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## HOUSE BILL No. 1052

Proposed Changes to introduced printing by AM105217

### DIGEST OF PROPOSED AMENDMENT

Alcoholic beverages. Allows the holder of a beer wholesaler's permit to possess, transport, sell, and deliver beer to a food manufacturer that is registered with the federal Food and Drug Administration for the purpose of adding or integrating the beer into a product or recipe. Allows the holder of a temporary wine permit to purchase, receive, and sell mixed beverages.

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

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

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

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

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

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

2026

IN 1052—LS 6389/DI 137



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

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

2026

IN 1052—LS 6389/DI 137



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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 5. 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:

2026

IN 1052—LS 6389/DI 137



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(2) An employee of the commission.

(3) A racing official.

(4) The spouse of any individual listed in subdivisions (1) through (3).

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

(1) A member of the commission.

(2) The following individuals employed by the commission:

(A) The executive director.

(B) The assistant executive director.

(C) The director of security

(D) The general counsel

(E) The deputy general counsel.

(F) A steward.

(G) (F) A judge

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

**(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. 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

2026

IN 1052—LS 6389/DI 137



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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 7. 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.

42 SECTION 8. IC 4-31-12-6, AS AMENDED BY P.L.111-2022,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 2 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. IC 4-31-12-7, AS AMENDED BY P.L.168-2019,  
 27 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2026]: Sec. 7. (a) A veterinarian appointed by the commission  
 29 or employed by a permit holder may not, during the period of the  
 30 veterinarian's employment, do the following with respect to a breed of  
 31 horse registered with the commission for racing at the track of the  
 32 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

2026

IN 1052—LS 6389/DI 137



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## 1 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).

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

14 (1) A civil penalty not to exceed five thousand dollars (\$5,000).  
15 (2) A temporary order or other immediate action in the nature of  
16 a summary suspension where a licensee's actions constitute an  
17 immediate danger to the public health, safety, or welfare.  
18 (3) Suspension of a license held by the licensee for up to one (1)  
19 year. The suspension of a license under this subdivision is:

19 year. The suspension of a licensee under this subdivision is:

20 (A) valid even though the suspension extends beyond the

21 period of the racing meeting for which the ~~stewards and~~

22 judges have been appointed; and

23 (B) effective at all other racing meetings under the

24 jurisdiction of the commission.

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

27 maintain proper order at organized meetings.  
28 (5) Referral of the matter to the commission for its consideration.  
29 However, at least two (2) of the ~~stewards~~ or judges must concur in a  
30 sanction.

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

42 SECTION 11. IC 4-31-13-1, AS AMENDED BY P.L.210-2013.

2026

IN 1052—LS 6389/DI 137



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

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

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

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

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

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

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

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

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

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

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

42 (B) effective at all other racing meetings under the



1 jurisdiction of the commission.

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (7) Be present through the commission's gaming agents during

2026

IN 1052—LS 6389/DI 137



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1 the time gambling operations are conducted on a riverboat to do  
 2 the following:

- 3 (A) Certify the revenue received by a riverboat.
- 4 (B) Receive complaints from the public.
- 5 (C) Conduct other investigations into the conduct of the
- 6 gambling games and the maintenance of the equipment that
- 7 the commission considers necessary and proper.
- 8 (8) Adopt rules to establish and implement a voluntary exclusion
- 9 program that meets the requirements of subsection (b).
- 10 (9) Establish the requirements for a power of attorney submitted
- 11 under IC 4-33-6-2(c), IC 4-33-6-22, IC 4-33-6.5-2(c), or
- 12 IC 4-33-6.5-16.

