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# HOUSE BILL No. 1052

Proposed Changes to January 30, 2026 printing by AM105231

## DIGEST OF PROPOSED AMENDMENT

Three-way permits. Provides that the alcohol and tobacco commission may issue not more than: (1) three new three-way permits to the town of Schererville; (2) three new three-way permits to the city of Lafayette; (3) two new three-way permits to the city of West Lafayette; (4) eight new three-way permits to restaurants located within a transit development district located in the city of Michigan City; (5) two new three-way permits to the city of Delphi; and (6) two new three-way permits to the city of Bloomington.

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.**

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1 (3) The owner or lessee of a quarter horse's dam at the time of  
2 **the dam's** registration with the commission.

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

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

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

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

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

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

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

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

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1            **misrepresentation when registering, nominating, entering, or**  
 2            **racing a horse as an Indiana owned horse, Indiana sired**  
 3            **horse, or Indiana bred horse.**

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

- 8            ~~(1) A member of the commission.~~  
 9            ~~(2) An employee of the commission.~~  
 10           ~~(3) A racing official.~~  
 11           ~~(4) The spouse of any individual listed in subdivisions (1)~~  
 12           ~~through (3):~~

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

- 16           ~~(1) A member of the commission.~~  
 17           ~~(2) The following individuals employed by the commission:~~  
 18               ~~(A) The executive director.~~  
 19               ~~(B) The assistant executive director.~~  
 20               ~~(C) The director of security.~~  
 21               ~~(D) The general counsel.~~  
 22               ~~(E) The deputy general counsel.~~  
 23               ~~(F) A steward.~~  
 24               ~~(G) (F) A judge.~~  
 25           ~~(3) The spouse of an individual described in subdivision (1) or~~  
 26           ~~(2).~~

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

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

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1 program in which they participate. In addition, the executive director  
 2 of the commission, a member of the commission, a commission  
 3 investigator, the ~~stewards, judges~~, or the track chief of security may  
 4 order a licensee to submit to a breath test at any time there is reason to  
 5 believe the licensee may have consumed sufficient alcohol to cause the  
 6 licensee to fail a breath test.

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

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

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

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

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

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

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

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

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

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

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

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

4 (2) Any other horses designated by the judges, ~~the stewards~~, a  
5 commission veterinarian, a member of the commission, or the  
6 executive director of the commission. The judges and  
7 veterinarian shall designate for the taking of a biological sample  
8 a horse that races markedly contrary to form.

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

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

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

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

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

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

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

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

42 (1) Treat or issue prescriptions for a horse, except in case of

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- 1 emergency.
- 2 (2) Perform an endoscopic examination on a horse the day the
- 3 horse is scheduled to race.
- 4 A full and complete record of an emergency treatment or a prescription
- 5 authorized by subdivision (1) shall be filed with the ~~stewards or judges~~.
- 6 (b) Except as provided in subsection (c), an owner or trainer may
- 7 not directly or indirectly employ or pay compensation to a veterinarian
- 8 with respect to the care of a horse belonging to a breed of horse
- 9 registered with the commission for racing at the track of the
- 10 veterinarian's employment.
- 11 (c) An owner or trainer may pay a veterinarian employed by the
- 12 commission or a permit holder for an endoscopic examination
- 13 permitted under subsection (a).
- 14 SECTION 10. IC 4-31-12-15, AS AMENDED BY P.L.210-2013,
- 15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2026]: Sec. 15. (a) The commission may adopt rules under
- 17 IC 4-22-2 to delegate to the ~~stewards and judges~~ of racing meetings the
- 18 authority to conduct disciplinary hearings on behalf of the commission.
- 19 The ~~stewards and judges~~ shall give at least twelve (12) hours notice of
- 20 any such hearing. The ~~stewards and judges~~, on behalf of the
- 21 commission, may impose one (1) or more of the following sanctions
- 22 against a licensee who violates sections 2 through 13 of this chapter:
- 23 (1) A civil penalty not to exceed five thousand dollars (\$5,000).
- 24 (2) A temporary order or other immediate action in the nature of
- 25 a summary suspension where a licensee's actions constitute an
- 26 immediate danger to the public health, safety, or welfare.
- 27 (3) Suspension of a license held by the licensee for up to one (1)
- 28 year. The suspension of a license under this subdivision is:
- 29 (A) valid even though the suspension extends beyond the
- 30 period of the racing meeting for which the ~~stewards and~~
- 31 ~~judges~~ have been appointed; and
- 32 (B) effective at all other racing meetings under the
- 33 jurisdiction of the commission.
- 34 (4) A rule that a person must stay off the premises of one (1) or
- 35 more permit holders if necessary in the public interest to
- 36 maintain proper control over recognized meetings.
- 37 (5) Referral of the matter to the commission for its consideration.
- 38 However, at least two (2) of the ~~stewards or judges~~ must concur in a
- 39 sanction.
- 40 (b) Unless a suspension of a license or the imposition of a civil
- 41 penalty under this section is appealed by the person sanctioned not
- 42 more than fifteen (15) days after being sanctioned, the suspension of a

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1 license or the imposition of a civil penalty under this section must  
2 occur within one hundred eighty (180) days of the date of the violation.

