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HOUSE BILL No. 1052

Proposed Changes to introduced printing by AM105221

DIGEST OF PROPOSED AMENDMENT

Sweepstakes game; gaming research division. Makes various changes to the definition of "sweepstakes game" and specifies that the term does not include a game, contest, or promotion offered by the state lottery commission. Removes a SECTION of the bill that repeals the gaming research division of the Indiana gaming commission. Removes provisions from the bill that define and establish criminal penalties for conducting a sweepstakes game.

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 time
7 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**

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

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

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

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

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

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

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

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

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

39 (6) The applicant or licensee has demonstrated financial
40 irresponsibility by accumulating unpaid obligations, defaulting
41 on obligations, or issuing drafts or checks that are dishonored or

42 not paid.

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

39 SECTION 5. IC 4-31-7-9, AS AMENDED BY P.L.32-2019,
40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 9. (a) **After December 31, 2013, the following**
42 **individuals may not wager on horse racing at a licensed facility:**

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- (1) A member of the commission.
(2) An employee of the commission.
(3) A racing official.
(4) The spouse of any individual listed in subdivisions (1) through (3).

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

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

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

(c) (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.

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

41 (b) A person whose breath test shows a reading of an alcohol
42 concentration equivalent (as defined in IC 9-13-2-2.4) to more than

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1 five-hundredths (0.05) gram of alcohol per two hundred ten (210) liters
 2 of the person's breath, is subject to the following sanctions:

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

5 (2) A judge, a starter, an assistant starter, or a driver of the
 6 starting gate shall be relieved of all duties for that program, and
 7 a report shall be made to the commission for appropriate action.

8 (3) Any other licensee shall be suspended, beginning that day,
 9 under the rules of the commission.

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

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

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

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

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

29 SECTION 7. IC 4-31-12-5, AS AMENDED BY P.L.168-2019,
 30 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2026]: Sec. 5. (a) The judges, ~~the stewards~~, a commission
 32 veterinarian, a member of the commission, or the executive director of
 33 the commission may order a test of a biological sample on a horse for
 34 the purpose of analysis.

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

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

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



1 SECTION 8. IC 4-31-12-6, AS AMENDED BY P.L.111-2022,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 6. (a) The commission:

- 4 (1) shall appoint, at its cost, approve a veterinarian to take or
 5 supervise the taking of biological samples under section 5 of this
 6 chapter;
 7 (2) shall approve a laboratory for the analysis of a biological
 8 sample taken under section 5 of this chapter; and
 9 (3) may require that a biological sample taken under section 5 of
 10 this chapter be analyzed.

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

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

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

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

- 34 (1) Treat or issue prescriptions for a horse, except in case of
 35 emergency.
 36 (2) Perform an endoscopic examination on a horse the day the
 37 horse is scheduled to race.

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

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



1 registered with the commission for racing at the track of the
 2 veterinarian's employment.

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

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

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

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

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

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

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

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

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

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

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

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



1 SECTION 11. IC 4-31-13-1, AS AMENDED BY P.L.210-2013,
 2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 1. (a) The commission may issue orders under
 4 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 12. IC 4-31-13-2, AS AMENDED BY P.L.152-2025,
 24 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2026]: Sec. 2. (a) The commission may adopt rules under
 26 IC 4-22-2 to delegate to the ~~stewards and~~ judges of racing meetings
 27 under the jurisdiction of the commission the power to conduct
 28 disciplinary hearings on behalf of the commission. The ~~stewards and~~
 29 judges shall give at least twelve (12) hours notice of any such hearing.
 30 The ~~stewards and~~ judges, on behalf of the commission, may impose one
 31 (1) or more of the following sanctions against a licensee who violates
 32 this article or the rules or orders of the commission:

- 33 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
 34 (2) A temporary order or other immediate action in the nature of
 35 a summary suspension if a licensee's actions constitute an
 36 immediate danger to the public health, safety, or welfare.
 37 (3) Suspension of a license held by the licensee for not more
 38 than three (3) years. The suspension of a license under this
 39 subdivision is:

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

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(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.