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

- 15 (1) Except as provided by rule of the commission, a person who
- 16 participates in the voluntary exclusion program agrees to refrain
- 17 from entering a riverboat or other facility under the jurisdiction
- 18 of the commission **or from placing a wager with a certificate**
- 19 **holder licensed under IC 4-38.**
- 20 (2) That the name **and last four (4) digits of the Social Security**
- 21 **number** of a person participating in the program will be
- 22 included on a list of persons excluded from all facilities under
- 23 the jurisdiction of the commission.
- 24 (3) Except as provided by rule of the commission, a person who
- 25 participates in the voluntary exclusion program may not petition
- 26 the commission for readmittance to a facility under the
- 27 jurisdiction of the commission.
- 28 (4) That the list of patrons entering the voluntary exclusion
- 29 program and the personal information of the participants are
- 30 confidential and may only be disseminated by the commission to
- 31 the owner or operator of a facility under the jurisdiction of the
- 32 commission **and to a certificate holder licensed under**
- 33 **IC 4-38**1**for purposes of enforcement and to other entities, upon**
- 34 **request by the participant and agreement by the commission.**
- 35 (5) That an owner of a facility under the jurisdiction of the
- 36 commission **and a certificate holder licensed under IC 4-38**1
- 37 1**shall make all reasonable attempts as determined by the**
- 38 **commission to cease all direct marketing efforts to a person**
- 39 **participating in the program.**
- 40 (6) That an owner of a facility under the jurisdiction of the
- 41 commission **and a certificate holder licensed under IC 4-38**1
- 42 1**may not cash the check of a person participating in the program**



1       or extend credit to the person in any manner. However, the  
 2       voluntary exclusion program does not preclude an owner **or a**  
 3       **certificate holder** from seeking the payment of a debt accrued  
 4       by a person before entering the program.

5       SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA  
 6       CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 7       [EFFECTIVE JULY 1, 2026]: Sec. 7. **(a)** **As used in this section,**  
 8       **"sweepstakes game"** means a game, contest, or promotion that is  
 9       available on the Internet and is accessible on a mobile phone,  
 10      computer terminal, or similar access device that:

11       **(1) utilizes a dual-currency system of payment allowing a**  
 12       **player to exchange currency for a cash prize, cash award, or**  
 13       **cash equivalents or a chance to win a cash prize, cash award,**  
 14       **or cash equivalents; and**

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

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

22       **(1) in Indiana; or**

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

25       SECTION 15. IC 4-33-18 IS REPEALED [EFFECTIVE JULY 1,  
 26       2026]. (Indiana Department of Gaming Research).

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

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

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

42       **(1) a facility to which IC 7.1-3-1-25(a) applies;**



(2) a tract that contains a premises described in IC 7.1-3-1-14(d)(2); or

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

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

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

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

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

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

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

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

2026

IN 1052—LS 6389/DI 137



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1 week.

2 (c) The rates which shall be paid for the advertising of a notice  
3 required under this title shall be those required to be paid in case of  
4 other notices published for or on behalf of the state.5 (d) The commission may publish notice of application for a  
6 three-way permit for a restaurant described in IC 7.1-3-20-12(4) by  
7 posting the notice on the commission's website.

8 (e) If:

9 (1) the commission is unable to procure advertising of a notice  
10 as required under subsection (a) at the rates set forth in IC 5-3-1;  
11 or12 (2) the newspaper published in the county as described in  
13 subsection (a) refuses to publish the notice;14 the commission may, instead of publication in a newspaper as required  
15 under subsection (a), require the designated member of the local board  
16 of the county to post printed notices in three (3) prominent locations in  
17 the county.18 SECTION 25. IC 7.1-3-1.5-1, AS AMENDED BY P.L.163-2025,  
19 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
20 JULY 1, 2026]: Sec. 1. As used in this chapter, "alcohol server" means  
21 the following:22 (1) A person who works on the licensed premises of a retailer  
23 permittee as: a:

24 (A) a manager;

25 (B) a bartender;

26 (C) a waiter or a waitress; or

27 (D) **except for a current or retired law enforcement**  
28 **officer, a contractor or an employee responsible for**  
29 **examining an individual's identification to determine the**  
30 **individual's age, including controlling the entry of**  
31 **individuals to a licensed premises at a time when entry**  
32 **into the licensed premises is** **restricted to those**  
33 **individuals at least twenty-one (21) years of age.**34 (2) A person who works on the licensed premises of a dealer  
35 permittee as a:

36 (A) manager; or

37 (B) sales clerk.

