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HOUSE BILL No. 1052

Proposed Changes to January 30, 2026 printing by AM105229

DIGEST OF PROPOSED AMENDMENT

Online sweepstakes games. Specifies requirements that apply to the operator of an online sweepstakes platform. Prohibits a person from: (1) before July 1, 2027, operating an online sweepstakes game in Indiana without a registration issued by the attorney general; and (2) after June 30, 2027, operating an online sweepstakes game in Indiana. Requires an operator of an online sweepstakes platform to complete a registration application and submit a \$100,000 registration fee. Specifies requirements that apply to the attorney general's approval and denial of applications. Allows an operator doing business in Indiana before July 1, 2026, to continue operating conditionally while a timely registration application is pending. Makes gross retail and use tax provisions applicable to the sale of certain bona fide products offered for sale or use by an operator. Requires annual audits. Specifies the attorney general's enforcement powers and duties concerning online sweepstakes games.

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

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

- 1 SECTION 1. IC 4-31-2.1-5, 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:

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

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

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

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

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

- 31 (1) the refusal, denial, revocation, suspension, or other penalty
- 32 is in the public interest for the purpose of maintaining proper
- 33 control over horse racing meetings or pari-mutuel wagering; and
- 34 (2) any of the conditions listed in subsection (b) apply to the
- 35 applicant or licensee.
- 36 (b) The conditions referred to in subsection (a) are as follows:
- 37 (1) The applicant or licensee has been convicted of a felony or
- 38 misdemeanor that could compromise the integrity of racing by
- 39 the applicant's or licensee's participation in racing.
- 40 (2) The applicant or licensee has had a license of the legally
- 41 constituted racing authority of a state, province, or country
- 42 denied, suspended, or revoked for cause within the preceding

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- five (5) years.
- (3) The applicant or licensee is presently under suspension for cause of a license by the legally constituted racing authority of a state, province, or country.
- (4) The applicant or licensee has violated or attempted to violate a provision of this article, a rule adopted by the commission, or a law or rule with respect to horse racing in a jurisdiction.
- (5) The applicant or licensee has perpetrated or attempted to perpetrate a fraud or misrepresentation in connection with the racing or breeding of horses or pari-mutuel wagering.
- (6) The applicant or licensee has demonstrated financial irresponsibility by accumulating unpaid obligations, defaulting on obligations, or issuing drafts or checks that are dishonored or not paid.
- (7) The applicant or licensee has made a material misrepresentation in an application for a license.
- (8) The applicant or licensee has been convicted of a crime involving bookmaking, touting, or similar pursuits or has consorted with a person convicted of such an offense.
- (9) The applicant or licensee has abandoned, mistreated, abused, neglected, or engaged in an act of cruelty to a horse.
- (10) The applicant or licensee has engaged in conduct that is against the best interest of horse racing **or compromises the integrity of operations at a licensed facility.**
- (11) The applicant or licensee has failed to comply with a written order or ruling of the commission or judges pertaining to a racing matter.
- (12) The applicant or licensee has failed to answer correctly under oath, to the best of the applicant's or licensee's knowledge, all questions asked by the commission or its representatives pertaining to a racing matter.
- (13) The applicant or licensee has failed to return to a permit holder any purse money, trophies, or awards paid in error or ordered redistributed by the commission.
- (14) The applicant or licensee has had possession of an alcoholic beverage on a permit holder's premises, other than a beverage legally sold through the permit holder's concession operation.
- (15) The applicant or licensee has interfered with or obstructed a member of the commission, a commission employee, or a racing official while performing official duties.
- (16) The name of the applicant or licensee appears on the department of state revenue's most recent tax warrant list, and

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

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

3 (18) The applicant or licensee has racing disciplinary charges
4 pending in Indiana or another jurisdiction.

5 (19) The applicant or licensee is unqualified to perform the
6 duties required under this article or the rules of the commission.

7 **(20) The applicant or licensee made a material**
8 **misrepresentation when registering, nominating, entering, or**
9 **racing a horse as an Indiana owned horse, Indiana sired**
10 **horse, or Indiana bred horse.**

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

15 ~~(1) A member of the commission.~~

16 ~~(2) An employee of the commission.~~

17 ~~(3) A racing official.~~

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

20 ~~(b) (a) After December 31, 2017, The following individuals may~~
21 ~~not wager on gambling games or horse racing at a facility licensed~~
22 ~~under IC 4-35:~~

23 ~~(1) A member of the commission.~~

24 ~~(2) The following individuals employed by the commission:~~

25 ~~(A) The executive director.~~

26 ~~(B) The assistant executive director.~~

27 ~~(C) The director of security.~~

28 ~~(D) The general counsel.~~

29 ~~(E) The deputy general counsel.~~

30 ~~(F) A steward.~~

31 ~~(G) (F) A judge.~~

32 ~~(3) The spouse of an individual described in subdivision (1) or~~
33 ~~(2).~~

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

39 SECTION 6. IC 4-31-8-4, AS AMENDED BY P.L.168-2019,
40 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 4. (a) A permit holder shall provide an alcohol
42 breath-testing device that is approved by the commission and operated

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1 by a person certified to use such a device. **The necessary**
 2 **qualifications for an individual administering a breath-testing**
 3 **device and the policies and procedures of the breath-testing**
 4 **program are subject to the approval of either the executive**
 5 **director of the commission or the director of security of the**
 6 **commission.** All drivers, jockeys, judges, starters, assistant starters,
 7 and drivers of starting gates shall submit to a breath test at each racing
 8 program in which they participate. In addition, the executive director
 9 of the commission, a member of the commission, a commission
 10 investigator, the ~~stewards, judges,~~ or the track chief of security may
 11 order a licensee to submit to a breath test at any time there is reason to
 12 believe the licensee may have consumed sufficient alcohol to cause the
 13 licensee to fail a breath test.

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

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

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

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

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

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

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

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

36 (d) A sanction under subsection (c) may be appealed to the
 37 ~~commission.~~ **office of administrative law proceedings under**
 38 **IC 4-15-10.5. IC 4-21.5 applies to an appeal under this section. The**
 39 **commission has the burden of proving an alleged violation by a**
 40 **preponderance of the evidence.** An appeal stays the sanction until
 41 further action by the commission. The appeal must be heard by the
 42 ~~commission~~ **office of administrative law proceedings** within thirty

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

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

- (1) The horse that finishes first in each race.
- (2) Any other horses designated by the judges, ~~the stewards~~, a commission veterinarian, a member of the commission, or the executive director of the commission. The judges and veterinarian shall designate for the taking of a biological sample a horse that races markedly contrary to form.

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

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

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

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

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

SECTION 9. IC 4-31-12-7, AS AMENDED BY P.L.168-2019,

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1 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 7. (a) A veterinarian appointed by the commission
3 or employed by a permit holder may not, during the period of the
4 veterinarian's employment, do the following with respect to a breed of
5 horse registered with the commission for racing at the track of the
6 veterinarian's employment:

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

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

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

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

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

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

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

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

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

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

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

41 (4) A rule that a person must stay off the premises of one (1) or
42 more permit holders if necessary in the public interest to

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1 maintain proper control over recognized meetings.
2 (5) Referral of the matter to the commission for its consideration.
3 However, at least two (2) of the ~~stewards or~~ judges must concur in a
4 sanction.