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

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

28 (1) Adopt rules that the commission determines necessary to
29 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.

Conduct all hearings concerning civil violations of this

Provide for the establishment and collection of license fees

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

Deposit the license fees and taxes in the state gaming fund.

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

Levy and collect penalties for noncriminal violations of this article.

Deposit the penalties in the state gaming fund established by
4-33-13.

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

(A) Certify the revenue received by a riverboat.

(B) Receive complaints from the public.

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

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

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

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

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

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

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

(4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission **and to a certificate holder licensed under IC 4-38**1 for purposes of enforcement and to other entities, upon request by the participant and agreement by the commission.

(5) That an owner of a facility under the jurisdiction of the commission **and a certificate holder licensed under IC 4-381** shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.

(6) That an owner of a facility under the jurisdiction of the commission and a certificate holder licensed under IC 4-381

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

6 SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA
 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) As used in this section,
 9 "sweepstakes game" means a game, contest, or promotion that [:
 10 (1) is available on the Internet~~and~~[:
 11 (2) is accessible on a mobile phone, computer terminal, or
 12 similar access device~~that~~[:
 13 (3) utilizes a dual-currency or multi-currency
 14 system of payment allowing a player to exchange currency
 15 for[:
 16 (A) a cash prize, a cash award, or cash equivalents[:]
 17 or[:
 18 (B) a chance to win a cash prize, a cash award, or cash
 19 equivalents; and[:
 20 (4) simulates[:
 21 (A) lottery games; or
 22 (B) casino-style gaming, including slot machines, video
 23 poker, table games, ~~lottery games,~~ bingo, ~~and~~ or
 24 sports wagering.

25 [However, the term does not include a game, contest, or promotion
 26 offered by the state lottery commission.

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

31 (1) in Indiana; or
 32 (2) in a transaction directly involving a person located in
 33 Indiana.

34 ~~SECTION 15. IC 4-33-18 IS REPEALED [EFFECTIVE JULY 1,~~
 35 ~~2026]. (Indiana Department of Gaming Research).~~

36 > SECTION 1~~6~~[5]. IC 7.1-1-3-8.5 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. "Certificate" means
 38 a **retail or wholesale** tobacco sales certificate for purposes of
 39 IC 7.1-3-18.5.

40 SECTION 1~~7~~[6]. IC 7.1-1-3-27.5 IS ADDED TO THE
 41 INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2026]: Sec. 27.5. "Organized sporting



1 **competition" means a sporting event sanctioned by a recognized**
 2 **governing or regulatory body.**

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

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

13 SECTION 1~~9~~[8]. IC 7.1-1-3-48.7 IS ADDED TO THE
 14 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: Sec. 48.7. "Wholesale" means the
 16 **business of selling, bartering, exchanging, or distributing tobacco**
 17 **products or electronic cigarettes to certificate holders in Indiana**
 18 **for the purpose of resale.**

19 SECTION ~~20~~[19]. IC 7.1-2-1-8 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. Bond and Oath of
 21 Office. Each commissioner shall execute a surety bond in the amount
 22 of ten thousand dollars (\$10,000), with surety approved by the
 23 governor; and an oath of office, both of which shall be filed in the
 24 office of the secretary of state.

25 SECTION 2~~2~~[0]. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE
 26 JULY 1, 2026]. Sec. 9. Surety Bonds. The required surety bond
 27 executed and filed on behalf of a commissioner, an enforcement
 28 officer, or the prosecutor shall be made payable to the State of Indiana
 29 and conditioned upon the faithful discharge of the bonded party's
 30 respective duties.

