent, legal guardian or custodian, or family member who is at
29 least twenty-one (21) years of age and the minor is accompanied
30 by the adult in any area that the adult may be present whether or
31 not the area:
32 (A) is separated in any manner from where the wine is
33 manufactured, sold, or consumed within the farm winery
34 premises; or
35 (B) operates under a retailer's permit.
36 (29) An artisan distillery under IC 7.1-3-27, if:
37 (A) the person who holds the artisan distiller's permit also
38 holds a farm winery permit under IC 7.1-3-12, or
39 IC 7.1-3-20-16.4(a) applies to the person; and
40 (B) the minor is in the company of a parent, legal guardian
41 or custodian, or family member who is at least twenty-one
42 (21) years of age.



- (30) An art instruction studio under IC 7.1-5-8-4.6.
- (31) The licensed premises of a food hall under IC 7.1-3-20-29 and the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30. However, sections 9 and 10 of this chapter apply to a bar within the food and beverage vending space of a food hall vendor permittee under IC 7.1-3-20-30 that serves alcoholic beverages intended to be consumed while sitting or standing at the bar.

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

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

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

premises; or
(B) operates under a retailer's permit as provided in
IC 7.1-3-2-7(5)(C)

(34) A restaurant that satisfies the gross food sales requirement provided in IC 7.1-3-20-14.

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

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

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

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

SECTION 3~~6~~⁷. 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:

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

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

22 SECTION 3 ~~↔ [9]~~ IC 35-~~31.5-2-320.~~ [45-5-1] IS ADDED TO
23 THE INDIANA CODE AS A NEW SECTION TO READ AS
24 FOLLOWS [EFFECTIVE ~~JULY 1, 2026~~]: See. 320.5. "Sweepstakes
25 game", for purposes of IC 35-45-5, has the meaning set forth in
26 IC 35-45-5-1(i).

27 —— SECTION 39. IC 35-31.5-2-336, AS ADDED BY P.L. 114-2012,
28 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2026]. Sec. 336. "Tournament", for purposes of IC 35-45-5,
30 has the meaning set forth in IC 35-45-5.1(i). IC 35-45-5.1(i).

31 ~~—SECTION 40. IC 35-31.5-2-337, AS ADDED BY P.L.114-2012,~~
32 ~~SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~
33 ~~JULY 1, 2026]. Sec. 337. "Toy crane machine", for purposes of~~
34 ~~IC 35-45-5, has the meaning set forth in IC 35-45-5-1(k).~~
35 ~~IC 35-45-5-1(k).~~



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

6 (2) It is a slot machine or any simulation or variation of a slot
 7 machine.

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

14 (4) It is a video game machine or device operated for
 15 consideration to play poker, blackjack, any other card game,
 16 keno, or any simulation or variation of these games, including
 17 any game in which numerals, numbers, pictures, representations,
 18 or symbols are used as an equivalent or substitute for the cards
 19 used in these games.

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

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

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

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

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

36 (e) "Gambling device" means:

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

40 (2) a mechanism that, when operated for a consideration, does
 41 not return the same value or property for the same consideration
 42 upon each operation;



1 (3) a mechanism, furniture, fixture, construction, or installation
 2 designed primarily for use in connection with professional
 3 gambling;
 4 (4) a policy ticket or wheel; or
 5 (5) a subassembly or essential part designed or intended for use
 6 in connection with such a device, mechanism, furniture, fixture,
 7 construction, or installation.

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

11 (f) "Gambling information" means:

12 (1) a communication with respect to a wager made in the course
 13 of professional gambling; or
 14 (2) information intended to be used for professional gambling.

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

19 (1) A service or system that provides access or is an intermediary
 20 to the Internet;

21 (2) A system operated or services offered by a library, school,
 22 state educational institution, or private postsecondary
 23 educational institution;

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

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

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

32 (1) utilizes a dual-currency system of payment allowing a
 33 player to exchange currency for a cash prize, cash award, or
 34 cash equivalents or a chance to win a cash prize, cash award,
 35 or cash equivalents; and

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

39 (j) (k) "Tournament" means a contest in which:

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



1 (A) video golf machine; or
 2 (B) pinball machine or similar amusement device described
 3 in subsection (m)(2); (n)(2);
 4 on which the entrant will compete;
 5 (2) each player's score is recorded; and
 6 (3) the contest winner and other prize winners are determined by
 7 objectively comparing the recorded scores of the competing
 8 players.
 9 (l) (1) "Toy crane machine" means a device that is used to lift
 10 prizes from an enclosed space by manipulating a mechanical claw.
 11 (l) (m) For purposes of this chapter:
 12 (1) a card game; or
 13 (2) an electronic version of a card game;
 14 is a game of chance and may not be considered a bona fide contest of
 15 skill.
 16 (m) (n) In the application of the definition of gambling set forth in
 17 subsection (d), the payment of consideration to participate in a
 18 tournament conducted on:
 19 (1) video golf games; or
 20 (2) pinball machines and similar amusement devices that award
 21 no prizes other than to mechanically confer an immediate and
 22 unrecorded right to replay on players that is presumed to be
 23 without value under this section;
 24 is not considered gambling even if the value of a prize awarded in the
 25 course of the tournament exceeds the amount of the player's
 26 consideration.
 27 SECTION 42, IC 35-45-5-3, AS AMENDED BY P.L.158-2013,
 28 SECTION 531, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2026]: See. 3. (a) A person who knowingly or
 30 intentionally:
 31 (1) engages in pool-selling;
 32 (2) engages in bookmaking;
 33 (3) maintains, in a place accessible to the public, slot machines,
 34 one-ball machines or variants thereof, pinball machines that
 35 award anything other than an immediate and unrecorded right of
 36 replay, roulette wheels, dice tables, or money or merchandise
 37 pushcards, punchboards, jars, or spindles;
 38 (4) conducts lotteries or policy or numbers games or sells
 39 chances therein;
 40 (5) conducts any banking or percentage games played with cards,
 41 dice, or counters, or accepts any fixed share of the stakes therein;
 42 or



1 (6) accepts, or offers to accept, for profit, money, or other
 2 property risked in gambling;
 3 commits professional gambling, a Level 6 felony. However, the offense
 4 is a Level 5 felony if the person has a prior unrelated conviction under
 5 this subsection.
 6 (b) An operator who knowingly or intentionally uses the Internet
 7 to:
 8 (1) engage in pool-selling:
 9 (A) in Indiana; or
 10 (B) in a transaction directly involving a person located in
 11 Indiana;
 12 (2) engage in bookmaking:
 13 (A) in Indiana; or
 14 (B) in a transaction directly involving a person located in
 15 Indiana;
 16 (3) maintain, on an Internet site a website accessible to residents
 17 of Indiana, the equivalent of:
 18 (A) slot machines;
 19 (B) one-ball machines or variants of one-ball machines;
 20 (C) pinball machines that award anything other than an
 21 immediate and unrecorded right of replay;
 22 (D) roulette wheels;
 23 (E) dice tables; or
 24 (F) money or merchandise pushcards, punchboards, jars, or
 25 spindles;
 26 (4) conduct lotteries or policy or numbers games or sell chances
 27 in lotteries or policy or numbers games:
 28 (A) in Indiana; or
 29 (B) in a transaction directly involving a person located in
 30 Indiana;
 31 (5) conduct any banking or percentage games played with the
 32 computer equivalent of cards, dice, or counters, or accept any
 33 fixed share of the stakes in those games:
 34 (A) in Indiana; or
 35 (B) in a transaction directly involving a person located in
 36 Indiana; or
 37 (6) accept, or offer to accept, for profit, money or other property
 38 risked in gambling:
 39 (A) in Indiana; or
 40 (B) in a transaction directly involving a person located in
 41 Indiana; or
 42 (7) conduct a [UPON PASSAGE]: Sec. 15. This chapter does



