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HOUSE BILL No. 1052

Proposed Changes to January 30, 2026 printing by AM105230

DIGEST OF PROPOSED AMENDMENT

Attorney general depository. Removes the requirements: (1) that prosecuting attorneys forward a copy of an illegal gambling notice to the attorney general; and (2) that the attorney general maintain a depository to collect, maintain, and retain such notices.

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

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

- 1 SECTION 1. IC 4-31-2.1-5, AS ADDED BY P.L.105-2022,
- 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]: Sec. 5. "Breeder" means any of the following:
- 4 (1) The owner or lessee of a standardbred horse's dam at the time
- 5 of registration with the commission: **breeding.**
- 6 (2) The owner or lessee of a thoroughbred horse's dam at the
- 7 time of registration with the commission: **foaling for**
- 8 **thoroughbreds. The commission shall recognize the breeder**
- 9 **of a horse as the person designated as such on the Jockey**
- 10 **Club Certificate of Registration for the horse.**
- 11 (3) The owner or lessee of a quarter horse's dam at the time of
- 12 **the dam's** registration with the commission.
- 13 SECTION 2. IC 4-31-2.1-16.5 IS ADDED TO THE INDIANA
- 14 CODE AS A NEW SECTION TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2026]: **Sec. 16.5. "Judge" means an**
2 **individual who:**

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

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

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

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

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

- 26 (1) The applicant or licensee has been convicted of a felony or
- 27 misdemeanor that could compromise the integrity of racing by
- 28 the applicant's or licensee's participation in racing.
- 29 (2) The applicant or licensee has had a license of the legally
- 30 constituted racing authority of a state, province, or country
- 31 denied, suspended, or revoked for cause within the preceding
- 32 five (5) years.
- 33 (3) The applicant or licensee is presently under suspension for
- 34 cause of a license by the legally constituted racing authority of
- 35 a state, province, or country.
- 36 (4) The applicant or licensee has violated or attempted to violate
- 37 a provision of this article, a rule adopted by the commission, or
- 38 a law or rule with respect to horse racing in a jurisdiction.
- 39 (5) The applicant or licensee has perpetrated or attempted to
- 40 perpetrate a fraud or misrepresentation in connection with the
- 41 racing or breeding of horses or pari-mutuel wagering.
- 42 (6) The applicant or licensee has demonstrated financial

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- 1 irresponsibility by accumulating unpaid obligations, defaulting
 2 on obligations, or issuing drafts or checks that are dishonored or
 3 not paid.
- 4 (7) The applicant or licensee has made a material
 5 misrepresentation in an application for a license.
- 6 (8) The applicant or licensee has been convicted of a crime
 7 involving bookmaking, touting, or similar pursuits or has
 8 consorted with a person convicted of such an offense.
- 9 (9) The applicant or licensee has abandoned, mistreated, abused,
 10 neglected, or engaged in an act of cruelty to a horse.
- 11 (10) The applicant or licensee has engaged in conduct that is
 12 against the best interest of horse racing **or compromises the**
 13 **integrity of operations at a licensed facility.**
- 14 (11) The applicant or licensee has failed to comply with a written
 15 order or ruling of the commission or judges pertaining to a
 16 racing matter.
- 17 (12) The applicant or licensee has failed to answer correctly
 18 under oath, to the best of the applicant's or licensee's knowledge,
 19 all questions asked by the commission or its representatives
 20 pertaining to a racing matter.
- 21 (13) The applicant or licensee has failed to return to a permit
 22 holder any purse money, trophies, or awards paid in error or
 23 ordered redistributed by the commission.
- 24 (14) The applicant or licensee has had possession of an alcoholic
 25 beverage on a permit holder's premises, other than a beverage
 26 legally sold through the permit holder's concession operation.
- 27 (15) The applicant or licensee has interfered with or obstructed
 28 a member of the commission, a commission employee, or a
 29 racing official while performing official duties.
- 30 (16) The name of the applicant or licensee appears on the
 31 department of state revenue's most recent tax warrant list, and
 32 the person's tax warrant has not been satisfied.
- 33 (17) The applicant or licensee has pending criminal charges.
- 34 (18) The applicant or licensee has racing disciplinary charges
 35 pending in Indiana or another jurisdiction.
- 36 (19) The applicant or licensee is unqualified to perform the
 37 duties required under this article or the rules of the commission.
- 38 **(20) The applicant or licensee made a material**
 39 **misrepresentation when registering, nominating, entering, or**
 40 **racing a horse as an Indiana owned horse, Indiana sired**
 41 **horse, or Indiana bred horse.**
- 42 SECTION 5. IC 4-31-7-9, AS AMENDED BY P.L.32-2019,

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1 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 9. (a) ~~After December 31, 2013, the following~~
3 ~~individuals may not wager on horse racing at a licensed facility:~~

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

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

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

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

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

12 (1) A member of the commission.

13 (2) The following individuals employed by the commission:

14 (A) The executive director.

15 (B) The assistant executive director.

16 (C) The director of security.

17 (D) The general counsel.

18 (E) The deputy general counsel.