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

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

16 SECTION 11. IC 4-31-13-1, AS AMENDED BY P.L.210-2013,
17 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 1. (a) The commission may issue orders under
19 IC 4-21.5 to:

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

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

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

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

38 SECTION 12. IC 4-31-13-2, AS AMENDED BY P.L.152-2025,
39 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2026]: Sec. 2. (a) The commission may adopt rules under
41 IC 4-22-2 to delegate to the ~~stewards and~~ judges of racing meetings
42 under the jurisdiction of the commission the power to conduct

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1 disciplinary hearings on behalf of the commission. The ~~stewards and~~
2 judges shall give at least twelve (12) hours notice of any such hearing.
3 The ~~stewards and~~ judges, on behalf of the commission, may impose one
4 (1) or more of the following sanctions against a licensee who violates
5 this article or the rules or orders of the commission:

- 6 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
- 7 (2) A temporary order or other immediate action in the nature of
- 8 a summary suspension if a licensee's actions constitute an
- 9 immediate danger to the public health, safety, or welfare.
- 10 (3) Suspension of a license held by the licensee for not more
- 11 than three (3) years. The suspension of a license under this
- 12 subdivision is:
 - 13 (A) valid even though the suspension extends beyond the
 - 14 period of the racing meeting for which the ~~stewards and~~
 - 15 judges have been appointed; and
 - 16 (B) effective at all other racing meetings under the
 - 17 jurisdiction of the commission.
 - 18 (4) A rule that a person must stay off the premises of one (1) or
 - 19 more permit holders if necessary in the public interest to
 - 20 maintain proper control over recognized meetings.
 - 21 (5) Referral of the matter to the commission for its consideration.

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

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

30 (c) A suspension or civil penalty under this section may be
31 appealed to the ~~commission. Judges and stewards imposing sanctions~~
32 ~~under this section must prove the person's violation by a preponderance~~
33 ~~of the evidence. The commission shall adopt rules establishing~~
34 ~~procedures for appeals and stays of appeals. The commission shall~~
35 ~~conduct a hearing on an appeal filed under this section as provided in~~
36 ~~IC 4-21-5. office of administrative law proceedings under~~
37 **IC 4-15-10.5. IC 4-21.5 applies to an appeal under this section. The**
38 **commission has the burden of proving an alleged violation by a**
39 **preponderance of the evidence.**

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

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- 1 (1) Adopt rules that the commission determines necessary to
- 2 protect or enhance the following:
- 3 (A) The credibility and integrity of gambling operations
- 4 authorized by this article.
- 5 (B) The regulatory process provided in this article.
- 6 (2) Conduct all hearings concerning civil violations of this
- 7 article.
- 8 (3) Provide for the establishment and collection of license fees
- 9 and taxes imposed under this article.
- 10 (4) Deposit the license fees and taxes in the state gaming fund
- 11 established by IC 4-33-13.
- 12 (5) Levy and collect penalties for noncriminal violations of this
- 13 article.
- 14 (6) Deposit the penalties in the state gaming fund established by
- 15 IC 4-33-13.
- 16 (7) Be present through the commission's gaming agents during
- 17 the time gambling operations are conducted on a riverboat to do
- 18 the following:
- 19 (A) Certify the revenue received by a riverboat.
- 20 (B) Receive complaints from the public.
- 21 (C) Conduct other investigations into the conduct of the
- 22 gambling games and the maintenance of the equipment that
- 23 the commission considers necessary and proper.
- 24 (8) Adopt rules to establish and implement a voluntary exclusion
- 25 program that meets the requirements of subsection (b).
- 26 (9) Establish the requirements for a power of attorney submitted
- 27 under IC 4-33-6-2(c), IC 4-33-6-22, IC 4-33-6.5-2(c), or
- 28 IC 4-33-6.5-16.
- 29 (b) Rules adopted under subsection (a)(8) must provide the
- 30 following:
- 31 (1) Except as provided by rule of the commission, a person who
- 32 participates in the voluntary exclusion program agrees to refrain
- 33 from entering a riverboat or other facility under the jurisdiction
- 34 of the commission **or from placing a wager with a certificate**
- 35 **holder licensed under IC 4-38.**
- 36 (2) That the name **and last four (4) digits of the Social Security**
- 37 **number** of a person participating in the program will be
- 38 included on a list of persons excluded from all facilities under
- 39 the jurisdiction of the commission.
- 40 (3) Except as provided by rule of the commission, a person who
- 41 participates in the voluntary exclusion program may not petition
- 42 the commission for readmittance to a facility under the

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jurisdiction of the commission.
(4) That the list of patrons entering the voluntary exclusion program and the personal information of the participants are confidential and may only be disseminated by the commission to the owner or operator of a facility under the jurisdiction of the commission **and to a certificate holder licensed under IC 4-38** for purposes of enforcement and to other entities, upon request by the participant and agreement by the commission.
(5) That an owner of a facility under the jurisdiction of the commission **and a certificate holder licensed under IC 4-38** shall make all reasonable attempts as determined by the commission to cease all direct marketing efforts to a person participating in the program.
(6) That an owner of a facility under the jurisdiction of the commission **and a certificate holder licensed under IC 4-38** may not cash the check of a person participating in the program or extend credit to the person in any manner. However, the voluntary exclusion program does not preclude an owner **or a certificate holder** from seeking the payment of a debt accrued by a person before entering the program.

~~SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) As used in this section, "sweepstakes game" means a game, contest, or promotion that:~~
~~— (1) is available on the Internet;~~
~~— (2) is accessible on a mobile phone, computer terminal, or similar access device;~~
~~— (3) utilizes a dual-currency or multi-currency system of payment allowing a player to exchange currency for:~~
~~— (A) a cash prize, a cash award, or cash equivalents; or~~
~~— (B) a chance to win a cash prize, a cash award, or cash equivalents; and~~
~~— (4) simulates:~~
~~— (A) lottery games; or~~
~~— (B) casino-style gaming, including slot machines, video poker, table games, bingo, or sports wagering.~~
~~However, the term does not include a game, contest, or promotion offered by the state lottery commission.~~
~~— (b) The commission may levy a civil penalty in the amount of one hundred thousand dollars (\$100,000) against an operator or individual who knowingly uses the Internet to conduct a sweepstakes game:~~

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1 ~~— (1) in Indiana; or~~
 2 ~~— (2) in a transaction directly involving a person located in~~
 3 ~~Indiana.~~
 4 > SECTION 1<5>[4]. IC 7.1-1-3-8.5 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. "Certificate" means
 6 a **retail or wholesale** tobacco sales certificate for purposes of
 7 IC 7.1-3-18.5.
 8 SECTION 1<6>[5]. IC 7.1-1-3-27.5 IS ADDED TO THE
 9 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2026]: **Sec. 27.5. "Organized sporting**
 11 **competition" means a sporting event sanctioned by a recognized**
 12 **governing or regulatory body.**
 13 SECTION 1<7>[6]. IC 7.1-1-3-45.7 IS ADDED TO THE
 14 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: **Sec. 45.7. "Sports arena" means an**
 16 **indoor or outdoor facility where the main purpose and function of**
 17 **the facility is organized sporting competition. The term does not**
 18 **include:**
 19 (1) a facility to which IC 7.1-3-1-25(a) applies;
 20 (2) a tract that contains a premises described in
 21 IC 7.1-3-1-14(d)(2); or
 22 (3) a facility primarily used for professional competition.
 23 SECTION 1<8>[7]. IC 7.1-1-3-46.5 IS ADDED TO THE
 24 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
 26 **tetrahydrocannabinol, including hemp derived cannabinoid**
 27 **products, synthetic equivalents of the substances contained in the**
 28 **plant or in the resinous extractives of Cannabis, and synthetic**
 29 **substances, derivates, and their isomers with a similar chemical**
 30 **structure and pharmacological activity.**
 31 SECTION 1<9>[8]. IC 7.1-1-3-48.7 IS ADDED TO THE
 32 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2026]: **Sec. 48.7. "Wholesale" means the**
 34 **business of selling, bartering, exchanging, or distributing tobacco**
 35 **products or electronic cigarettes to certificate holders in Indiana**
 36 **for the purpose of resale.**
 37 SECTION <20>[19]. IC 7.1-2-1-8 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. ~~Bond and Oath of~~
 39 ~~Office:~~ Each commissioner shall execute a surety bond in the amount
 40 of ten thousand dollars (\$10,000); with surety approved by the
 41 governor; and an oath of office, both of which shall be filed in the
 42 office of the secretary of state.