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

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



1 SECTION 2~~4~~[3], IC 7.1-3-1-18, AS AMENDED BY
 2 P.L.1-2025, SECTION 111, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) Except as provided in
 4 subsections (d) and (e), If publication of notice of application for a
 5 permit is required under this title, the publication shall be made in one
 6 (1) newspaper of general circulation published in the county where the
 7 permit is to be in effect. electronically on the commission's website.

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

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

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

17 (e) If:

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

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

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

27 SECTION 2~~5~~[4], IC 7.1-3-1.5-1, AS AMENDED BY
 28 P.L.163-2025, SECTION 11, IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this
 30 chapter, "alcohol server" means the following:

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

33 (A) a manager;

34 (B) a bartender;

35 (C) a waiter or a waitress; or

36 (D) except for a current or retired law enforcement
 37 officer, a contractor or an employee responsible for
 38 examining an individual's identification to determine the
 39 individual's age, including controlling the entry of
 40 individuals to a licensed premises at a time when entry
 41 into the licensed premises is~~1~~ restricted to those
 42 individuals at least twenty-one (21) years of age.



3 (A) manager; or
4 (B) sales clerk.

8 SECTION 2~~6~~[5]. IC 7.1-3-18.5-1, AS AMENDED BY
9 P.L.32-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A person may not sell or
11 otherwise distribute in exchange for consideration a tobacco product or
12 electronic cigarette at retail **or wholesale** without a valid tobacco sales
13 certificate issued by the commission.

21 SECTION 2~~↔~~[6]. IC 7.1-3-18.5-1.5 IS ADDED TO THE
22 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) A person may not sell
24 tobacco products or electronic cigarettes at wholesale or
25 participate in the wholesale distribution of tobacco products or
26 electronic cigarettes without a valid wholesale tobacco sales
27 certificate issued by the commission.

32 SECTION 2-8~~7~~[7]. IC 7.1-3-18.5-2, AS AMENDED BY
33 P.L.107-2024, SECTION 1, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) A person who desires a
35 certificate must provide the following to the commission:

36 (1) The applicant's name and mailing address and the address of
37 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).

40 (3) The name under which the applicant transacts or intends to
41 transact business

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1 headquarters, if any.

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

5 (A) If the new ownership of the business is a business
6 entity, the articles of incorporation, articles of organization,
7 or any other formation documents of the business entity.

8 (B) If the new ownership of the business is an individual,
9 either:

10 (ii)

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

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

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

(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.~~

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

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

42 (e) A certificate may be issued only to a person who meets the

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1 following requirements:

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

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

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

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

10 SECTION 2~~9~~8. IC 7.1-3-18.5-2.4, AS ADDED BY
 11 P.L.107-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2026]: Sec. 2.4. (a) Subject to available
 13 resources, the commission shall not issue a tobacco sales certificate
 14 except as otherwise authorized in this title and subject to the other
 15 restrictions contained in this title, to the following persons:

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

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

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

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

24 (C) a crime in a state other than Indiana having a penalty
 25 equal to the penalty for an Indiana Level 1, Level 2, Level
 26 3, Level 4, or Level 5 felony.

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

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

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

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

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

35 (ii) for the duration of the period in which the person
 36 sells or distributes in the manner described in section
 37 1 of this chapter.

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

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

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

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5 (5) A minor.

6 (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.

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

18 SECTION ~~30~~[29]. IC 7.1-3-18.5-2.6, AS ADDED BY
19 P.L.94-2008, SECTION 38, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2026]: Sec. 2.6. An application for a tobacco
21 **sales** certificate must contain the express statement of the applicant that
22 the applicant consents for the duration of the certificate term (if the
23 commission issues the certificate to the applicant) to the entrance,
24 inspection, and search by an enforcement officer, without a warrant or
25 other process, of the applicant's **retail** premises to determine whether
26 the applicant is complying with the provisions of this title. The consent
27 required by this section is renewed and continued by the retention of a
28 certificate or the certificate's use by the applicant or the applicant's
29 agents.