19 ~~(F) A steward.~~

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

21 (3) The spouse of an individual described in subdivision (1) or
22 (2).

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

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

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1 believe the licensee may have consumed sufficient alcohol to cause the
2 licensee to fail a breath test.

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

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

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

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

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

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

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

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

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

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

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

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

42 (2) Any other horses designated by the judges, ~~the stewards~~, a

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1 commission veterinarian, a member of the commission, or the
2 executive director of the commission. The judges and
3 veterinarian shall designate for the taking of a biological sample
4 a horse that races markedly contrary to form.

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

8 (1) shall ~~appoint, at its cost,~~ **approve** a veterinarian to take or
9 supervise the taking of biological samples under section 5 of this
10 chapter;

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

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

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

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

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

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

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

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

42 A full and complete record of an emergency treatment or a prescription

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1 authorized by subdivision (1) shall be filed with the ~~stewards or~~ judges.

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

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

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

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

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

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

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

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

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

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

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

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

41 (c) A sanction under this section may be appealed to the
42 commission. Judges ~~and stewards~~ imposing sanctions under this

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1 section must prove the person's violation by a preponderance of the
 2 evidence. The commission shall adopt rules establishing procedures for
 3 appeals and stays of appeals. The commission shall conduct a hearing
 4 on an appeal filed under this section as provided in IC 4-21.5.

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

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

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

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

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

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

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

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

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

41 (3) Suspension of a license held by the licensee for not more
 42 than three (3) years. The suspension of a license under this

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- subdivision is:
- (A) valid even though the suspension extends beyond the period of the racing meeting for which the stewards and judges have been appointed; and
- (B) effective at all other racing meetings under the jurisdiction of the commission.
- (4) A rule that a person must stay off the premises of one (1) or more permit holders if necessary in the public interest to maintain proper control over recognized meetings.
- (5) Referral of the matter to the commission for its consideration.

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

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

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

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

- (1) Adopt rules that the commission determines necessary to protect or enhance the following:
 - (A) The credibility and integrity of gambling operations authorized by this article.
 - (B) The regulatory process provided in this article.
- (2) Conduct all hearings concerning civil violations of this article.
- (3) Provide for the establishment and collection of license fees and taxes imposed under this article.
- (4) Deposit the license fees and taxes in the state gaming fund established by IC 4-33-13.

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

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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:

- (1) in Indiana; or**
- (2) in a transaction directly involving a person located in Indiana.**

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

SECTION 16. IC 7.1-1-3-27.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 27.5. "Organized sporting competition" means a sporting event sanctioned by a recognized**

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1 governing or regulatory body.

2 SECTION 17. IC 7.1-1-3-45.7 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: **Sec. 45.7. "Sports arena" means an**
5 **indoor or outdoor facility where the main purpose and function of**
6 **the facility is organized sporting competition. The term does not**
7 **include:**

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

12 SECTION 18. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA
13 CODE AS A NEW SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
15 **tetrahydrocannabinol, including hemp derived cannabinoid**
16 **products, synthetic equivalents of the substances contained in the**
17 **plant or in the resinous extractives of Cannabis, and synthetic**
18 **substances, derivates, and their isomers with a similar chemical**
19 **structure and pharmacological activity.**

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

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

32 SECTION 21. IC 7.1-2-1-9 IS REPEALED [EFFECTIVE JULY
33 1, 2026]. **Sec. 9: Surety Bonds:** The required surety bond executed and
34 filed on behalf of a commissioner, an enforcement officer, or the
35 prosecutor shall be made payable to the State of Indiana and
36 conditioned upon the faithful discharge of the bonded party's respective
37 duties.

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

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

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

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

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

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

(e) If:

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

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

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

SECTION 25. IC 7.1-3-1.5-1, AS AMENDED BY P.L.163-2025, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. As used in this chapter, "alcohol server" means the following:

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

- (A) a manager;
- (B) a bartender;
- (C) a waiter or a waitress; or

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1 (D) **except for a current or retired law enforcement**
 2 **officer (as defined in IC 35-31.5-2-185) or a graduate of**
 3 **a reserve officer program approved by the Indiana law**
 4 **enforcement academy, a contractor or an employee**
 5 responsible for examining an individual's identification to
 6 determine the individual's age, including controlling the
 7 entry of individuals to a licensed premises **at a time when**
 8 **entry into the licensed premises is** restricted to those
 9 individuals at least twenty-one (21) years of age.

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

- 12 (A) manager; or
- 13 (B) sales clerk.

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

17 SECTION 26. IC 7.1-3-3-5, AS AMENDED BY P.L.163-2025,
 18 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 UPON PASSAGE]: Sec. 5. (a) The holder of a beer wholesaler's permit
 20 may purchase and import from the primary source of supply, possess,
 21 and sell at wholesale, beer and flavored malt beverages manufactured
 22 within or without this state.