38 (3) A person who is the proprietor of or is employed by an art  
39 instruction studio under IC 7.1-5-8-4.6 that serves wine brought  
40 into the studio by patrons.41 [SECTION 26. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025,  
42 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

2026

IN 1052—LS 6389/DI 137



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1        UPON PASSAGE]: Sec. 5. (a) The holder of a beer wholesaler's permit  
 2        may purchase and import from the primary source of supply, possess,  
 3        and sell at wholesale, beer and flavored malt beverages manufactured  
 4        within or without this state.

5        (b) A beer wholesaler permittee may possess, transport, sell, and  
 6        deliver beer to:

7               (1) another beer wholesaler authorized by the brewer to sell the  
 8               brand purchased;

9               (2) an employee; and

10        (3) a holder of a beer retailer's permit, beer dealer's permit,  
 11        temporary beer permit, dining car permit, boat permit, airplane  
 12        permit, or supplemental caterer's permit; and

13        **(4) a food manufacturer that is registered with the federal**  
 14        **Food and Drug Administration, for the purpose of adding or**  
 15        **integrating the beer into a product or recipe;**

16        located within this state. The sale, transportation, and delivery of beer  
 17        shall be made only from inventory that has been located on the  
 18        wholesaler's premises before the time of invoicing and delivery.

19        (c) The beer wholesaler's bona fide regular employees may  
 20        purchase beer from the wholesaler in:

21               (1) bottles, cans, or any other type of permissible containers in  
 22               an amount not to exceed forty-eight (48) pints; or

23               (2) one (1) keg;  
 24        at any one (1) time.

25        (d) The importation, transportation, possession, sale, and delivery  
 26        of beer shall be subject to the rules of the commission and subject to  
 27        the same restrictions provided in this title for a person holding a  
 28        brewer's permit.

29        (e) The holder of a beer wholesaler's permit may purchase, import,  
 30        possess, transport, sell, and deliver any commodity listed in  
 31        IC 7.1-3-10-5, unless prohibited by this title. However, a beer  
 32        wholesaler may deliver flavored malt beverages only to the holder of  
 33        one (1) of the following permits:

34               (1) A beer wholesaler or wine wholesaler permit, if the  
 35               wholesaler is authorized by the primary source of supply to sell  
 36               the brand of flavored malt beverage purchased.

37               (2) A wine retailer's permit, wine dealer's permit, temporary  
 38               wine permit, dining car wine permit, boat permit, airplane  
 39               permit, or supplemental caterer's permit.

40        (f) A beer wholesaler may:

41               (1) store beer for an out-of-state brewer described in  
 42               IC 7.1-3-2-9 and deliver the stored beer to another beer



1           wholesaler that the out-of-state brewer authorizes to sell the  
 2           beer;

3           (2) perform all necessary accounting and auditing functions  
 4           associated with the services described in subdivision (1); and  
 5           (3) receive a fee from an out-of-state brewer for the services  
 6           described in subdivisions (1) through (2).

7           (g) A beer wholesaler may sell, donate, transport, and deliver beer  
 8           to a qualified organization for:

9           (1) an allowable event under IC 7.1-3-6.1;  
 10           (2) a charity auction under IC 7.1-3-6.2; or  
 11           (3) an event under IC 7.1-3-6.3;

12           located within this state. The sale, donation to a qualified organization,  
 13           transportation, and delivery of beer shall be made only from inventory  
 14           that has been located on the wholesaler's premises before the time of  
 15           invoicing and delivery.