30 SECTION 3~~↔~~[0]. IC 7.1-3-18.5-3, AS AMENDED BY
31 P.L.224-2005, SECTION 11, IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A certificate
33 issued by the commission under this chapter must contain the following
34 information:

35 (1) The certificate number.

36 (2) The certificate holder's name.

37 (3) The permanent location of the business or vending machine
38 for which the certificate is issued.

39 (4) The expiration date of the certificate.

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

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



(2) nontransferable.

(c) A wholesale tobacco sales certificate is:

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

(2) nontransferable.

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

SECTION 3~~3~~[2]. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must hold a valid:

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

or

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

to sell tobacco products.

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

(1) either:

(A) in the employee's possession; or

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

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

when selling tobacco products.

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

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

(2) the license, identification card, or copy has otherwise been lost or mislaid;

40 the employee may, within five (5) days of the employee's inability to
41 show the license, identification card, or copy to the excise officer,
42 produce to the excise officer or to the office of the commission

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1 satisfactory evidence of a license or identification card issued to the
 2 individual that was valid at the time the individual was unable to show
 3 the license, identification card, or copy.

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

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

- 12 **(1) For three (3) violations in a one (1) year period, suspend
 13 the certificate for a period of five (5) days.**
- 14 **(2) For four (4) violations in a one (1) year period, suspend
 15 the certificate for a period of an additional five (5) days.**
- 16 **(3) For five (5) violations in a one (1) year period, suspend
 17 the certificate for a period of an additional five (5) days.**
- 18 **(4) For six (6) or more violations in a one (1) year period,
 19 revoke the certificate.**

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

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

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

42 SECTION 3~~5~~4. IC 7.1-5-7-11, AS AMENDED BY

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

- (1) Civic center.
- (2) Convention center.
- (3) Sports arena.
- (4) Bowling center.
- (5) Bona fide club.
- (6) Drug store.
- (7) Grocery store.
- (8) Boat.
- (9) Dining car.
- (10) Pullman car.
- (11) Club car.
- (12) Passenger airplane.
- (13) Horse racetrack facility holding a recognized meeting permit under IC 4-31-5.
- (14) Satellite facility (as defined in IC 4-31-2.1-36).
- (15) Catering hall under IC 7.1-3-20-24 that is not open to the public.
- (16) That part of a restaurant which is separate from a room in which is located a bar over which alcoholic beverages are sold or dispensed by the drink.
- (17) Entertainment complex.
- (18) Indoor golf facility.
- (19) A recreational facility such as a golf course, bowling center, or similar facility that has the recreational activity and not the sale of food and beverages as the principal purpose or function of the person's business.
- (20) A licensed premises owned or operated by a postsecondary educational institution described in IC 21-17-6-1.
- (21) An automobile racetrack.
- (22) An indoor theater under IC 7.1-3-20-26.
- (23) A senior residence facility campus (as defined in IC 7.1-3-1-29(c)) at which alcoholic beverages are given or furnished as provided under IC 7.1-3-1-29.
- (24) A hotel other than a part of a hotel that is a room in a restaurant in which a bar is located over which alcoholic beverages are sold or dispensed by the drink.
- (25) The location of an allowable event to which IC 7.1-3-6.1 applies.

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- (26) The location of a charity auction to which IC 7.1-3-6.2 applies.

(27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.

(28) A farm winery and any additional locations of the farm winery under IC 7.1-3-12, if the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age and the minor is accompanied by the adult in any area that the adult may be present whether or not the area:

 - (A) is separated in any manner from where the wine is manufactured, sold, or consumed within the farm winery premises; or
 - (B) operates under a retailer's permit.

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

 - (A) the person who holds the artisan distiller's permit also holds a farm winery permit under IC 7.1-3-12, or IC 7.1-3-20-16.4(a) applies to the person; and
 - (B) the minor is in the company of a parent, legal guardian or custodian, or family member who is at least twenty-one (21) years of age.