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

- 25 (1) another beer wholesaler authorized by the brewer to sell the
- 26 brand purchased;
- 27 (2) an employee; **and**
- 28 (3) a holder of a beer retailer's permit, beer dealer's permit,
- 29 temporary beer permit, dining car permit, boat permit, airplane
- 30 permit, or supplemental caterer's permit; **and**
- 31 **(4) a food manufacturer that is registered with the federal**
- 32 **Food and Drug Administration, for the purpose of adding or**
- 33 **integrating the beer into a product or recipe;**

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

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

- 39 (1) bottles, cans, or any other type of permissible containers in
- 40 an amount not to exceed forty-eight (48) pints; or
- 41 (2) one (1) keg;
- 42 at any one (1) time.

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

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

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

13 (2) A wine retailer's permit, wine dealer's permit, temporary
 14 wine permit, dining car wine permit, boat permit, airplane
 15 permit, or supplemental caterer's permit.

16 (f) A beer wholesaler may:

17 (1) store beer for an out-of-state brewer described in
 18 IC 7.1-3-2-9 and deliver the stored beer to another beer
 19 wholesaler that the out-of-state brewer authorizes to sell the
 20 beer;

21 (2) perform all necessary accounting and auditing functions
 22 associated with the services described in subdivision (1); and

23 (3) receive a fee from an out-of-state brewer for the services
 24 described in subdivisions (1) through (2).

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

27 (1) an allowable event under IC 7.1-3-6.1;

28 (2) a charity auction under IC 7.1-3-6.2; or

29 (3) an event under IC 7.1-3-6.3;

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

34 SECTION 27. IC 7.1-3-14-4, AS AMENDED BY P.L.167-2024,
 35 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's permit is
 37 entitled to purchase wine only from a permittee entitled to sell to the
 38 wine retailer under this title. A wine retailer is entitled to possess wine
 39 and sell wine at retail to a customer for consumption on the licensed
 40 premises. A wine retailer is also entitled to sell wine to a customer and
 41 deliver wine in permissible containers to the customer on the licensed
 42 premises or to the customer's house. **Except as provided in section 8**

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1 **of this chapter**, this delivery may only be performed by the permit
 2 holder or an employee who holds an employee permit. The permit
 3 holder shall maintain a written record of each delivery for at least one
 4 (1) year that shows the customer's name, location of delivery, and
 5 quantity sold. Subject to subsection (g), a wine retailer also may
 6 prepare and package wine in qualified containers for sale and delivery
 7 to a customer on the licensed premises for consumption off the licensed
 8 premises.

9 (b) A wine retailer is not entitled to sell wine at wholesale. A wine
 10 retailer is not entitled to sell and deliver wine on the street or at the
 11 curb outside the licensed premises, nor is the wine retailer entitled to
 12 sell wine at a place other than the licensed premises. However, a wine
 13 retailer may offer food service (excluding alcoholic beverages) to a
 14 patron who is outside the licensed premises by transacting business
 15 through a window in the licensed premises.

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

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

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

30 (2) Alcoholic beverages that are prepared by the wine retailer
 31 must be packaged by the wine retailer in qualified containers that
 32 are:

33 (A) stamped, printed, or labeled on the outside:
 34 "CONTAINS ALCOHOLIC BEVERAGES"; or

35 (B) placed in a bag stamped, printed, or labeled on the
 36 outside: "CONTAINS ALCOHOLIC BEVERAGES".

37 (3) Placed by an employee of the permittee who is at least
 38 twenty-one (21) years of age:

39 (A) in the trunk of the motor vehicle; or

40 (B) behind the last upright seat of the motor vehicle, if the
 41 motor vehicle is not equipped with a trunk.

42 A retailer permittee may only convey a customer's order of alcoholic

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1 beverages to the customer, if the customer has also purchased a meal
2 from the retailer permittee that is conveyed to the customer at the same
3 time as the alcoholic beverages.

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

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

- 9 (1) well lit; and
- 10 (2) within clear view of the main entrance to the building of the
11 retailer premises.

12 (g) If a wine retailer prepares and packages wine:

- 13 (1) for sale and delivery to a customer on the licensed premises
14 for consumption off the licensed premises; and
- 15 (2) in a container that is not in a qualified container;

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

19 SECTION 28. IC 7.1-3-14-8 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) A wine retailer may sell
22 wine for consumption off the licensed premises from a display in a
23 room:**

24 **(1) where the bar is located or alcoholic beverages are stored,
25 prepared, or dispensed for consumption on the licensed
26 premises;**

27 **(2) that is not partitioned to create a section that is solely or
28 primarily for package sales of wine; and**

29 **(3) that does not have a separate cash register for package
30 sales.**

31 **(b) This subsection applies only to a wine retailer if the sale of
32 wine on the licensed premises is at least sixty percent (60%) of the
33 annual gross income of the premises. A wine retailer may allow a
34 customer to obtain by self-service sealed bottles of wine for
35 consumption off the licensed premises from a display under
36 subsection (a).**

37 SECTION 29. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015,
38 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 UPON PASSAGE]: **Sec. 9. The holder of a temporary wine permit
40 shall be entitled to purchase and receive wine or mixed beverages (as
41 defined in IC 7.1-1-3-26.2) on any day of the year, only from a lawful
42 supplier under this title at his place of business. A lawful supplier may**

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1 sell and deliver wine or mixed beverages (as defined in
2 **IC 7.1-1-3-26.2**) to a temporary wine permit holder on any day of the
3 year at his place of business. Except as provided in IC 7.1-3-6.1 and
4 IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to
5 sell wine or mixed beverages (as defined in **IC 7.1-1-3-26.2**) only for
6 consumption on the licensed premises, and shall be subject to the same
7 restrictions as apply to the sale of beer by the holder of a temporary
8 beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a
9 temporary wine permittee shall not be entitled to sell at wholesale nor
10 for carry-out from the licensed premises.