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1 SECTION 2-~~4~~[0]. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE
2 JULY 1, 2026]. Sec. 9: Surety Bonds: The required surety bond
3 executed and filed on behalf of a commissioner, an enforcement
4 officer, or the prosecutor shall be made payable to the State of Indiana
5 and conditioned upon the faithful discharge of the bonded party's
6 respective duties.

7 SECTION 2-~~4~~[1]. IC 7.1-2-2-3 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. Bond and Oath of
9 Office: The prosecutor shall execute a surety bond in the amount of
10 five thousand dollars (\$5,000); with surety approved by the governor,
11 and an oath of office, both of which shall be filed in the office of the
12 secretary of state.

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

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

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

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

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

35 (e) If:
36 (1) the commission is unable to procure advertising of a notice
37 as required under subsection (a) at the rates set forth in IC 5-3-1;
38 or

39 (2) the newspaper published in the county as described in
40 subsection (a) refuses to publish the notice;
41 the commission may, instead of publication in a newspaper as required
42 under subsection (a); require the designated member of the local board

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1 of the county to post printed notices in three (3) prominent locations in
2 the county:

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

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

- 9 (A) a manager;
- 10 (B) a bartender;
- 11 (C) a waiter or a waitress; or
- 12 (D) **except for a current or retired law enforcement**
- 13 **officer (as defined in IC 35-31.5-2-185) or a graduate of**
- 14 **a reserve officer program approved by the Indiana law**
- 15 **enforcement academy, a contractor or an employee**
- 16 **responsible for examining an individual's identification to**
- 17 **determine the individual's age, including controlling the**
- 18 **entry of individuals to a licensed premises at a time when**
- 19 **entry into the licensed premises is restricted to those**
- 20 **individuals at least twenty-one (21) years of age.**

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

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

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

28 SECTION 2<=>[5]. IC 7.1-3-3-5, AS AMENDED BY
29 P.L.163-2025, SECTION 13, IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The holder
31 of a beer wholesaler's permit may purchase and import from the
32 primary source of supply, possess, and sell at wholesale, beer and
33 flavored malt beverages manufactured within or without this state.

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

- 36 (1) another beer wholesaler authorized by the brewer to sell the
- 37 brand purchased;
- 38 (2) an employee; ~~and~~
- 39 (3) a holder of a beer retailer's permit, beer dealer's permit,
- 40 temporary beer permit, dining car permit, boat permit, airplane
- 41 permit, or supplemental caterer's permit; **and**
- 42 (4) **a food manufacturer that is registered with the federal**

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- 1 **Food and Drug Administration, for the purpose of adding or**
 2 **integrating the beer into a product or recipe;**
 3 located within this state. The sale, transportation, and delivery of beer
 4 shall be made only from inventory that has been located on the
 5 wholesaler's premises before the time of invoicing and delivery.
 6 (c) The beer wholesaler's bona fide regular employees may
 7 purchase beer from the wholesaler in:
 8 (1) bottles, cans, or any other type of permissible containers in
 9 an amount not to exceed forty-eight (48) pints; or
 10 (2) one (1) keg;
 11 at any one (1) time.
 12 (d) The importation, transportation, possession, sale, and delivery
 13 of beer shall be subject to the rules of the commission and subject to
 14 the same restrictions provided in this title for a person holding a
 15 brewer's permit.
 16 (e) The holder of a beer wholesaler's permit may purchase, import,
 17 possess, transport, sell, and deliver any commodity listed in
 18 IC 7.1-3-10-5, unless prohibited by this title. However, a beer
 19 wholesaler may deliver flavored malt beverages only to the holder of
 20 one (1) of the following permits:
 21 (1) A beer wholesaler or wine wholesaler permit, if the
 22 wholesaler is authorized by the primary source of supply to sell
 23 the brand of flavored malt beverage purchased.
 24 (2) A wine retailer's permit, wine dealer's permit, temporary
 25 wine permit, dining car wine permit, boat permit, airplane
 26 permit, or supplemental caterer's permit.
 27 (f) A beer wholesaler may:
 28 (1) store beer for an out-of-state brewer described in
 29 IC 7.1-3-2-9 and deliver the stored beer to another beer
 30 wholesaler that the out-of-state brewer authorizes to sell the
 31 beer;
 32 (2) perform all necessary accounting and auditing functions
 33 associated with the services described in subdivision (1); and
 34 (3) receive a fee from an out-of-state brewer for the services
 35 described in subdivisions (1) through (2).
 36 (g) A beer wholesaler may sell, donate, transport, and deliver beer
 37 to a qualified organization for:
 38 (1) an allowable event under IC 7.1-3-6.1;
 39 (2) a charity auction under IC 7.1-3-6.2; or
 40 (3) an event under IC 7.1-3-6.3;
 41 located within this state. The sale, donation to a qualified organization,
 42 transportation, and delivery of beer shall be made only from inventory

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1 that has been located on the wholesaler's premises before the time of
2 invoicing and delivery.

3 SECTION 2<=>[6]. IC 7.1-3-14-4, AS AMENDED BY
4 P.L.167-2024, SECTION 7, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's
6 permit is entitled to purchase wine only from a permittee entitled to sell
7 to the wine retailer under this title. A wine retailer is entitled to possess
8 wine and sell wine at retail to a customer for consumption on the
9 licensed premises. A wine retailer is also entitled to sell wine to a
10 customer and deliver wine in permissible containers to the customer on
11 the licensed premises or to the customer's house. **Except as provided**
12 **in section 8 of this chapter**, this delivery may only be performed by
13 the permit holder or an employee who holds an employee permit. The
14 permit holder shall maintain a written record of each delivery for at
15 least one (1) year that shows the customer's name, location of delivery,
16 and quantity sold. Subject to subsection (g), a wine retailer also may
17 prepare and package wine in qualified containers for sale and delivery
18 to a customer on the licensed premises for consumption off the licensed
19 premises.

20 (b) A wine retailer is not entitled to sell wine at wholesale. A wine
21 retailer is not entitled to sell and deliver wine on the street or at the
22 curb outside the licensed premises, nor is the wine retailer entitled to
23 sell wine at a place other than the licensed premises. However, a wine
24 retailer may offer food service (excluding alcoholic beverages) to a
25 patron who is outside the licensed premises by transacting business
26 through a window in the licensed premises.

27 (c) A wine retailer is entitled to sell and deliver wine for carry out,
28 or for at-home delivery. A wine retailer that delivers wine to a
29 customer's residence must require the customer to provide proof of age
30 in accordance with IC 7.1-5-10-23.

31 (d) Notwithstanding IC 7.1-1-3-20, the licensed premises of the
32 wine retailer may include the wine retailer parking lot or an area
33 adjacent to the wine retailer that may only be used for the purpose of
34 conveying alcoholic beverages and other nonalcoholic items to a
35 customer, and may not be used for point of sale purposes or any other
36 purpose. Any alcoholic beverages conveyed to the customer must
37 satisfy the following:

38 (1) Alcoholic beverages that are in the sealed original containers
39 must be placed in a bag that is stamped, printed, or labeled on
40 the outside: "CONTAINS ALCOHOLIC BEVERAGES".