1 not apply to online] sweepstakes <game:
 2 (A) in Indiana; or
 3 (B) in a transaction directly involving a person located
 4 in Indiana;
 5 commits professional gambling over the Internet, a Level 6 felony.
 6 SECTION 43>[games conducted under IC 4-39.
 7 SECTION 40]. IC 35-45-6-1, AS AMENDED BY P.L.186-2025,
 8 SECTION 240, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section
 10 apply throughout this chapter.
 11 (b) "Documentary material" means any document, drawing,
 12 photograph, recording, or other tangible item containing compiled data
 13 from which information can be either obtained or translated into a
 14 usable form.
 15 (c) "Enterprise" means:
 16 (1) a sole proprietorship, corporation, limited liability company,
 17 partnership, business trust, or governmental entity; or
 18 (2) a union, an association, or a group, whether a legal entity or
 19 merely associated in fact.
 20 (d) "Pattern of racketeering activity" means engaging in at least
 21 two (2) incidents of racketeering activity that have the same or similar
 22 intent, result, accomplice, victim, or method of commission, or that are
 23 otherwise interrelated by distinguishing characteristics that are not
 24 isolated incidents. However, the incidents are a pattern of racketeering
 25 activity only if at least one (1) of the incidents occurred after August
 26 31, 1980, and if the last of the incidents occurred within five (5) years
 27 after a prior incident of racketeering activity.
 28 (e) "Racketeering activity" means to commit, to attempt to commit,
 29 to conspire to commit a violation of, or aiding and abetting in a
 30 violation of any of the following:
 31 (1) A provision of IC 23-19, or of a rule or order issued under
 32 IC 23-19.
 33 (2) A violation of IC 35-45-9.
 34 (3) A violation of IC 35-47.
 35 (4) A violation of IC 35-49-3.
 36 (5) Murder (IC35-42-1-1).
 37 (6) Battery as a Class C felony before July 1, 2014, or a Level 5
 38 felony after June 30, 2014 (IC35-42-2-1).
 39 (7) Kidnapping (IC35-42-3-2).
 40 (8) Human and sexual trafficking crimes (IC35-42-3.5).
 41 (9) Child exploitation (IC35-42-4-4).
 42 (10) Robbery (IC35-42-5-1).



1 (11) Carjacking (IC []35-42-5-2) (before its repeal).
2 (12) Arson (IC []35-43-1-1).
3 (13) Burglary (IC []35-43-2-1).
4 (14) Theft (IC []35-43-4-2).
5 (15) Receiving stolen property (IC []35-43-4-2) (before its
6 amendment on July 1, 2018).
7 (16) Forgery (IC []35-43-5-2).
8 (17) An offense under IC 35-43-5.
9 (18) Bribery (IC []35-44.1-1-2).
10 (19) Official misconduct (IC []35-44.1-1-1).
11 (20) Conflict of interest (IC []35-44.1-1-4).
12 (21) Perjury (IC []35-44.1-2-1).
13 (22) Obstruction of justice (IC []35-44.1-2-2).
14 (23) Intimidation (IC []35-45-2-1).
15 (24) Promoting prostitution (IC []35-45-4-4).
16 (25) Professional gambling (IC []35-45-5-3).
17 (26) Maintaining a professional gambling site
18 (IC []35-45-5-3.5(b)).
19 (27) Promoting professional gambling (IC []35-45-5-4).
20 (28) Dealing in or manufacturing cocaine or a narcotic drug
21 (IC []35-48-4-1).
22 (29) Dealing in methamphetamine (IC []35-48-4-1.1).
23 (30) Manufacturing methamphetamine (IC []35-48-4-1.2).
24 (31) Dealing in a schedule I, II, or III controlled substance
25 (IC []35-48-4-2).
26 (32) Dealing in a schedule IV controlled substance
27 (IC []35-48-4-3).
28 (33) Dealing in a schedule V controlled substance
29 (IC []35-48-4-4).
30 (34) Dealing in marijuana, hash oil, hashish, or salvia
31 (IC []35-48-4-10).
32 (35) Money laundering (IC []35-45-15-5).
33 (36) A violation of IC 35-47.5-5.
34 (37) A violation of any of the following:
35 (A) IC 23-14-48-9.
36 (B) IC 30-2-9-7(b).
37 (C) IC 30-2-10-9(b).
38 (D) IC 30-2-13-38(f).
39 (38) Practice of law by a person who is not an attorney
40 (IC []33-43-2-1).
41 (39) An offense listed in IC 35-48-4 involving the manufacture
42 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a



1 synthetic drug lookalike substance (as defined in
 2 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
 3 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
 4 substance analog (as defined in IC 35-48-1.1-8), or a substance
 5 represented to be a controlled substance (as described in
 6 IC 35-48-4-4.6).

7 (40) Dealing in a controlled substance resulting in death
 8 (IC135-42-1-1.5).

9 (41) Organized retail theft (IC135-43-4-2.2).

10 (42) **Sale of alcohol without a permit (IC17.1-5-10-5).**

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

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

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

24 (1) the person committing the offense is at least twenty-one (21)
 25 years of age and knowingly or intentionally furnishes:

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

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

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

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

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

42 (3) the act would be a misdemeanor 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;
law enforcement officer who has reason to believe the person
is at least twenty-one (21) years of age and has committed an
offense 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
B misdemeanor.

SECTION 4~~5~~2. 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.

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



5 I SECTION 43. An emergency is declared for this act.

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