16           SECTION 27. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015,  
 17           SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18           UPON PASSAGE]: Sec. 9. The holder of a temporary wine permit  
 19           shall be entitled to purchase and receive wine **or mixed beverages (as**  
 20           **defined in IC 7.1-1-3-26.2)** on any day of the year, only from a lawful  
 21           supplier under this title at his place of business. A lawful supplier may  
 22           sell and deliver wine **or mixed beverages (as defined in**  
 23           **IC 7.1-1-3-26.2)** to a temporary wine permit holder on any day of the  
 24           year at his place of business. Except as provided in IC 7.1-3-6.1 and  
 25           IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to  
 26           sell wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** only for  
 27           consumption on the licensed premises, and shall be subject to the same  
 28           restrictions as apply to the sale of beer by the holder of a temporary  
 29           beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a  
 30           temporary wine permittee shall not be entitled to sell at wholesale nor  
 31           for carry-out from the licensed premises.

32           1 SECTION 2<6>[8]. IC 7.1-3-18.5-1, AS AMENDED BY  
 33           P.L.32-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS  
 34           [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person may not sell or  
 35           otherwise distribute in exchange for consideration a tobacco product or  
 36           electronic cigarette at retail **or wholesale** without a valid tobacco sales  
 37           certificate issued by the commission.

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

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



3 SECTION 2~~←[9]~~ [9]. IC 7.1-3-18.5-1.5 IS ADDED TO THE  
4 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2026]: **Sec. 1.5.** (a) A person may not sell  
6 tobacco products or electronic cigarettes at wholesale or  
7 participate in the wholesale distribution of tobacco products or  
8 electronic cigarettes without a valid wholesale tobacco sales  
9 certificate issued by the commission.

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

14 SECTION ~~28~~[30]. IC 7.1-3-18.5-2, AS AMENDED BY  
15 P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person who desires a  
17 certificate must provide the following to the commission:

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

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

21 two hundred dollars (\$200).  
22 (3) The name under which the applicant transacts or intends to  
23 transact business.

23 transact business.  
24 (4) The address of the applicant's principal place of business or  
25 headquarters, if any.

(5) The statement required under section 2.6 of this chapter.  
(6) If the applicant is applying for a new certificate under section 2.2 of this chapter, a copy of each of the following:

3.2 of this chapter, a copy of each of the following:

(A) If the new ownership of the business is a business

(A) If the new ownership of the business is an entity, the articles of incorporation, articles of

entity, the articles of incorporation, articles of organization, or any other formation documents of the business entity. (B) If the new ownership of the business is an individual, either:

33 either:

34 (i) the sales or purchase agreement; or

(i) the sales or purchase agreement, or  
(ii) an affidavit signed by the applicant

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

**(7) A photocopy of the owner's driver's license, identification card issued under IC 9-24-16-1, a similar card issued under**

2026

IN 1052—LS 6389/DI 137



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

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

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

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

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

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

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

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

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

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

SECTION ~~29~~[31]. 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

2026

IN 1052—LS 6389/DI 137



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1 the date of application of:

2 (A) a federal crime having a sentence of at least one (1)  
 3 year;  
 4 (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony;  
 5 or  
 6 (C) a crime in a state other than Indiana having a penalty  
 7 equal to the penalty for an Indiana Level 1, Level 2, Level  
 8 3, Level 4, or Level 5 felony.

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

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

13 (A) The person owns the premises to which the certificate  
 14 will be applicable.  
 15 (B) The person has a valid lease on the premises:  
 16 (i) at the time of the application for a certificate; and  
 17 (ii) for the duration of the period in which the person  
 18 sells or distributes in the manner described in section  
 19 1 of this chapter.  
 20 (C) The person has a franchise agreement with a franchisor:  
 21 (i) that owns the premises to which the certificate will  
 22 be applicable; or  
 23 (ii) that has a bona fide lease on the premises for the  
 24 full period for which the certificate is to be issued.