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

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

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

22 (2) A premises upon which a cigarette vending machine is
23 located.

24 SECTION 31. IC 7.1-3-18.5-1.5 IS ADDED TO THE INDIANA
25 CODE AS A NEW SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2026]: **Sec. 1.5. (a) A person may not sell**
27 **tobacco products or electronic cigarettes at wholesale or**
28 **participate in the wholesale distribution of tobacco products or**
29 **electronic cigarettes without a valid wholesale tobacco sales**
30 **certificate issued by the commission.**

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

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

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

41 (2) Except as provided in section 6(c) of this chapter, a fee of:
42 (A) two hundred dollars (\$200) for a retail tobacco sales

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

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

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

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

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

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

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

(i) the sales or purchase agreement; or

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

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

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

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

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

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

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

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

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

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

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

14 SECTION 33. IC 7.1-3-18.5-2.4, AS ADDED BY P.L.107-2024,
15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2026]: Sec. 2.4. (a) Subject to available resources, the
17 commission shall not issue a tobacco sales certificate except as
18 otherwise authorized in this title and subject to the other restrictions
19 contained in this title, to the following persons:

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

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

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

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

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

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

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

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

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

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

39 (ii) for the duration of the period in which the person
40 sells or distributes in the manner described in section
41 1 of this chapter.

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

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- 1 (i) that owns the premises to which the certificate will
 2 be applicable; or
 3 (ii) that has a bona fide lease on the premises for the
 4 full period for which the certificate is to be issued.
- 5 (4) A person whose place of business is conducted by a manager
 6 or agent, unless the manager or agent possesses the same
 7 qualifications required for the issuance of a tobacco sales
 8 certificate to the person.
- 9 (5) A minor.
- 10 (6) A person non compos mentis.
- 11 (7) A person who has held a permit or certificate under this title
 12 and who has had that permit or certificate revoked **or**
 13 **suspended** within one (1) year prior to the date of application
 14 for a tobacco sales certificate.
- 15 (8) A person who has made an application for a permit or
 16 certificate of any type under this title which has been denied less
 17 than one (1) year prior to the person's application for a tobacco
 18 sales certificate unless the first application was denied by reason
 19 of a procedural or technical defect.
- 20 (b) Subsection (a)(5) does not prevent a minor from being a
 21 stockholder in a corporation.
- 22 SECTION 34. IC 7.1-3-18.5-2.6, AS ADDED BY P.L.94-2008,
 23 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2026]: Sec. 2.6. An application for a tobacco **sales** certificate
 25 must contain the express statement of the applicant that the applicant
 26 consents for the duration of the certificate term (if the commission
 27 issues the certificate to the applicant) to the entrance, inspection, and
 28 search by an enforcement officer, without a warrant or other process,
 29 of the applicant's ~~retail~~ premises to determine whether the applicant is
 30 complying with the provisions of this title. The consent required by this
 31 section is renewed and continued by the retention of a certificate or the
 32 certificate's use by the applicant or the applicant's agents.
- 33 SECTION 35. IC 7.1-3-18.5-3, AS AMENDED BY P.L.224-2005,
 34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2026]: Sec. 3. (a) A certificate issued by the commission
 36 under this chapter must contain the following information:
 37 (1) The certificate number.
 38 (2) The certificate holder's name.
 39 (3) The permanent location of the business or vending machine
 40 for which the certificate is issued.
 41 (4) The expiration date of the certificate.
- 42 (b) A **retail tobacco sales** certificate is:

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

4 **(c) A wholesale tobacco sales certificate:**
 5 **(1) is valid for one (1) year after the date of issuance, unless**
 6 **the commission suspends the wholesale tobacco sales**
 7 **certificate;**

8 **(2) is nontransferable; and**

9 **(3) may be issued:**

- 10 **(A) in conjunction with a tobacco sales certificate; or**
- 11 **(B) for the same location for which a tobacco sales**
 12 **certificate has been issued;**

13 **if the operation of each certificate occurs separately within**
 14 **a distinct area on the premises.**

15 SECTION 36. IC 7.1-3-18.5-5.1 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: **Sec. 5.1. If a retail location's retail**
 18 **tobacco sales certificate is suspended or revoked, the commission**
 19 **shall not renew or grant a new retail tobacco sales certificate for**
 20 **the retail location until the retail location's application has been**
 21 **investigated and recommended for approval by the local board.**

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

- 26 (1) driver's license issued by the state of Indiana or another state;
- 27 or
- 28 (2) identification card issued by the state of Indiana, another
 29 state, or the United States;

30 to sell tobacco products.