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

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

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

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

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1 IC 7.1-3-2-7(5)(C).

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

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

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

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

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

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

23 (1) A provision of this title.

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

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

28 SECTION 3~~7~~⁶. IC 15-19-2-3, AS ADDED BY P.L.2-2008,
 29 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board
 31 consists of seven (7) members selected as follows:

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

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

36 (3) Four (4) members appointed by the governor who have in the
 37 past participated or shown an interest in the standardbred
 38 industry. This interest may, but does not necessarily have to be,
 39 evidenced by virtue of being an owner, driver, veterinarian,
 40 trainer, or breeder.

41 Not more than three (3) of the appointees under subdivisions (2) and
 42 (3) may be of the same political party as the chairman of the Indiana



1 horse racing commission.

2 SECTION ~~38. IC 35-31.5-2-320.5 IS ADDED TO THE~~
 3 ~~INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS~~
 4 ~~[EFFECTIVE JULY 1, 2026]~~: See. ~~320.5. "Sweepstakes game", for~~
 5 ~~purposes of IC 35-45-5, has the meaning set forth in~~
 6 ~~IC 35-45-5-1(j).~~

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

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

16 ~~— SECTION 41. IC 35-45-5-1, AS AMENDED BY P.L.3-2008,~~
 17 ~~SECTION 252, IS AMENDED TO READ AS FOLLOWS~~
 18 ~~[EFFECTIVE JULY 1, 2026]~~: See. 1. (a) The definitions in this section
 19 apply throughout this chapter.

20 ~~(b) "Electronic gaming device" means any electromechanical~~
 21 ~~device, electrical device, or machine that satisfies at least one (1) of the~~
 22 ~~following requirements:~~

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

28 ~~(2) It is a slot machine or any simulation or variation of a slot~~
 29 ~~machine.~~

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

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

42 The term does not include a toy crane machine or any other device



1 played for amusement that rewards a player exclusively with a toy, a
 2 novelty, candy, other noncash merchandise, or a ticket or coupon
 3 redeemable for a toy, a novelty, or other noncash merchandise that has
 4 a wholesale value of not more than the lesser of ten (10) times the
 5 amount charged to play the amusement device one (1) time or
 6 twenty-five dollars (\$25).

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

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

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

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

16 (e) "Gambling device" means:

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

20 (2) a mechanism that, when operated for a consideration, does
 21 not return the same value or property for the same consideration
 22 upon each operation;

23 (3) a mechanism, furniture, fixture, construction, or installation
 24 designed primarily for use in connection with professional
 25 gambling;

26 (4) a policy ticket or wheel; or

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

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

33 (f) "Gambling information" means:

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

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

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

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



1 (2) A system operated or services offered by a library, school, state educational institution, or private postsecondary educational institution.
 2
 3
 4 (h) "Operator" means a person who owns, maintains, or operates an Internet site ~~a website~~ that is used for interactive gambling.
 5
 6 (i) "Profit" means a realized or unrealized benefit (other than a gain) and includes benefits from proprietorship or management and unequal advantage in a series of transactions.
 7
 8
 9 (j) "Sweepstakes game" means a game, contest, or promotion
 10 that is available on the Internet and is accessible on a mobile
 11 phone, computer terminal, or similar access device that:
 12 (1) utilizes a dual-currency system of payment allowing a
 13 player to exchange currency for a cash prize, cash award, or
 14 cash equivalents or a chance to win a cash prize, cash award,
 15 or cash equivalents; and
 16 (2) simulates casino-style gaming, including slot machines,
 17 video poker, table games, lottery games, bingo, and sports
 18 wagering.
 19 (j) (k) "Tournament" means a contest in which:
 20 (1) the consideration to enter the contest may take the form of a
 21 separate entry fee or the deposit of the required consideration to
 22 play in any manner accepted by the:
 23 (A) video golf machine; or
 24 (B) pinball machine or similar amusement device described
 25 in subsektion (m)(2); (n)(2);
 26 on which the entrant will compete;
 27 (2) each player's score is recorded; and
 28 (3) the contest winner and other prize winners are determined by
 29 objectively comparing the recorded scores of the competing
 30 players.
 31 (k) (l) "Toy crane machine" means a device that is used to lift
 32 prizes from an enclosed space by manipulating a mechanical claw.
 33 (l) (m) For purposes of this chapter:
 34 (1) a card game; or
 35 (2) an electronic version of a card game;
 36 is a game of chance and may not be considered a bona fide contest of
 37 skill.
 38 (m) (n) In the application of the definition of gambling set forth in
 39 subsektion (d), the payment of consideration to participate in a
 40 tournament conducted on:
 41 (1) video golf games; or
 42 (2) pinball machines and similar amusement devices that award