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

29 (5) A minor.

30 (6) A person non compos mentis.

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

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

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

42 SECTION 3~~②~~[2]. IC 7.1-3-18.5-2.6, AS ADDED BY

2026

IN 1052—LS 6389/DI 137



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

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

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

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

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

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

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

31 SECTION 3~~↔~~[4]. IC 7.1-3-18.5-5.1 IS ADDED TO THE  
 32 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2026]: Sec. 5.1. If a **retail** location's **retail**  
 34 **tobacco sales** certificate is suspended or revoked, the commission  
 35 shall not renew or grant a new **retail tobacco sales** certificate for  
 36 the **retail** location until the **retail** location's application has been  
 37 investigated and recommended for approval by the local board.

38 SECTION 3~~↔~~[5]. IC 7.1-3-18.5-9.2, AS ADDED BY  
 39 P.L.107-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS  
 40 [EFFECTIVE JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate  
 41 holder must hold a valid:

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



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

8 (1) either:

9 (A) in the employee's possession; or  
10 (B) on file with the employee's employer; and

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

13 when selling tobacco products.

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

18 (1) the employee has left the license, identification card, or copy  
19 in another location; or  
20 (2) the license, identification card, or copy has otherwise been  
21 lost or misplaced;

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

42 (4) For six (6) or more violations in a one (1) year period,



1                   **revoke the certificate.**

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

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

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

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

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



1 (14) Satellite facility (as defined in IC 4-31-2.1-36).  
 2 (15) Catering hall under IC 7.1-3-20-24 that is not open to the  
 3 public.  
 4 (16) That part of a restaurant which is separate from a room in  
 5 which is located a bar over which alcoholic beverages are sold  
 6 or dispensed by the drink.  
 7 (17) Entertainment complex.  
 8 (18) Indoor golf facility.  
 9 (19) A recreational facility such as a golf course, bowling center,  
 10 or similar facility that has the recreational activity and not the  
 11 sale of food and beverages as the principal purpose or function  
 12 of the person's business.  
 13 (20) A licensed premises owned or operated by a postsecondary  
 14 educational institution described in IC 21-17-6-1.  
 15 (21) An automobile racetrack.  
 16 (22) An indoor theater under IC 7.1-3-20-26.  
 17 (23) A senior residence facility campus (as defined in  
 18 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or  
 19 furnished as provided under IC 7.1-3-1-29.  
 20 (24) A hotel other than a part of a hotel that is a room in a  
 21 restaurant in which a bar is located over which alcoholic  
 22 beverages are sold or dispensed by the drink.  
 23 (25) The location of an allowable event to which IC 7.1-3-6.1  
 24 applies.  
 25 (26) The location of a charity auction to which IC 7.1-3-6.2  
 26 applies.  
 27 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the  
 28 minor is in the company of a parent, legal guardian or custodian,  
 29 or family member who is at least twenty-one (21) years of age.  
 30 (28) A farm winery and any additional locations of the farm  
 31 winery under IC 7.1-3-12, if the minor is in the company of a  
 32 parent, legal guardian or custodian, or family member who is at  
 33 least twenty-one (21) years of age and the minor is accompanied  
 34 by the adult in any area that the adult may be present whether or  
 35 not the area:  
 36 (A) is separated in any manner from where the wine is  
 37 manufactured, sold, or consumed within the farm winery  
 38 premises; or  
 39 (B) operates under a retailer's permit.  
 40 (29) An artisan distillery under IC 7.1-3-27, if:  
 41 (A) the person who holds the artisan distiller's permit also  
 42 holds a farm winery permit under IC 7.1-3-12, or



1                   IC 7.1-3-20-16.4(a) applies to the person; and  
 2                   (B) the minor is in the company of a parent, legal guardian  
 3                   or custodian, or family member who is at least twenty-one  
 4                   (21) years of age.