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

- 34 (1) either:
- 35 (A) in the employee's possession; or
- 36 (B) on file with the employee's employer; and
- 37 (2) upon request, readily available to show to an excise officer
 38 or law enforcement;

39 when selling tobacco products.

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

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1 because:
 2 (1) the employee has left the license, identification card, or copy
 3 in another location; or
 4 (2) the license, identification card, or copy has otherwise been
 5 lost or mislaid;
 6 the employee may, within five (5) days of the employee's inability to
 7 show the license, identification card, or copy to the excise officer,
 8 produce to the excise officer or to the office of the commission
 9 satisfactory evidence of a license or identification card issued to the
 10 individual that was valid at the time the individual was unable to show
 11 the license, identification card, or copy.
 12 (d) If an employee who is unable to show a license, identification
 13 card, or copy to an excise officer fails to produce satisfactory evidence
 14 within five (5) days in the manner described in subsection (c), the
 15 commission may impose a civil penalty on the certificate holder under
 16 IC 7.1-3-23-3.
 17 **(e) The commission shall take the following actions with**
 18 **respect to a certificate holder's certificate if the certificate holder's**
 19 **employees violate this section:**
 20 **(1) For three (3) violations in a one (1) year period, suspend**
 21 **the certificate for a period of five (5) days.**
 22 **(2) For four (4) violations in a one (1) year period, suspend**
 23 **the certificate for a period of an additional five (5) days.**
 24 **(3) For five (5) violations in a one (1) year period, suspend**
 25 **the certificate for a period of an additional five (5) days.**
 26 **(4) For six (6) or more violations in a one (1) year period,**
 27 **revoke the certificate.**
 28 SECTION 38. IC 7.1-3-20-16.8, AS AMENDED BY THE
 29 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 30 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2026]: Sec. 16.8. (a) A permit that is authorized by this
 32 section may be issued without regard to the quota provisions of
 33 IC 7.1-3-22.
 34 (b) Except as provided in section 16.3 of this chapter, the
 35 commission may issue not more than four (4) new three-way permits
 36 to sell alcoholic beverages for on-premises consumption to applicants
 37 in each of the following municipalities:
 38 (1) Whitestown.
 39 (2) Lebanon.
 40 (3) Zionsville.
 41 (4) Westfield.
 42 (5) Carmel.

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- 1 (6) Fishers.
 2 (7) Noblesville.
 3 (c) The following apply to permits issued under subsection (b):
 4 (1) An applicant for a permit under subsection (b) must be a
 5 proprietor, as owner or lessee, or both, of a restaurant located
 6 within an economic development area, an area needing
 7 redevelopment, or a redevelopment district as established under
 8 IC 36-7-14 in a municipality's:
 9 (A) downtown redevelopment district; or
 10 (B) downtown economic revitalization area.
 11 (2) The cost of an initial permit is forty thousand dollars
 12 (\$40,000).
 13 (3) The total number of active permits issued under subsection
 14 (b) may not exceed twenty-four (24) permits at any time. If any
 15 of the permits issued under subsection (b) are revoked or not
 16 renewed, the commission may issue only enough new permits to
 17 bring the total number of permits to twenty-four (24) active
 18 permits, with not more than four (4) in each municipality listed
 19 in subsection (b)(1) through (b)(6).
 20 (4) The municipality may adopt an ordinance under
 21 IC 7.1-3-19-17 requiring a permit holder to enter into a formal
 22 written commitment as a condition of eligibility for a permit. As
 23 set forth in IC 7.1-3-19-17(b), a formal written commitment is
 24 binding on the permit holder and on any lessee or proprietor of
 25 the permit premises.
 26 (5) Notwithstanding ~~IC 7.1-3-1-3.5~~ and IC 7.1-3-1.1, if business
 27 operations cease at the permit premises for more than six (6)
 28 months, the permit shall revert to the commission and the permit
 29 holder is not entitled to any refund or other compensation.
 30 (6) Except as provided in subdivision (8), the ownership of a
 31 permit may not be transferred.
 32 (7) A permit may not be transferred from the premises for which
 33 the permit was issued.
 34 (8) If the area in which the permit premises is located is no
 35 longer designated an economic development area, an area
 36 needing redevelopment, or a redevelopment district, a permit
 37 issued under this section may be renewed, and the ownership of
 38 the permit may be transferred, but the permit may not be
 39 transferred from the permit premises.
 40 (d) Except as provided in section 16.3 of this chapter, in addition
 41 to the permits issued to the town of Whitestown under subsection (c),
 42 the commission may issue to the town of Whitestown not more than:

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

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

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(1) An applicant for a permit ~~under subsection (h)~~ 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 ~~(h)~~ may not exceed the two (2) new three-way permits. ~~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** subsection ~~(h)~~ 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.