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

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

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

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

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

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

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

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

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

42 (2) A temporary order or other immediate action in the nature of

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1 a summary suspension if a licensee's actions constitute an  
 2 immediate danger to the public health, safety, or welfare.  
 3 (3) Suspension of a license held by the licensee for not more  
 4 than three (3) years. The suspension of a license under this  
 5 subdivision is:  
 6 (A) valid even though the suspension extends beyond the  
 7 period of the racing meeting for which the ~~stewards and~~  
 8 judges have been appointed; and  
 9 (B) effective at all other racing meetings under the  
 10 jurisdiction of the commission.  
 11 (4) A rule that a person must stay off the premises of one (1) or  
 12 more permit holders if necessary in the public interest to  
 13 maintain proper control over recognized meetings.  
 14 (5) Referral of the matter to the commission for its consideration.  
 15 However, at least two (2) of the ~~stewards or judges~~ at a racing meeting  
 16 must concur in a suspension or civil penalty.  
 17 (b) Unless a suspension of a license or the imposition of a civil  
 18 penalty under this section is appealed by the person sanctioned not  
 19 more than fifteen (15) days after being sanctioned, the suspension of a  
 20 license or the imposition of a civil penalty under this section must  
 21 occur within three hundred sixty-five (365) days after the date of the  
 22 violation.  
 23 (c) A suspension or civil penalty under this section may be  
 24 appealed to the ~~commission. Judges and stewards imposing sanctions~~  
 25 ~~under this section must prove the person's violation by a preponderance~~  
 26 ~~of the evidence. The commission shall adopt rules establishing~~  
 27 ~~procedures for appeals and stays of appeals. The commission shall~~  
 28 ~~conduct a hearing on an appeal filed under this section as provided in~~  
 29 ~~IC 4-21-5. office of administrative law proceedings under~~  
 30 **IC 4-15-10.5. IC 4-21.5 applies to an appeal under this section. The**  
 31 **commission has the burden of proving an alleged violation by a**  
 32 **preponderance of the evidence.**  
 33 SECTION 13. IC 4-33-4-3, AS AMENDED BY P.L.93-2024,  
 34 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2026]: Sec. 3. (a) The commission shall do the following:  
 36 (1) Adopt rules that the commission determines necessary to  
 37 protect or enhance the following:  
 38 (A) The credibility and integrity of gambling operations  
 39 authorized by this article.  
 40 (B) The regulatory process provided in this article.  
 41 (2) Conduct all hearings concerning civil violations of this  
 42 article.

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

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1 request by the participant and agreement by the commission.  
 2 (5) That an owner of a facility under the jurisdiction of the  
 3 commission **and a certificate holder licensed under IC 4-38**  
 4 **]**shall make all reasonable attempts as determined by the  
 5 commission to cease all direct marketing efforts to a person  
 6 participating in the program.  
 7 (6) That an owner of a facility under the jurisdiction of the  
 8 commission **and a certificate holder licensed under IC 4-38**  
 9 **]**may not cash the check of a person participating in the program  
 10 or extend credit to the person in any manner. However, the  
 11 voluntary exclusion program does not preclude an owner **or a**  
 12 **certificate holder** from seeking the payment of a debt accrued  
 13 by a person before entering the program.

14 SECTION 14. IC 4-33-10-7 IS ADDED TO THE INDIANA  
 15 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2026]: **Sec. 7. (a) As used in this section,**  
 17 **"sweepstakes game" means a game, contest, or promotion that:**

- 18 (1) is available on the Internet;
- 19 (2) is accessible on a mobile phone, computer terminal, or  
 20 similar access device;
- 21 (3) utilizes a dual-currency or multi-currency system of  
 22 payment allowing a player to exchange currency for:  
 23 (A) a cash prize, a cash award, or cash equivalents; or  
 24 (B) a chance to win a cash prize, a cash award, or cash  
 25 equivalents; and
- 26 (4) simulates:  
 27 (A) lottery games; or  
 28 (B) casino-style gaming, including slot machines, video  
 29 poker, table games, bingo, or sports wagering.