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

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

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

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

21                   (A) is separated in any manner from where the beer is  
 22                   manufactured, sold, or consumed within the small brewery  
 23                   premises; or  
 24                   (B) operates under a retailer's permit as provided in  
 25                   IC 7.1-3-2-7(5)(C).

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

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

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

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

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



1 SECTION 3~~6~~[8] IC 7.1-5-8-1 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C  
 3 misdemeanor for a person to recklessly hinder, obstruct, interfere with,  
 4 or prevent the observance or enforcement of any of the following:

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

10 SECTION 3~~7~~[9] IC 15-19-2-3, AS ADDED BY P.L.2-2008,  
 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board  
 13 consists of seven (7) members selected as follows:

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

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

26 SECTION ~~38~~[40] IC 35-31.5-2-320.5 IS ADDED TO THE  
 27 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2026]: **Sec. 320.5. "Sweepstakes game", for  
 29 purposes of IC 35-45-5, has the meaning set forth in  
 30 IC 35-45-5-1(j).**

31 SECTION ~~39~~[41]. IC 35-31.5-2-336, AS ADDED BY  
 32 P.L.114-2012, SECTION 67, IS AMENDED TO READ AS  
 33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 336. "Tournament", for  
 34 purposes of IC 35-45-5, has the meaning set forth in ~~IC 35-45-5-1(j)~~.  
 35 IC 35-45-5-1(k).

36 SECTION 4~~0~~[2]. IC 35-31.5-2-337, AS ADDED BY  
 37 P.L.114-2012, SECTION 67, IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 337. "Toy crane  
 39 machine", for purposes of IC 35-45-5, has the meaning set forth in  
 40 ~~IC 35-45-5-1(k)~~. IC 35-45-5-1(l).

41 SECTION 4~~1~~[3]. IC 35-45-5-1, AS AMENDED BY  
 42 P.L.3-2008, SECTION 252, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section  
 2 apply throughout this chapter.

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

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

11 (2) It is a slot machine or any simulation or variation of a slot  
 12 machine.

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

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

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

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

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

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

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

41 (e) "Gambling device" means:

42 (1) a mechanism by the operation of which a right to money or



1 other property may be credited, in return for consideration, as the  
 2 result of the operation of an element of chance;  
 3 (2) a mechanism that, when operated for a consideration, does  
 4 not return the same value or property for the same consideration  
 5 upon each operation;  
 6 (3) a mechanism, furniture, fixture, construction, or installation  
 7 designed primarily for use in connection with professional  
 8 gambling;  
 9 (4) a policy ticket or wheel; or  
 10 (5) a subassembly or essential part designed or intended for use  
 11 in connection with such a device, mechanism, furniture, fixture,  
 12 construction, or installation.  
 13 In the application of this definition, an immediate and unrecorded right  
 14 to replay mechanically conferred on players of pinball machines and  
 15 similar amusement devices is presumed to be without value.

16 (f) "Gambling information" means:  
 17 (1) a communication with respect to a wager made in the course  
 18 of professional gambling; or  
 19 (2) information intended to be used for professional gambling.

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

24 (1) A service or system that provides access or is an intermediary  
 25 to the Internet.  
 26 (2) A system operated or services offered by a library, school,  
 27 state educational institution, or private postsecondary  
 28 educational institution.

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

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

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

37 (1) utilizes a dual-currency system of payment allowing a  
 38 player to exchange currency for a cash prize, cash award, or  
 39 cash equivalents or a chance to win a cash prize, cash award,  
 40 or cash equivalents; and  
 41 (2) simulates casino-style gaming, including slot machines,  
 42 video poker, table games, lottery games, bingo, and sports



**wagering.**

2 (f) (k) "Tournament" means a contest in which:

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

6 (A) video golf machine; or

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

9 on which the entrant will compete;

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

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

14 (f) (l) "Toy crane machine" means a device that is used to lift  
 15 prizes from an enclosed space by manipulating a mechanical claw.