~~(j)~~ **(i)** Except as provided in section 16.3 of this chapter, the commission may issue to the city of Warsaw not more than three (3) new three-way permits under this subsection. ~~(k)~~ The following apply to permits issued under **this** subsection: ~~(j)~~:

- (1) An applicant for a permit ~~under subsection (j)~~ 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

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- (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 (j) may not exceed the three (3) new three-way permits. ~~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** subsection (j) 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.
- (j) Except as provided in section 16.3 of this chapter, the commission may issue to the town of Syracuse not more than one (1) new three-way permit under this subsection. ~~(m)~~ The following apply to a permit issued under **this** subsection: ~~(j)~~
 - (1) An applicant for a permit ~~under subsection (j)~~ 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 (j) may not exceed the one (1) new three-way permit. ~~as set forth in that subsection.~~

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

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- 1 **(5) Notwithstanding IC 7.1-3-1.1, if business operations cease**
- 2 **at the permit premises for more than six (6) months, the**
- 3 **permit shall revert to the commission and the permit holder**
- 4 **is not entitled to any refund or other compensation.**
- 5 **(6) Except as provided in subdivision (8), the ownership of a**
- 6 **permit may not be transferred.**
- 7 **(7) A permit may not be transferred from the premises for**
- 8 **which the permit was issued.**
- 9 **(8) If the area in which the permit issued to a premises under**
- 10 **this subsection is located is no longer designated an economic**
- 11 **development area, an area needing redevelopment, or a**
- 12 **redevelopment district, a permit issued under this section**
- 13 **may be renewed, and the ownership of the permit may be**
- 14 **transferred, but the permit may not be transferred from the**
- 15 **permit premises.**

16 SECTION 39. IC 7.1-3-22-4.7 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: **Sec. 4.7. (a) Notwithstanding section**
 19 **4(a) through 4(c) of this chapter, the commission may issue a beer**
 20 **dealer's permit, wine dealer's permit, and liquor dealer's permit to**
 21 **a drug store operated in the city of Westfield.**

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

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

- 27 **(1) The combined initial permit cost is forty thousand dollars**
- 28 **(\$40,000).**
- 29 **(2) A permit may not be transferred from the premises for**
- 30 **which the permit was issued.**
- 31 **(3) The ownership of a permit may be transferred with**
- 32 **approval from the commission.**
- 33 **(4) Each permit is subject to the requirements applicable to**
- 34 **the permit type.**

35 SECTION 40. IC 7.1-5-6-3, AS AMENDED BY P.L.32-2019,
 36 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2026]: **Sec. 3. (a) It is unlawful for a person to act as a clerk**
 38 **in a package liquor store, or as a bartender, waiter, waitress, security,**
 39 **bouncer, or manager for a retailer permittee unless that person has**
 40 **applied for and been issued the appropriate permit. This section does**
 41 **not apply to dining car or boat employees, to a person described in**
 42 **IC 7.1-3-1.7, or to a person described in IC 7.1-3-18-9(d). A person**

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1 who knowingly or intentionally violates this subsection commits a
2 Class C infraction. However, the violation is a Class B misdemeanor
3 if the person has a prior unrelated adjudication or conviction for a
4 violation of this section within the previous five (5) years.

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

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

14 SECTION 41. IC 7.1-5-7-8.1 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2026]: **Sec. 8.1. (a) It is a Class B**
17 **misdemeanor for a person to recklessly, knowingly, or**
18 **intentionally:**

- 19 (1) sell, in person or online;
- 20 (2) barter;
- 21 (3) exchange;
- 22 (4) provide; or
- 23 (5) furnish;

24 **a product or substance containing THC to a minor.**

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

- 26 (1) a Class A misdemeanor if the person has a prior
- 27 unrelated conviction under this section; and
- 28 (2) a Level 6 felony if the consumption, ingestion, or use of
- 29 the THC is the proximate cause of the serious bodily injury
- 30 or death of any person.

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

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

38 SECTION 42. IC 7.1-5-7-11, AS AMENDED BY P.L.163-2025,
39 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2026]: Sec. 11. (a) The provisions of sections 9 and 10 of this
41 chapter shall not apply if the public place involved is one (1) of the
42 following:

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- 1 (1) Civic center.
- 2 (2) Convention center.
- 3 (3) Sports arena.
- 4 (4) Bowling center.
- 5 (5) Bona fide club.
- 6 (6) Drug store.
- 7 (7) Grocery store.
- 8 (8) Boat.
- 9 (9) Dining car.
- 10 (10) Pullman car.
- 11 (11) Club car.
- 12 (12) Passenger airplane.
- 13 (13) Horse racetrack facility holding a recognized meeting
- 14 permit under IC 4-31-5.
- 15 (14) Satellite facility (as defined in IC 4-31-2.1-36).
- 16 (15) Catering hall under IC 7.1-3-20-24 that is not open to the
- 17 public.
- 18 (16) That part of a restaurant which is separate from a room in
- 19 which is located a bar over which alcoholic beverages are sold
- 20 or dispensed by the drink.
- 21 (17) Entertainment complex.
- 22 (18) Indoor golf facility.
- 23 (19) A recreational facility such as a golf course, bowling center,
- 24 or similar facility that has the recreational activity and not the
- 25 sale of food and beverages as the principal purpose or function
- 26 of the person's business.
- 27 (20) A licensed premises owned or operated by a postsecondary
- 28 educational institution described in IC 21-17-6-1.
- 29 (21) An automobile racetrack.
- 30 (22) An indoor theater under IC 7.1-3-20-26.
- 31 (23) A senior residence facility campus (as defined in
- 32 IC 7.1-3-1-29(c)) at which alcoholic beverages are given or
- 33 furnished as provided under IC 7.1-3-1-29.
- 34 (24) A hotel other than a part of a hotel that is a room in a
- 35 restaurant in which a bar is located over which alcoholic
- 36 beverages are sold or dispensed by the drink.
- 37 (25) The location of an allowable event to which IC 7.1-3-6.1
- 38 applies.
- 39 (26) The location of a charity auction to which IC 7.1-3-6.2
- 40 applies.
- 41 (27) A tour of a brewery as provided in IC 7.1-3-20-16.4, if the
- 42 minor is in the company of a parent, legal guardian or custodian,

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

(A) is separated in any manner from where the wine is manufactured, sold, or consumed within the farm winery premises; or

(B) operates under a retailer's permit.

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

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

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

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

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

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

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

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

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

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

(b) For the purpose of this subsection, "food" means meals

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1 prepared on the licensed premises. It is lawful for a minor to be on
2 licensed premises in a room, outdoor patio, or terrace in which is
3 located a bar over which alcoholic beverages are sold or dispensed by
4 the drink if all the following conditions are met:

- 5 (1) The minor is in the company of a parent, guardian, or family
6 member who is at least twenty-one (21) years of age.
- 7 (2) The purpose for being on the licensed premises is the
8 consumption of food and not the consumption of alcoholic
9 beverages.
- 10 (3) The minor, accompanied by the parent, guardian, or family
11 member who is at least twenty-one (21) years of age, must be
12 seated at a table or booth in the bar area and shall not be seated
13 at the bar over which alcoholic beverages are sold or dispensed
14 by the drink.

15 SECTION 43. IC 7.1-5-7-17, AS ADDED BY P.L.94-2008,
16 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2026]: Sec. 17. (a) Notwithstanding any other law, an
18 enforcement officer vested with full police powers and duties may
19 engage a person who is:

- 20 (1) at least eighteen (18) years of age; and
 - 21 (2) less than twenty-one (21) years of age;
- 22 to receive or purchase alcoholic beverages **or THC** as part of an
23 enforcement action under this article.

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

- 27 (1) occur under the direction of an enforcement officer vested
28 with full police powers and duties; and
- 29 (2) be a part of the enforcement action.

30 SECTION 44. IC 7.1-5-8-1 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. It is a Class C
32 misdemeanor for a person to recklessly hinder, obstruct, interfere with,
33 or prevent the observance or enforcement of any of the following:

- 34 (1) A provision of this title.
- 35 (2) A rule or regulation of the commission adopted in the
36 administration of this title.
- 37 **(3) An order of the commission to suspend or revoke a**
38 **permit or certificate issued under this title.**

39 SECTION 45. IC 15-19-2-3, AS ADDED BY P.L.2-2008,
40 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 3. The Indiana standardbred advisory board
42 consists of seven (7) members selected as follows:

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- 1 (1) The chairman of the Indiana horse racing commission, or the
- 2 chairman's designee, is an ex officio member.
- 3 (2) Two (2) members who are ~~members of county fair boards~~
- 4 **racing participants**, appointed by the governor.
- 5 (3) Four (4) members appointed by the governor who have in the
- 6 past participated or shown an interest in the standardbred
- 7 industry. This interest may, but does not necessarily have to be,
- 8 evidenced by virtue of being an owner, driver, veterinarian,
- 9 trainer, or breeder.
- 10 Not more than three (3) of the appointees under subdivisions (2) and
- 11 (3) may be of the same political party as the chairman of the Indiana
- 12 horse racing commission.
- 13 [SECTION 46. IC 35-45-5-4.5, AS ADDED BY P.L.70-2005,
- 14 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2026]: Sec. 4.5. (a) A prosecuting attorney may send written
- 16 notice to an operator described in section 2(c) or 3(b) of this chapter.
- 17 The notice must:
- 18 (1) specify the illegal gambling activity;
- 19 (2) state that the operator has not more than thirty (30) days after
- 20 the date the notice is received to remove the illegal gambling
- 21 activity; and
- 22 (3) state that failure to remove the illegal gambling activity not
- 23 more than thirty (30) days after receiving the notice may result
- 24 in the filing of criminal charges against the operator.
- 25 A prosecuting attorney who sends a notice under this section shall
- 26 forward a copy of the notice to the attorney general. The attorney
- 27 general shall maintain a depository to collect, maintain, and retain each
- 28 notice sent under this section.
- 29 (b) The manner of service of a notice under subsection (a) must
- 30 be:
- 31 (1) in compliance with Rule 4.1, 4.4, 4.6, or 4.7 of the Indiana
- 32 Rules of Trial Procedure; or
- 33 (2) by publication in compliance with Rule 4.13 of the Indiana
- 34 Rules of Trial Procedure if service cannot be made under
- 35 subdivision (1) after a diligent search for the operator.
- 36 (c) A notice served under subsection (a):
- 37 (1) is admissible in a criminal proceeding under this chapter; and
- 38 (2) constitutes prima facie evidence that the operator had
- 39 knowledge that illegal gambling was occurring on the operator's
- 40 Internet site.
- 41 (d) A person outside Indiana who transmits information on a
- 42 computer network (as defined in IC 35-43-2-3) and who knows or