1 no prizes other than to mechanically confer an immediate and
 2 unrecorded right to replay on players that is presumed to be
 3 without value under this section;
 4 is not considered gambling even if the value of a prize awarded in the
 5 course of the tournament exceeds the amount of the player's
 6 consideration:
 7 ~~SECTION 42. IC 35-45-5-3, AS AMENDED BY P.L.158-2013;~~
 8 ~~SECTION 531, IS AMENDED TO READ AS FOLLOWS~~
 9 ~~[EFFECTIVE JULY 1, 2026]~~: Sec. 3. (a) A person who knowingly or
 10 intentionally:
 11 (1) engages in pool-selling;
 12 (2) engages in bookmaking;
 13 (3) maintains, in a place accessible to the public, slot machines,
 14 one-ball machines or variants thereof, pinball machines that
 15 award anything other than an immediate and unrecorded right of
 16 replay, roulette wheels, dice tables, or money or merchandise
 17 pushcards, punchboards, jars, or spindles;
 18 (4) conducts lotteries or policy or numbers games or sells
 19 chances therein;
 20 (5) conducts any banking or percentage games played with cards,
 21 dice, or counters, or accepts any fixed share of the stakes therein;
 22 or
 23 (6) accepts, or offers to accept, for profit, money, or other
 24 property risked in gambling;
 25 commits professional gambling, a Level 6 felony. However, the offense
 26 is a Level 5 felony if the person has a prior unrelated conviction under
 27 this subsection:
 28 (b) An operator who knowingly or intentionally uses the Internet
 29 to:
 30 (1) engage in pool-selling:
 31 (A) in Indiana; or
 32 (B) in a transaction directly involving a person located in
 33 Indiana;
 34 (2) engage in bookmaking:
 35 (A) in Indiana; or
 36 (B) in a transaction directly involving a person located in
 37 Indiana;
 38 (3) maintain, on an Internet site a website accessible to residents
 39 of Indiana, the equivalent of:
 40 (A) slot machines;
 41 (B) one-ball machines or variants of one-ball machines;
 42 (C) pinball machines that award anything other than an



immediate and unrecorded right of replay;

(D) roulette wheels;

(E) dice tables; or

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

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

(A) in Indiana; or

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

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

(A) in Indiana; or

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

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

(A) in Indiana; or

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

(7) conduct a sweepstakes game:

(A) in Indiana; or

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

35 (c) "Enterprise" means:

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

40 (d) "Pattern of racketeering activity" means engaging in at least
41 two (2) incidents of racketeering activity that have the same or similar
42 intent, result, accomplice, victim, or method of commission, or that are



1 otherwise interrelated by distinguishing characteristics that are not
 2 isolated incidents. However, the incidents are a pattern of racketeering
 3 activity only if at least one (1) of the incidents occurred after August
 4 31, 1980, and if the last of the incidents occurred within five (5) years
 5 after a prior incident of racketeering activity.