30 **However, the term does not include a game, contest, or promotion**  
 31 **offered by the state lottery commission.**

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

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

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

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

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

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

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

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

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

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

42 SECTION 22. IC 7.1-2-2-3 IS AMENDED TO READ AS

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

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

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

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

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

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

28 (e) If:  
29 (1) ~~the commission is unable to procure advertising of a notice~~  
30 ~~as required under subsection (a) at the rates set forth in IC 5-3-1;~~  
31 or  
32 (2) ~~the newspaper published in the county as described in~~  
33 ~~subsection (a) refuses to publish the notice;~~

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

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

42 (1) A person who works on the licensed premises of a retailer

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permittee as: ~~a~~

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

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

- (A) manager; or
- (B) sales clerk.
- (3) A person who is the proprietor of or is employed by an art instruction studio under IC 7.1-5-8-4.6 that serves wine brought into the studio by patrons.

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

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

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

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

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

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

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

9 (e) The holder of a beer wholesaler's permit may purchase, import,  
 10 possess, transport, sell, and deliver any commodity listed in  
 11 IC 7.1-3-10-5, unless prohibited by this title. However, a beer  
 12 wholesaler may deliver flavored malt beverages only to the holder of  
 13 one (1) of the following permits:  
 14 (1) A beer wholesaler or wine wholesaler permit, if the  
 15 wholesaler is authorized by the primary source of supply to sell  
 16 the brand of flavored malt beverage purchased.  
 17 (2) A wine retailer's permit, wine dealer's permit, temporary  
 18 wine permit, dining car wine permit, boat permit, airplane  
 19 permit, or supplemental caterer's permit.

20 (f) A beer wholesaler may:  
 21 (1) store beer for an out-of-state brewer described in  
 22 IC 7.1-3-2-9 and deliver the stored beer to another beer  
 23 wholesaler that the out-of-state brewer authorizes to sell the  
 24 beer;  
 25 (2) perform all necessary accounting and auditing functions  
 26 associated with the services described in subdivision (1); and  
 27 (3) receive a fee from an out-of-state brewer for the services  
 28 described in subdivisions (1) through (2).

29 (g) A beer wholesaler may sell, donate, transport, and deliver beer  
 30 to a qualified organization for:  
 31 (1) an allowable event under IC 7.1-3-6.1;  
 32 (2) a charity auction under IC 7.1-3-6.2; or  
 33 (3) an event under IC 7.1-3-6.3;  
 34 located within this state. The sale, donation to a qualified organization,  
 35 transportation, and delivery of beer shall be made only from inventory  
 36 that has been located on the wholesaler's premises before the time of  
 37 invoicing and delivery.

38 SECTION 27. IC 7.1-3-14-4, AS AMENDED BY P.L.167-2024,  
 39 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2026]: Sec. 4. (a) The holder of a wine retailer's permit is  
 41 entitled to purchase wine only from a permittee entitled to sell to the  
 42 wine retailer under this title. A wine retailer is entitled to possess wine

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

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

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

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

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

34 (2) Alcoholic beverages that are prepared by the wine retailer  
35 must be packaged by the wine retailer in qualified containers that  
36 are:

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

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

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

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1 (A) in the trunk of the motor vehicle; or  
 2 (B) behind the last upright seat of the motor vehicle, if the  
 3 motor vehicle is not equipped with a trunk.  
 4 A retailer permittee may only convey a customer's order of alcoholic  
 5 beverages to the customer, if the customer has also purchased a meal  
 6 from the retailer permittee that is conveyed to the customer at the same  
 7 time as the alcoholic beverages.  
 8 (e) The employee of the permittee that conveys the alcoholic  
 9 beverages to the customer must require the customer to provide proof  
 10 of age in accordance with IC 7.1-5-10-23.  
 11 (f) The parking lot or area where the alcoholic beverages are  
 12 conveyed to the customer must be:  
 13 (1) well lit; and  
 14 (2) within clear view of the main entrance to the building of the  
 15 retailer premises.  
 16 (g) If a wine retailer prepares and packages wine:  
 17 (1) for sale and delivery to a customer on the licensed premises  
 18 for consumption off the licensed premises; and  
 19 (2) in a container that is not in a qualified container;  
 20 the commission may revoke the wine retailer's privilege under this  
 21 section of preparing and packaging wine for sale and delivery to a  
 22 customer in a qualified container.  
 23 SECTION 28. IC 7.1-3-14-8 IS ADDED TO THE INDIANA  
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) A wine retailer may sell**  
 26 **wine for consumption off the licensed premises from a display in a**  
 27 **room:**  
 28 (1) where the bar is located or alcoholic beverages are stored,  
 29 prepared, or dispensed for consumption on the licensed  
 30 premises;  
 31 (2) that is not partitioned to create a section that is solely or  
 32 primarily for package sales of wine; and  
 33 (3) that does not have a separate cash register for package  
 34 sales.  
 35 (b) This subsection applies only to a wine retailer if the sale of  
 36 wine on the licensed premises is at least sixty percent (60%) of the  
 37 annual gross income of the premises. A wine retailer may allow a  
 38 customer to obtain by self-service sealed bottles of wine for  
 39 consumption off the licensed premises from a display under  
 40 subsection (a).  
 41 SECTION 29. IC 7.1-3-16-9, AS AMENDED BY P.L.153-2015,  
 42 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 UPON PASSAGE]: Sec. 9. The holder of a temporary wine permit  
 2 shall be entitled to purchase and receive wine **or mixed beverages (as**  
 3 **defined in IC 7.1-1-3-26.2)** on any day of the year, only from a lawful  
 4 supplier under this title at his place of business. A lawful supplier may  
 5 sell and deliver wine **or mixed beverages (as defined in**  
 6 **IC 7.1-1-3-26.2)** to a temporary wine permit holder on any day of the  
 7 year at his place of business. Except as provided in IC 7.1-3-6.1 and  
 8 IC 7.1-3-6.2, the holder of a temporary wine permit shall be entitled to  
 9 sell wine **or mixed beverages (as defined in IC 7.1-1-3-26.2)** only for  
 10 consumption on the licensed premises, and shall be subject to the same  
 11 restrictions as apply to the sale of beer by the holder of a temporary  
 12 beer permit. Except as provided in IC 7.1-3-6.1 and IC 7.1-3-6.2, a  
 13 temporary wine permittee shall not be entitled to sell at wholesale nor  
 14 for carry-out from the licensed premises.