16 (f) (m) For purposes of this chapter:

17 (1) a card game; or

18 (2) an electronic version of a card game;

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

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

24 (1) video golf games; or

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

29 is not considered gambling even if the value of a prize awarded in the  
 30 course of the tournament exceeds the amount of the player's  
 31 consideration.

32 SECTION 4~~2~~[4]. IC 35-45-5-3, AS AMENDED BY  
 33 P.L.158-2013, SECTION 531, IS AMENDED TO READ AS  
 34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who  
 35 knowingly or intentionally:

36 (1) engages in pool-selling;

37 (2) engages in bookmaking;

38 (3) maintains, in a place accessible to the public, slot machines,  
 39 one-ball machines or variants thereof, pinball machines that  
 40 award anything other than an immediate and unrecorded right of  
 41 replay, roulette wheels, dice tables, or money or merchandise  
 42 pushcards, punchboards, jars, or spindles;



11 (b) An operator who knowingly or intentionally uses the Internet  
12 to:

13 (1) engage in pool-selling:

14 (A) in Indiana; or

15 (B) in a transaction

(z) engage in bookmaking.  
(A) in Indiana; or

18 (A) in Indiana, or  
19 (B) in a transaction

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

(3) maintain, on an internet site a **website** accessible to residents of Indiana, the equivalent of:

23 (A) slot machines;

24 (B) one-ball machines or variants of one-ball machines;

25 (C) pinball machines that award anything  
26 immediate and unrecorded right of replay;

27 (D) roulette wheels;

## 28 (E) dice tables; or

29 (F) money or merchandise pushcards, punchboards, jars, or  
30 spindles;

31 (4) conduct lotteries or policy or number  
32 in lotteries or policy or numbers games:

33 (A) in Indiana; or

34 (B) in a transaction directly involving a person located in  
35 Indiana;

35 Indiana,  
36 (5) conduct any banking or percentage games played with the  
37 computer equivalent of cards, dice, or counters, or accept any  
38 fixed share of the stakes in those games:

39 (A) in Indiana; or

40 (B) in a transaction directly involving a person located in  
41 Indiana: ~~or~~

42 (6) accept or offer to accept, for profit, money or other property

2026

IN 1052—LS 6389/DI 137



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1 risked in gambling:

2 (A) in Indiana; or

3 (B) in a transaction directly involving a person located in  
4 Indiana; **or**

5 **(7) conduct a sweepstakes game:**

6 (A) **in Indiana; or**

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

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

9 SECTION 4~~3~~5. IC 35-45-6-1, AS AMENDED BY  
10 P.L.186-2025, SECTION 240, IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions  
12 in this section apply throughout this chapter.

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

17 (c) "Enterprise" means:

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

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

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

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

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

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

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

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

38 (5) Murder (IC~~1~~35-42-1-1).

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

41 (7) Kidnapping (IC~~1~~35-42-3-2).

42 2026

IN 1052—LS 6389/DI 137



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



1 (IC[33-43-2-1]).

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

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

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

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

14 SECTION 4~~4~~6. IC 35-46-1-8, AS AMENDED BY  
 15 P.L.186-2025, SECTION 242, IS AMENDED TO READ AS  
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least  
 17 eighteen (18) years of age who knowingly or intentionally encourages,  
 18 aids, induces, or causes a child to commit an act of delinquency (as  
 19 defined by IC 31-37-1 or IC 31-37-2) commits contributing to  
 20 delinquency, a Class A misdemeanor, except as provided in  
 21 subsections (b) through (e).

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

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

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

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

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

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

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

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



**(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; an enforcement officer who has reason to believe the person is 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 B misdemeanor.

SECTION 4~~5~~7. 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.

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

2026

IN 1052—LS 6389/DI 137



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## SECTION 48. An emergency is declared for this act.

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IN 1052—LS 6389/DI 137



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