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

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



- (30) Manufacturing methamphetamine (IC []35-48-4-1.2).

(31) Dealing in a schedule I, II, or III controlled substance (IC []35-48-4-2).

(32) Dealing in a schedule IV controlled substance (IC []35-48-4-3).

(33) Dealing in a schedule V controlled substance (IC []35-48-4-4).

(34) Dealing in marijuana, hash oil, hashish, or salvia (IC []35-48-4-10).

(35) Money laundering (IC []35-45-15-5).

(36) A violation of IC 35-47.5-5.

(37) A violation of any of the following:

(A) IC 23-14-48-9.

(B) IC 30-2-9-7(b).

(C) IC 30-2-10-9(b).

(D) IC 30-2-13-38(f).

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

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

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

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

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

SECTION ~~44~~[38]. IC 35-46-1-8, AS AMENDED BY P.L.186-2025, SECTION 242, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen (18) years of age who knowingly or intentionally encourages, aids, induces, or causes a child to commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a Class A misdemeanor, except as provided in subsections (b) through (e).

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

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1 (c) The offense described in subsection (a) is a Level 5 felony if:
2 (1) the person committing the offense is at least twenty-one (21)
3 years of age and knowingly or intentionally furnishes:
4 (A) an alcoholic beverage to a child in violation of
5 IC 7.1-5-7-8 when the person committing the offense knew
6 or reasonably should have known that the person furnished
7 the alcoholic beverage was a child; or
8 (B) a controlled substance (as defined in IC 35-48-1.1-7) or
9 a drug (as defined in IC 9-13-2-49.1) in violation of Indiana
10 law; and
11 (2) the consumption, ingestion, or use of the alcoholic beverage,
12 controlled substance, or drug is the proximate cause of the death
13 of any person.
14 (d) Except as provided in subsection (c), the offense described in
15 subsection (a) is a Level 6 felony if:
16 (1) the person committing the offense is at least twenty-one (21)
17 years of age;
18 (2) the child who commits the delinquent act is less than sixteen
19 (16) years of age; and
20 (3) the act would be a misdemeanor if committed by an adult.
21 (e) If the person who commits the offense described in subsection
22 (a) is at least twenty-one (21) years of age, and the child who commits
23 the delinquent act is less than sixteen (16) years of age, the offense is:
24 (1) a Level 5 felony if the delinquent act would be a Level 6
25 felony if committed by an adult;
26 (2) a Level 4 felony if the delinquent act would be a Level 5
27 felony if committed by an adult;
28 (3) a Level 3 felony if the delinquent act would be a Level 4
29 felony if committed by an adult;
30 (4) a Level 2 felony if the delinquent act would be a Level 3
31 felony if committed by an adult;
32 (5) a Level 1 felony if the delinquent act would be a Level 1 or
33 2 felony if committed by an adult; or
34 (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the
35 delinquent act would be murder if committed by an adult.
36 (f) **A person who refuses to provide either:**
37 (1) **the person's name, address, and date of birth; or**
38 (2) **the person's driver's license, if in the person's possession;**
39 **to a law enforcement officer who has reason to believe the person**
40 **is not at least twenty-one (21) years of age and has committed an**
41 **act that would not be an infraction or a misdemeanor if committed**
42 **by a person twenty-one (21) years of age or older, commits a Class**

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1 **C misdemeanor.**

2 SECTION ~~45~~^[39]. IC 35-46-6-3, AS AMENDED BY
 3 P.L.163-2025, SECTION 68, IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who
 5 knowingly or intentionally uses or distributes nitrous oxide with intent
 6 to cause a condition of intoxication, euphoria, excitement, exhilaration,
 7 stupefaction, or dulling of the senses of another person, unless the
 8 nitrous oxide is to be used for medical purposes, commits a Class B
 9 misdemeanor. However, the offense is a Class A misdemeanor if the
 10 person has a prior unrelated conviction under this section.

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

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

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