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1 [should know that the information is broadcast in Indiana submits to the](#)
 2 [jurisdiction of Indiana courts for prosecution under this section.](#)

3] SECTION 4-~~6~~[7]. IC 35-45-6-1, AS AMENDED BY
 4 P.L.186-2025, SECTION 240, IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The definitions
 6 in this section apply throughout this chapter.

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

11 (c) "Enterprise" means:

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

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

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

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

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

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

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

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

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

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

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

36 (8) Human and sexual trafficking crimes (IC 35-42-3.5).

37 (9) Child exploitation (IC 35-42-4-4).

38 (10) Robbery (IC 35-42-5-1).

39 (11) Carjacking (IC 35-42-5-2) (before its repeal).

40 (12) Arson (IC 35-43-1-1).

41 (13) Burglary (IC 35-43-2-1).

42 (14) Theft (IC 35-43-4-2).

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- 1 (15) Receiving stolen property (IC 35-43-4-2) (before its
2 amendment on July 1, 2018).
3 (16) Forgery (IC 35-43-5-2).
4 (17) An offense under IC 35-43-5.
5 (18) Bribery (IC 35-44.1-1-2).
6 (19) Official misconduct (IC 35-44.1-1-1).
7 (20) Conflict of interest (IC 35-44.1-1-4).
8 (21) Perjury (IC 35-44.1-2-1).
9 (22) Obstruction of justice (IC 35-44.1-2-2).
10 (23) Intimidation (IC 35-45-2-1).
11 (24) Promoting prostitution (IC 35-45-4-4).
12 (25) Professional gambling (IC 35-45-5-3).
13 (26) Maintaining a professional gambling site
14 (IC 35-45-5-3.5(b)).
15 (27) Promoting professional gambling (IC 35-45-5-4).
16 (28) Dealing in or manufacturing cocaine or a narcotic drug
17 (IC 35-48-4-1).
18 (29) Dealing in methamphetamine (IC 35-48-4-1.1).
19 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
20 (31) Dealing in a schedule I, II, or III controlled substance
21 (IC 35-48-4-2).
22 (32) Dealing in a schedule IV controlled substance
23 (IC 35-48-4-3).
24 (33) Dealing in a schedule V controlled substance
25 (IC 35-48-4-4).
26 (34) Dealing in marijuana, hash oil, hashish, or salvia
27 (IC 35-48-4-10).
28 (35) Money laundering (IC 35-45-15-5).
29 (36) A violation of IC 35-47.5-5.
30 (37) A violation of any of the following:
31 (A) IC 23-14-48-9.
32 (B) IC 30-2-9-7(b).
33 (C) IC 30-2-10-9(b).
34 (D) IC 30-2-13-38(f).
35 (38) Practice of law by a person who is not an attorney
36 (IC 33-43-2-1).
37 (39) An offense listed in IC 35-48-4 involving the manufacture
38 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
39 synthetic drug lookalike substance (as defined in
40 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
41 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
42 substance analog (as defined in IC 35-48-1.1-8), or a substance

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1 represented to be a controlled substance (as described in
2 IC 35-48-4-4.6).

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

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

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

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

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

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

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

30 SECTION 4-<8>[9]. IC 35-47-2.5-4, AS AMENDED BY
31 P.L.190-2006, SECTION 8, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **This section does not apply**
33 **to an item defined as an antique firearm pursuant to 18 U.S.C.**
34 **921(a)(16).**

35 (b) A dealer may not sell, rent, trade, or transfer from the dealer's
36 inventory a handgun to a person until the dealer has done all of the
37 following:

- 38 (1) Obtained from the prospective purchaser a completed and
- 39 signed Form 4473 as specified in section 3 of this chapter.
- 40 (2) Contacted NICS:
- 41 (A) by telephone; or
- 42 (B) electronically;

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1 to request a background check on the prospective purchaser.
 2 (3) Received authorization from NICS to transfer the handgun to
 3 the prospective purchaser.
 4 ~~(b)~~ (c) The dealer shall record the NICS transaction number on
 5 Form 4473 and retain Form 4473 for auditing purposes.
 6 SECTION ~~49~~ [50]. IC 35-52-7-40.1 IS ADDED TO THE
 7 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2026]: **Sec. 40.1. IC 7.1-5-7-8.1 defines a**
 9 **crime concerning THC.**
 10 SECTION 5 ~~40~~ [1]. **An emergency is declared for this act.**

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