41 (2) Alcoholic beverages that are prepared by the wine retailer
42 must be packaged by the wine retailer in qualified containers that

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- 1 are:
- 2 (A) stamped, printed, or labeled on the outside:
- 3 "CONTAINS ALCOHOLIC BEVERAGES"; or
- 4 (B) placed in a bag stamped, printed, or labeled on the
- 5 outside: "CONTAINS ALCOHOLIC BEVERAGES".
- 6 (3) Placed by an employee of the permittee who is at least
- 7 twenty-one (21) years of age:
- 8 (A) in the trunk of the motor vehicle; or
- 9 (B) behind the last upright seat of the motor vehicle, if the
- 10 motor vehicle is not equipped with a trunk.

11 A retailer permittee may only convey a customer's order of alcoholic
 12 beverages to the customer, if the customer has also purchased a meal
 13 from the retailer permittee that is conveyed to the customer at the same
 14 time as the alcoholic beverages.

15 (e) The employee of the permittee that conveys the alcoholic
 16 beverages to the customer must require the customer to provide proof
 17 of age in accordance with IC 7.1-5-10-23.

18 (f) The parking lot or area where the alcoholic beverages are
 19 conveyed to the customer must be:

- 20 (1) well lit; and
- 21 (2) within clear view of the main entrance to the building of the
- 22 retailer premises.

- 23 (g) If a wine retailer prepares and packages wine:
- 24 (1) for sale and delivery to a customer on the licensed premises
- 25 for consumption off the licensed premises; and
- 26 (2) in a container that is not in a qualified container;

27 the commission may revoke the wine retailer's privilege under this
 28 section of preparing and packaging wine for sale and delivery to a
 29 customer in a qualified container.

30 SECTION 2 ~~8~~ [7]. IC 7.1-3-14-8 IS ADDED TO THE INDIANA
 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) A wine retailer may sell**
 33 **wine for consumption off the licensed premises from a display in a**
 34 **room:**

- 35 (1) **where the bar is located or alcoholic beverages are stored,**
- 36 **prepared, or dispensed for consumption on the licensed**
- 37 **premises;**
- 38 (2) **that is not partitioned to create a section that is solely or**
- 39 **primarily for package sales of wine; and**
- 40 (3) **that does not have a separate cash register for package**
- 41 **sales.**

42 (b) **This subsection applies only to a wine retailer if the sale of**

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1 wine on the licensed premises is at least sixty percent (60%) of the
2 annual gross income of the premises. A wine retailer may allow a
3 customer to obtain by self-service sealed bottles of wine for
4 consumption off the licensed premises from a display under
5 subsection (a).

6 SECTION 28[8]. IC 7.1-3-16-9, AS AMENDED BY
7 P.L.153-2015, SECTION 11, IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The holder of a
9 temporary wine permit shall be entitled to purchase and receive wine
10 or mixed beverages (as defined in IC 7.1-1-3-26.2) on any day of the
11 year, only from a lawful supplier under this title at his place of
12 business. A lawful supplier may sell and deliver wine or mixed
13 beverages (as defined in IC 7.1-1-3-26.2) to a temporary wine permit
14 holder on any day of the year at his place of business. Except as
15 provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, the holder of a temporary
16 wine permit shall be entitled to sell wine or mixed beverages (as
17 defined in IC 7.1-1-3-26.2) only for consumption on the licensed
18 premises, and shall be subject to the same restrictions as apply to the
19 sale of beer by the holder of a temporary beer permit. Except as
20 provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a temporary wine permittee
21 shall not be entitled to sell at wholesale nor for carry-out from the
22 licensed premises.

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

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

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

34 (2) A premises upon which a cigarette vending machine is
35 located.

36 SECTION 34[0]. IC 7.1-3-18.5-1.5 IS ADDED TO THE
37 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) A person may not sell
39 tobacco products or electronic cigarettes at wholesale or
40 participate in the wholesale distribution of tobacco products or
41 electronic cigarettes without a valid wholesale tobacco sales
42 certificate issued by the commission.

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

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

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

11 (2) Except as provided in section 6(c) of this chapter, a fee of:

12 (A) two hundred dollars (\$200) for a retail tobacco sales
13 certificate; or

14 (B) one hundred dollars (\$100) for a wholesale tobacco
15 sales certificate.

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

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

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

21 (6) If the applicant is applying for a new certificate under section
22 3.2 of this chapter, a copy of each of the following:

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

26 (B) If the new ownership of the business is an individual,
27 either:

28 (i) the sales or purchase agreement; or

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

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

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

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1 **subdivision.**

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (C) a crime in a state other than Indiana having a penalty
41 equal to the penalty for an Indiana Level 1, Level 2, Level
42 3, Level 4, or Level 5 felony.

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- 1 However, this subdivision does not apply to a conviction that has
 2 been expunged under IC 35-38-9.
- 3 (3) A person who does not meet at least one (1) of the following
 4 descriptions:
- 5 (A) The person owns the premises to which the certificate
 6 will be applicable.
- 7 (B) The person has a valid lease on the premises:
 8 (i) at the time of the application for a certificate; and
 9 (ii) for the duration of the period in which the person
 10 sells or distributes in the manner described in section
 11 1 of this chapter.
- 12 (C) The person has a franchise agreement with a franchisor:
 13 (i) that owns the premises to which the certificate will
 14 be applicable; or
 15 (ii) that has a bona fide lease on the premises for the
 16 full period for which the certificate is to be issued.
- 17 (4) A person whose place of business is conducted by a manager
 18 or agent, unless the manager or agent possesses the same
 19 qualifications required for the issuance of a tobacco sales
 20 certificate to the person.
- 21 (5) A minor.
- 22 (6) A person non compos mentis.
- 23 (7) A person who has held a permit or certificate under this title
 24 and who has had that permit or certificate revoked **or**
 25 **suspended** within one (1) year prior to the date of application
 26 for a tobacco sales certificate.
- 27 (8) A person who has made an application for a permit or
 28 certificate of any type under this title which has been denied less
 29 than one (1) year prior to the person's application for a tobacco
 30 sales certificate unless the first application was denied by reason
 31 of a procedural or technical defect.
- 32 (b) Subsection (a)(5) does not prevent a minor from being a
 33 stockholder in a corporation.
- 34 SECTION 3 ~~3~~ [3]. IC 7.1-3-18.5-2.6, AS ADDED BY
 35 P.L.94-2008, SECTION 38, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2026]: Sec. 2.6. An application for a tobacco
 37 **sales** certificate must contain the express statement of the applicant that
 38 the applicant consents for the duration of the certificate term (if the
 39 commission issues the certificate to the applicant) to the entrance,
 40 inspection, and search by an enforcement officer, without a warrant or
 41 other process, of the applicant's ~~retail~~ premises to determine whether
 42 the applicant is complying with the provisions of this title. The consent

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1 required by this section is renewed and continued by the retention of a
2 certificate or the certificate's use by the applicant or the applicant's
3 agents.

4 SECTION 35[4]. IC 7.1-3-18.5-3, AS AMENDED BY
5 P.L.224-2005, SECTION 11, IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A certificate
7 issued by the commission under this chapter must contain the following
8 information:

- 9 (1) The certificate number.
- 10 (2) The certificate holder's name.
- 11 (3) The permanent location of the business or vending machine
- 12 for which the certificate is issued.
- 13 (4) The expiration date of the certificate.

- 14 (b) A **retail tobacco sales** certificate is:
 - 15 (1) valid for three (3) years after the date of issuance, unless the
 - 16 commission suspends the **retail tobacco sales** certificate; and
 - 17 (2) nontransferable.

- 18 (c) A **wholesale tobacco sales certificate**:
 - 19 (1) is valid for one (1) year after the date of issuance, unless
 - 20 the commission suspends the **wholesale tobacco sales**
 - 21 **certificate**;
 - 22 (2) is nontransferable; and
 - 23 (3) may be issued:
 - 24 (A) in conjunction with a tobacco sales certificate; or
 - 25 (B) for the same location for which a tobacco sales
 - 26 certificate has been issued;
 - 27 if the operation of each certificate occurs separately within
 - 28 a distinct area on the premises.

29 SECTION 36[5]. IC 7.1-3-18.5-5.1 IS ADDED TO THE
30 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2026]: Sec. 5.1. If a retail location's retail
32 tobacco sales certificate is suspended or revoked, the commission
33 shall not renew or grant a new retail tobacco sales certificate for
34 the retail location until the retail location's application has been
35 investigated and recommended for approval by the local board.

36 SECTION 37[6]. IC 7.1-3-18.5-9.2, AS ADDED BY
37 P.L.107-2024, SECTION 4, IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate
39 holder must hold a valid:

- 40 (1) driver's license issued by the state of Indiana or another state;
- 41 or
- 42 (2) identification card issued by the state of Indiana, another

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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;

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

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

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

(1) For three (3) violations in a one (1) year period, suspend the certificate for a period of five (5) days.

(2) For four (4) violations in a one (1) year period, suspend the certificate for a period of an additional five (5) days.

(3) For five (5) violations in a one (1) year period, suspend the certificate for a period of an additional five (5) days.

(4) For six (6) or more violations in a one (1) year period, revoke the certificate.

SECTION 3 ~~8~~ [7]. IC 7.1-3-20-16.8, AS AMENDED BY THE

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1 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 2 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 16.8. (a) A permit that is authorized by this
 4 section may be issued without regard to the quota provisions of
 5 IC 7.1-3-22.

6 (b) Except as provided in section 16.3 of this chapter, the
 7 commission may issue not more than four (4) new three-way permits
 8 to sell alcoholic beverages for on-premises consumption to applicants
 9 in each of the following municipalities:

10 (1) Whitestown.

11 (2) Lebanon.

12 (3) Zionsville.

13 (4) Westfield.

14 (5) Carmel.

15 (6) Fishers.

16 (7) Noblesville.

17 (c) The following apply to permits issued under subsection (b):

18 (1) An applicant for a permit under subsection (b) must be a
 19 proprietor, as owner or lessee, or both, of a restaurant located
 20 within an economic development area, an area needing
 21 redevelopment, or a redevelopment district as established under
 22 IC 36-7-14 in a municipality's:

23 (A) downtown redevelopment district; or

24 (B) downtown economic revitalization area.

25 (2) The cost of an initial permit is forty thousand dollars
 26 (\$40,000).

27 (3) The total number of active permits issued under subsection
 28 (b) may not exceed twenty-four (24) permits at any time. If any
 29 of the permits issued under subsection (b) are revoked or not
 30 renewed, the commission may issue only enough new permits to
 31 bring the total number of permits to twenty-four (24) active
 32 permits, with not more than four (4) in each municipality listed
 33 in subsection (b)(1) through (b)(6).

34 (4) The municipality may adopt an ordinance under
 35 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
 36 written commitment as a condition of eligibility for a permit. As
 37 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 38 binding on the permit holder and on any lessee or proprietor of
 39 the permit premises.

40 (5) Notwithstanding ~~IC 7.1-3-1-3.5~~ and IC 7.1-3-1.1, if business
 41 operations cease at the permit premises for more than six (6)
 42 months, the permit shall revert to the commission and the permit

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- 1 holder is not entitled to any refund or other compensation.
 2 (6) Except as provided in subdivision (8), the ownership of a
 3 permit may not be transferred.
 4 (7) A permit may not be transferred from the premises for which
 5 the permit was issued.
 6 (8) If the area in which the permit premises is located is no
 7 longer designated an economic development area, an area
 8 needing redevelopment, or a redevelopment district, a permit
 9 issued under this section may be renewed, and the ownership of
 10 the permit may be transferred, but the permit may not be
 11 transferred from the permit premises.
 12 (d) Except as provided in section 16.3 of this chapter, in addition
 13 to the permits issued to the town of Whitestown under subsection (c),
 14 the commission may issue to the town of Whitestown not more than:
 15 (1) three (3) new three-way permits; and
 16 (2) three (3) new two-way permits;
 17 under this subsection.
 18 (e) The following apply to permits issued under subsection (d):
 19 (1) An applicant for a permit under subsection (d)(1) or (d)(2)
 20 must be a proprietor, an owner or lessee, or both, of a restaurant
 21 located within an economic development area, an area needing
 22 redevelopment, or a redevelopment district as established under
 23 IC 36-7-14 in a municipality's:
 24 (A) downtown redevelopment district; or
 25 (B) downtown economic revitalization area.
 26 (2) The cost of an initial permit is forty thousand dollars
 27 (\$40,000).
 28 (3) The total number of active permits issued under subsection
 29 (d) may not exceed the six (6) permits allocated by permit type,
 30 as set forth in that subsection.
 31 (4) The municipality may adopt an ordinance under
 32 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
 33 written commitment as a condition of eligibility for a permit. As
 34 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 35 binding on the permit holder and on any lessee or proprietor of
 36 the permit premises.
 37 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
 38 the permit premises for more than six (6) months, the permit
 39 shall revert to the commission and the permit holder is not
 40 entitled to any refund or other compensation.
 41 (6) Except as provided in subdivision (8), the ownership of a
 42 permit may not be transferred.

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- 1 (7) A permit may not be transferred from the premises for which
- 2 the permit was issued.
- 3 (8) If the area in which the permit issued to a premises under
- 4 subsection (d)(1) or (d)(2) is located is no longer designated an
- 5 economic development area, an area needing redevelopment, or
- 6 a redevelopment district, a permit issued under this section may
- 7 be renewed, and the ownership of the permit may be transferred,
- 8 but the permit may not be transferred from the permit premises.
- 9 (f) Except as provided in section 16.3 of this chapter, in addition
- 10 to the permits issued to the city of Noblesville under subsection (c), the
- 11 commission may issue to the city of Noblesville not more than ten (10)
- 12 new three-way permits under this subsection. The new three-way
- 13 permits may be issued as follows:
- 14 (1) Three (3) new three-way permits in 2024.
- 15 (2) Three (3) new three-way permits in 2025.
- 16 (3) Four (4) new three-way permits in 2026.
- 17 If the commission does not issue the amount of three-way permits
- 18 allowed in subdivisions (1) through (3) in that year, any unissued
- 19 permits will roll over and may be issued in a subsequent year.
- 20 (g) The following apply to permits issued under subsection (f):
- 21 (1) An applicant for a permit under subsection (f) must be a
- 22 proprietor, an owner or lessee, or both, of a restaurant located
- 23 within an economic development area, an area needing
- 24 redevelopment, or a redevelopment district as established under
- 25 IC 36-7-14 in a municipality's:
- 26 (A) downtown redevelopment district; or
- 27 (B) downtown economic revitalization area.
- 28 (2) The cost of an initial permit is forty thousand dollars
- 29 (\$40,000).
- 30 (3) The total number of active permits issued under subsection
- 31 (f) may not exceed the ten (10) new three-way permits, as set
- 32 forth in that subsection.
- 33 (4) The municipality may adopt an ordinance under
- 34 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
- 35 written commitment as a condition of eligibility for a permit. As
- 36 set forth in IC 7.1-3-19-17(b), a formal written commitment is
- 37 binding on the permit holder and on any lessee or proprietor of
- 38 the permit premises.
- 39 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
- 40 the permit premises for more than six (6) months, the permit
- 41 shall revert to the commission and the permit holder is not
- 42 entitled to any refund or other compensation.

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- 1 (6) Except as provided in subdivision (8), the ownership of a
- 2 permit may not be transferred.
- 3 (7) A permit may not be transferred from the premises for which
- 4 the permit was issued.
- 5 (8) If the area in which the permit issued to a premises under
- 6 subsection (f) is located is no longer designated an economic
- 7 development area, an area needing redevelopment, or a
- 8 redevelopment district, a permit issued under this section may be
- 9 renewed, and the ownership of the permit may be transferred,
- 10 but the permit may not be transferred from the permit premises.
- 11 (h) Except as provided in section 16.3 of this chapter, the
- 12 commission may issue to the city of Delphi not more than two (2) new
- 13 three-way permits under this subsection. ~~(h)~~ The following apply to
- 14 permits issued under **this** subsection: ~~(h)~~:
- 15 (1) An applicant for a permit ~~under subsection (h)~~ must be a
- 16 proprietor, an owner or lessee, or both, of a restaurant located
- 17 within an economic development area, an area needing
- 18 redevelopment, or a redevelopment district as established under
- 19 IC 36-7-14 in a municipality's:
- 20 (A) downtown redevelopment district; or
- 21 (B) downtown economic revitalization area.
- 22 (2) The cost of an initial permit is forty thousand dollars
- 23 (\$40,000).
- 24 (3) The total number of active permits issued under **this**
- 25 subsection ~~(h)~~ may not exceed the two (2) new three-way
- 26 permits. ~~[] as set forth in that subsection.~~
- 27 (4) The municipality may adopt an ordinance under
- 28 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
- 29 written commitment as a condition of eligibility for a permit. As
- 30 set forth in IC 7.1-3-19-17(b), a formal written commitment is
- 31 binding on the permit holder and on any lessee or proprietor of
- 32 the permit premises.
- 33 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
- 34 the permit premises for more than six (6) months, the permit
- 35 shall revert to the commission and the permit holder is not
- 36 entitled to any refund or other compensation.
- 37 (6) Except as provided in subdivision (8), the ownership of a
- 38 permit may not be transferred.
- 39 (7) A permit may not be transferred from the premises for which
- 40 the permit was issued.
- 41 (8) If the area in which the permit issued to a premises under
- 42 **this** subsection ~~(h)~~ is located is no longer designated an

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- 1 economic development area, an area needing redevelopment, or
 2 a redevelopment district, a permit issued under this section may
 3 be renewed, and the ownership of the permit may be transferred,
 4 but the permit may not be transferred from the permit premises.
- 5 ~~(j)~~ **(i)** Except as provided in section 16.3 of this chapter, the
 6 commission may issue to the city of Warsaw not more than three (3)
 7 new three-way permits under this subsection. ~~(k)~~ The following apply
 8 to permits issued under **this** subsection: ~~(j)~~:-
- 9 (1) An applicant for a permit ~~under subsection (j)~~ must be a
 10 proprietor, an owner or lessee, or both, of a restaurant located
 11 within an economic development area, an area needing
 12 redevelopment, or a redevelopment district as established under
 13 IC 36-7-14 in a municipality's:
- 14 (A) downtown redevelopment district; or
 15 (B) downtown economic revitalization area.
- 16 (2) The cost of an initial permit is forty thousand dollars
 17 (\$40,000).
- 18 (3) The total number of active permits issued under **this**
 19 **subsection (j)** may not exceed the three (3) new three-way
 20 permits. ~~as set forth in that subsection.~~
- 21 (4) The municipality may adopt an ordinance under
 22 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
 23 written commitment as a condition of eligibility for a permit. As
 24 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 25 binding on the permit holder and on any lessee or proprietor of
 26 the permit premises.
- 27 (5) Notwithstanding IC 7.1-3-1.1, if business operations cease at
 28 the permit premises for more than six (6) months, the permit
 29 shall revert to the commission and the permit holder is not
 30 entitled to any refund or other compensation.
- 31 (6) Except as provided in subdivision (8), the ownership of a
 32 permit may not be transferred.
- 33 (7) A permit may not be transferred from the premises for which
 34 the permit was issued.
- 35 (8) If the area in which the permit issued to a premises under
 36 **this** **subsection (j)** is located is no longer designated an
 37 economic development area, an area needing redevelopment, or
 38 a redevelopment district, a permit issued under this section may
 39 be renewed, and the ownership of the permit may be transferred,
 40 but the permit may not be transferred from the permit premises.
- 41 ~~(j)~~ **(j)** Except as provided in section 16.3 of this chapter, the
 42 commission may issue to the town of Syracuse not more than one (1)

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new three-way permit under this subsection. ~~(m)~~ The following apply to a permit issued under **this** subsection: ~~(f)~~:

(1) An applicant for a permit ~~under subsection (f)~~ must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a municipality's:

- (A) downtown redevelopment district; or
- (B) downtown economic revitalization area.

(2) The cost of an initial permit is forty thousand dollars (\$40,000).

(3) The total number of active permits issued under **this** subsection ~~(f)~~ may not exceed the one (1) new three-way permit. ~~[as set forth in that subsection.]~~

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under **this** ~~(f)~~ subsection is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

(k) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Gary not more than ten (10) new three-way permits under this subsection. The following apply to a permit issued under this subsection:

(1) An applicant for a permit must be a proprietor, an owner or lessee, or both, of a restaurant located within an economic development area, an area needing redevelopment, or a redevelopment district as established under IC 36-7-14 in a

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municipality's:

(A) downtown redevelopment district; or

(B) downtown economic revitalization area.

(2) The cost of an initial permit is forty thousand dollars (\$40,000).

(3) The total number of active permits issued under this subsection may not exceed the ten (10) new three-way permits.

(4) The municipality may adopt an ordinance under IC 7.1-3-19-17 requiring a permit holder to enter into a formal written commitment as a condition of eligibility for a permit. As set forth in IC 7.1-3-19-17(b), a formal written commitment is binding on the permit holder and on any lessee or proprietor of the permit premises.

(5) Notwithstanding IC 7.1-3-1.1, if business operations cease at the permit premises for more than six (6) months, the permit shall revert to the commission and the permit holder is not entitled to any refund or other compensation.

(6) Except as provided in subdivision (8), the ownership of a permit may not be transferred.

(7) A permit may not be transferred from the premises for which the permit was issued.

(8) If the area in which the permit issued to a premises under this subsection is located is no longer designated an economic development area, an area needing redevelopment, or a redevelopment district, a permit issued under this section may be renewed, and the ownership of the permit may be transferred, but the permit may not be transferred from the permit premises.

SECTION 39[8]. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.7. (a) Notwithstanding section 4(a) through 4(c) of this chapter, the commission may issue a beer dealer's permit, wine dealer's permit, and liquor dealer's permit to a drug store operated in the city of Westfield.

(b) Notwithstanding section 4(a) through 4(c) of this chapter, the commission may issue a beer dealer's permit and wine dealer's permit to a convenience store operated in the town of Sellersburg.

(c) The following apply to a permit issued under subsection (a) or (b):

(1) The combined initial permit cost is forty thousand dollars (\$40,000).

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(2) A permit may not be transferred from the premises for which the permit was issued.

(3) The ownership of a permit may be transferred with approval from the commission.

(4) Each permit is subject to the requirements applicable to the permit type.

SECTION ~~40~~[39]. IC 7.1-5-6-3, AS AMENDED BY P.L.32-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) It is unlawful for a person to act as a clerk in a package liquor store, or as a bartender, waiter, waitress, **security, bouncer**, or manager for a retailer permittee unless that person has applied for and been issued the appropriate permit. This section does not apply to dining car or boat employees, to a person described in IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d). A person who knowingly or intentionally violates this subsection commits a Class C infraction. However, the violation is a Class B misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years.

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

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

SECTION ~~4~~[0]. IC 7.1-5-7-8.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8.1. (a) It is a Class B misdemeanor for a person to recklessly, knowingly, or intentionally:**

- (1) sell, in person or online;**
- (2) barter;**
- (3) exchange;**
- (4) provide; or**
- (5) furnish;**

a product or substance containing THC to a minor.

(b) However, the offense described in subsection (a) is:

- (1) a Class A misdemeanor if the person has a prior unrelated conviction under this section; and**

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(2) a Level 6 felony if the consumption, ingestion, or use of the THC is the proximate cause of the serious bodily injury or death of any person.

(c) A website owned, managed, or operated by a person who distributes or sells THC directly to consumers must, before completing a purchase, verify the age of an individual purchasing THC by:

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

SECTION 4-~~1~~^[1]. IC 7.1-5-7-11, AS AMENDED BY 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

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- 1 educational institution described in IC 21-17-6-1.
 2 (21) An automobile racetrack.
 3 (22) An indoor theater under IC 7.1-3-20-26.
 4 (23) A senior residence facility campus (as defined in
 5 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
 6 furnished as provided under IC 7.1-3-1-29.
 7 (24) A hotel other than a part of a hotel that is a room in a
 8 restaurant in which a bar is located over which alcoholic
 9 beverages are sold or dispensed by the drink.
 10 (25) The location of an allowable event to which IC 7.1-3-6.1
 11 applies.
 12 (26) The location of a charity auction to which IC 7.1-3-6.2
 13 applies.
 14 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the
 15 minor is in the company of a parent, legal guardian or custodian,
 16 or family member who is at least twenty-one (21) years of age.
 17 (28) A farm winery and any additional locations of the farm
 18 winery under IC 7.1-3-12, if the minor is in the company of a
 19 parent, legal guardian or custodian, or family member who is at
 20 least twenty-one (21) years of age and the minor is accompanied
 21 by the adult in any area that the adult may be present whether or
 22 not the area:
 23 (A) is separated in any manner from where the wine is
 24 manufactured, sold, or consumed within the farm winery
 25 premises; or
 26 (B) operates under a retailer's permit.
 27 (29) An artisan distillery under IC 7.1-3-27, if:
 28 (A) the person who holds the artisan distiller's permit also
 29 holds a farm winery permit under IC 7.1-3-12, or
 30 IC 7.1-3-20-16.4(a) applies to the person; and
 31 (B) the minor is in the company of a parent, legal guardian
 32 or custodian, or family member who is at least twenty-one
 33 (21) years of age.
 34 (30) An art instruction studio under IC 7.1-5-8-4.6.
 35 (31) The licensed premises of a food hall under IC 7.1-3-20-29
 36 and the food and beverage vending space of a food hall vendor
 37 permittee under IC 7.1-3-20-30. However, sections 9 and 10 of
 38 this chapter apply to a bar within the food and beverage vending
 39 space of a food hall vendor permittee under IC 7.1-3-20-30 that
 40 serves alcoholic beverages intended to be consumed while sitting
 41 or standing at the bar.
 42 (32) A refreshment area designated under IC 7.1-3-31.

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

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

11 (B) operates under a retailer's permit as provided in
12 IC 7.1-3-2-7(5)(C).

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

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

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

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

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

30 SECTION 4 ~~↔~~ [2]. IC 7.1-5-7-17, AS ADDED BY P.L.94-2008,
31 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2026]: Sec. 17. (a) Notwithstanding any other law, an
33 enforcement officer vested with full police powers and duties may
34 engage a person who is:

- 35 (1) at least eighteen (18) years of age; and
- 36 (2) less than twenty-one (21) years of age;

37 to receive or purchase alcoholic beverages **or THC** as part of an
38 enforcement action under this article.

39 (b) The initial or contemporaneous receipt or purchase of an
40 alcoholic beverage **or THC** under this section by a person described in
41 subsection (a) must:

- 42 (1) occur under the direction of an enforcement officer vested

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with full police powers and duties; and
(2) be a part of the enforcement action.
SECTION 4~~4~~[3]. IC 7.1-5-8-1 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C
misdemeanor for a person to recklessly hinder, obstruct, interfere with,
or prevent the observance or enforcement of any of the following:
(1) A provision of this title.
(2) A rule or regulation of the commission adopted in the
administration of this title.
**(3) An order of the commission to suspend or revoke a
permit or certificate issued under this title.**

SECTION 4~~5~~[4]. IC 15-19-2-3, AS ADDED BY P.L.2-2008,
SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board
consists of seven (7) members selected as follows:
(1) The chairman of the Indiana horse racing commission, or the
chairman's designee, is an ex officio member.
(2) Two (2) members who are **members of county fair boards
racing participants**, appointed by the governor.
(3) Four (4) members appointed by the governor who have in the
past participated or shown an interest in the standardbred
industry. This interest may, but does not necessarily have to be,
evidenced by virtue of being an owner, driver, veterinarian,
trainer, or breeder.

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

SECTION ~~46~~[45. IC 24-8-2-1 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **Except as otherwise
provided, the definitions in this chapter apply throughout this article.**

SECTION 46. IC 24-8-2-1.1 IS ADDED TO THE INDIANA
CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2026]: Sec. 1.1. "Authorized player" means
a person who:

- (1) is at least twenty-one (21) years of age;
- (2) is physically located in Indiana; and
- (3) opens and maintains an access account with an online
sweepstakes operator.

SECTION 47. IC 24-8-2-1.2 IS ADDED TO THE INDIANA
CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2026]: Sec. 1.2. "Bona fide product" means
a digital or tangible good, service, or product that has independent

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value and is genuinely offered for sale or use by an online sweepstakes operator. The term includes online entertainment and social casino games using standard play tokens.

SECTION 48. IC 24-8-2-1.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.6. (a) "Online sweepstakes game" means a game, contest, or promotion that is available on the Internet and is accessible on a mobile phone, computer terminal, or similar access device that:

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

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

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

SECTION 49. IC 24-8-2-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.7. "Online sweepstakes operator" or "operator" means a person that owns, operates, manages, controls, or otherwise conducts an online sweepstakes platform available to a person located in Indiana.

SECTION 50. IC 24-8-2-1.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.8. "Online sweepstakes platform" or "platform" means a uniquely branded website or application operated by an online sweepstakes operator for the participation in online sweepstakes games.

SECTION 51. IC 24-8-2-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (b), "prize" means a gift, award, or other item distributed in a promotion.

(b) For purposes of IC 24-8-5.5, "prize" means property, service, credit, cash, cash equivalent, or another thing of real world

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value awarded to a participant in connection with an online sweepstakes game.

SECTION 52. IC 24-8-2-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.5. "Prohibited player" means any of the following:

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

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

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

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

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

SECTION 53. IC 24-8-2-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. "Promotional play tokens" means free promotional sweepstakes entry tokens that:

(1) cannot be purchased;

(2) allow users to participate in online sweepstakes games;

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

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

SECTION 54. IC 24-8-2-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. "Standard play token" means a virtual token used for online social games that cannot be:

(1) redeemed for anything of real-world value;

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

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

SECTION 55. IC 24-8-3-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. This chapter does not apply to online sweepstakes games.

SECTION 56. IC 24-8-4-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2026]: Sec. 0.5. This chapter does not apply to online sweepstakes games.

SECTION 57. IC 24-8-5-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. This chapter does not apply to online sweepstakes games.

SECTION 58. IC 24-8-5.5 ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 5.5. Online Sweepstakes Games

Sec. 1. The operator of an online sweepstakes game shall use commercially reasonable methods to do the following:

- (1) Prevent prohibited persons from participating in an online sweepstakes game.
- (2) Verify the identity and age of a person participating in an online sweepstakes game.
- (3) Limit an authorized player to one (1) account per platform.
- (4) Use geolocation to identify the location of a person participating in an online sweepstakes game.
- (5) Protect the privacy, financial information, and personal identifying information of participants.
- (6) Initiate all prize redemptions within forty-eight (48) hours of receiving a valid redemption request from an authorized player.

Sec. 2. An operator of an online sweepstakes game shall provide responsible social gameplay tools to participants, including the following:

- (1) Self-exclusion with determinate and irrevocable exclusion time frames. During the course of the exclusion an operator shall take reasonable steps to prevent the person from participating in online sweepstakes games offered by the operator and cease direct marketing to the person.
- (2) The ability to set limits on play time and purchases.
- (3) Prominently displayed messages and links to responsible social gameplay tools and resources.
- (4) Training to customer-facing employees to identify signs of gaming disorders or unhealthy behavior and address those instances with defined responsible social gameplay protocols and interventions.

Sec. 3. An operator of an online sweepstakes game shall ensure that advertisements, marketing materials, and platforms:

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- (1) fairly and accurately depict the actual product and gameplay;
- (2) clearly and conspicuously display key terms and conditions, including that:
 - (A) sweepstakes participation is limited to individuals who are at least twenty-one (21) years of age; and
 - (B) that no purchase is necessary;
- (3) provide information and links to responsible social gameplay resources;
- (4) are not deceptive or misleading, including by presenting exaggerated claims of financial gain or unrealistic odds of winning a prize; and
- (5) do not knowingly market to an individual less than twenty-one (21) years of age.

Sec. 4. Except as otherwise provided in this chapter:

- (1) before July 1, 2027, a person may not operate an online sweepstakes game in Indiana without a registration issued by the attorney general; and
- (2) after June 30, 2027, a person may not operate an online sweepstakes game in Indiana.

Sec. 5. (a) An online sweepstakes operator shall register each online sweepstakes platform with the attorney general in the manner required by this section before operating in Indiana.

(b) An operator shall complete a registration application in the form and manner required by the attorney general. The registration application must include the following:

- (1) The names and website locations of all platforms operated by the applicant.
- (2) The name and principal address of the applicant.
- (3) The address of any offices of the applicant in Indiana, if applicable, and its designated registered agent for process in Indiana.
- (4) A certificate of good standing issued by the secretary of state.
- (5) Other information the attorney general deems necessary to ensure compliance with the provisions of this chapter.

(c) An operator shall submit to the attorney general a registration fee of one hundred thousands dollars (\$100,000) for each platform registered with the attorney general.

Sec. 6. (a) The attorney general shall act promptly on registration applications that the attorney general receives under section 5 of this chapter. The attorney general shall issue or deny

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1 registration within one hundred twenty (120) days of receiving a
 2 completed application and registration fee. Whether an application
 3 is complete is determined by the attorney general.

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

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

14 Sec. 8. (a) Within ninety (90) days of the expiration of a
 15 registration, an operator may submit to the attorney general an
 16 application under section 5 of this chapter to renew the
 17 registration.

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

21 (c) The attorney general may provide a simplified process for
 22 the renewal of previously approved registrations.

23 Sec. 9. IC 6-2.5 applies to the sale of bona fide products.

24 Sec. 10. A registered operator shall contract with a certified
 25 public accountant to conduct an annual independent audit
 26 consistent with the standards accepted by the Indiana board of
 27 accountancy. A registered operator or their certified public
 28 accountant shall submit to the attorney general a copy of the audit
 29 report each year not later than one hundred twenty (120) days
 30 after the end of the operator's fiscal year.

31 Sec. 11. (a) The attorney general has all powers and duties
 32 necessary to carry out this chapter and may adopt rules necessary
 33 to enforce this chapter.

34 (b) If the attorney general has good cause to believe that an
 35 operator has violated this chapter, the attorney general may
 36 investigate, hold hearings, and take any other action to determine
 37 whether an operator has violated this chapter.

38 (c) If the attorney general finds that an operator has violated
 39 a material provision of this chapter, the attorney general may
 40 impose a civil penalty of not more than one thousand dollars
 41 (\$1,000) for each violation of this chapter, not to exceed ten
 42 thousand dollars (\$10,000) for multiple violations that arise out of

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the same transaction or occurrence.

(d) Upon a third or subsequent occurrence giving rise to a violation, the attorney general may:

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

(2) suspend or revoke the registration of an operator's platform.

(e) An operator subject to a civil penalty, suspension of registration, or revocation of registration may request review before the attorney general and appeal under IC 4-21.5.

SECTION 59]. IC 35-45-6-1, AS AMENDED BY P.L.186-2025, SECTION 240, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

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

(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.

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

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

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

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

(3) A violation of IC 35-47.

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

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

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

(7) Kidnapping (IC 35-42-3-2).

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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

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- 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 ~~<47>~~[60]. IC 35-46-6-3, AS AMENDED BY
- 15 P.L.163-2025, SECTION 68, IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A person who
- 17 knowingly or intentionally uses or distributes nitrous oxide with intent
- 18 to cause a condition of intoxication, euphoria, excitement, exhilaration,
- 19 stupefaction, or dulling of the senses of another person, unless the
- 20 nitrous oxide is to be used for medical purposes, commits a Class B
- 21 misdemeanor. However, the offense is a Class A misdemeanor if the
- 22 person has a prior unrelated conviction under this section.
- 23 (b) Except as provided in subsection (c), a person who knowingly
- 24 or intentionally sells, uses, or distributes flavored nitrous oxide
- 25 commits a Class B misdemeanor. However, the offense is a Class A
- 26 misdemeanor if the person has a prior unrelated conviction under this
- 27 section.
- 28 (c) The prohibition on the sale, **use, or distribution** of flavored
- 29 nitrous oxide in subsection (b) does not apply to:
- 30 (1) a retail or wholesale restaurant supply company that sells or
- 31 distributes flavored nitrous oxide to a person for use in food and
- 32 beverage preparation or other culinary purposes; ~~or~~
- 33 (2) a person that uses flavored nitrous oxide in food and
- 34 beverage recipes or for other legitimate culinary purposes; ~~or~~
- 35 **(3) a law enforcement agency that is disposing of flavored**
- 36 **nitrous oxide by donation to a nonprofit organization.**
- 37 SECTION ~~<48>~~[61]. IC 35-47-2.5-4, AS AMENDED BY
- 38 P.L.190-2006, SECTION 8, IS AMENDED TO READ AS FOLLOWS
- 39 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **This section does not apply**
- 40 **to an item defined as an antique firearm pursuant to 18 U.S.C.**
- 41 **921(a)(16).**
- 42 (b) A dealer may not sell, rent, trade, or transfer from the dealer's

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- 1 inventory a handgun to a person until the dealer has done all of the
- 2 following:
- 3 (1) Obtained from the prospective purchaser a completed and
- 4 signed Form 4473 as specified in section 3 of this chapter.
- 5 (2) Contacted NICS:
- 6 (A) by telephone; or
- 7 (B) electronically;
- 8 to request a background check on the prospective purchaser.
- 9 (3) Received authorization from NICS to transfer the handgun to
- 10 the prospective purchaser.
- 11 ~~(b)~~ (c) The dealer shall record the NICS transaction number on
- 12 Form 4473 and retain Form 4473 for auditing purposes.
- 13 SECTION ~~<49>~~ [62]. IC 35-52-7-40.1 IS ADDED TO THE
- 14 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
- 15 [EFFECTIVE JULY 1, 2026]: **Sec. 40.1. IC 7.1-5-7-8.1 defines a**
- 16 **crime concerning THC.**
- 17 SECTION ~~<50>~~ [63]. **An emergency is declared for this act.**

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