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

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

- 23 (1) A premises consisting of a permanent building or structure,  
 24 **that does not contain sleeping or living quarters**, where the  
 25 tobacco product or electronic cigarette is sold or distributed.
- 26 (2) A premises upon which a cigarette vending machine is  
 27 located.

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

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

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

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- 1 (1) The applicant's name and mailing address and the address of
- 2 the premises for which the certificate is being issued.
- 3 (2) Except as provided in section 6(c) of this chapter, a fee of:
- 4 (A) two hundred dollars (\$200) **for a retail tobacco sales**
- 5 **certificate; or**
- 6 (B) one hundred dollars (\$100) **for a wholesale tobacco**
- 7 **sales certificate.**
- 8 (3) The name under which the applicant transacts or intends to
- 9 transact business.
- 10 (4) The address of the applicant's principal place of business or
- 11 headquarters, if any.
- 12 (5) The statement required under section 2.6 of this chapter.
- 13 (6) If the applicant is applying for a new certificate under section
- 14 3.2 of this chapter, a copy of each of the following:
- 15 (A) If the new ownership of the business is a business
- 16 entity, the articles of incorporation, articles of organization,
- 17 or any other formation documents of the business entity.
- 18 (B) If the new ownership of the business is an individual,
- 19 either:
- 20 (i) the sales or purchase agreement; or
- 21 (ii) an affidavit signed by the applicant concerning the
- 22 sale or purchase, on a form prescribed by the
- 23 commission, that includes the name and address of the
- 24 seller and purchaser.
- 25 (C) The certificate held by the previous ownership of the
- 26 business.
- 27 **(7) A photocopy of the owner's driver's license, identification**
- 28 **card issued under IC 9-24-16-1, a similar card issued under**
- 29 **the laws of another state or the federal government, or**
- 30 **another government issued document that bears the owner's**
- 31 **photograph and birth date. If the applicant is a business with**
- 32 **multiple owners, the applicant must designate at least one (1)**
- 33 **managing owner for whom a photocopy of the managing**
- 34 **owner's identification must be provided under this**
- 35 **subdivision.**
- 36 (b) A separate certificate is required for each location where the
- 37 tobacco products or electronic cigarettes are sold or distributed. ~~A retail~~
- 38 **An** establishment may not hold more than one (1) active tobacco sales
- 39 certificate for a ~~retail~~ location at any time. **Except when the real estate**
- 40 **for a retail location is transferred to an independent third party,**
- 41 **the commission shall not issue a certificate to a retail location**
- 42 **where a tobacco sales certificate was revoked within one (1) year**

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**prior to the date of the application.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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- 1 (3) The permanent location of the business or vending machine
- 2 for which the certificate is issued.
- 3 (4) The expiration date of the certificate.
- 4 (b) A **retail tobacco sales** certificate is:
- 5 (1) valid for three (3) years after the date of issuance, unless the
- 6 commission suspends the **retail tobacco sales** certificate; and
- 7 (2) nontransferable.
- 8 (c) A **wholesale tobacco sales certificate:**
- 9 (1) is valid for one (1) year after the date of issuance, unless
- 10 the commission suspends the **wholesale tobacco sales**
- 11 **certificate;**
- 12 (2) is nontransferable; and
- 13 (3) may be issued:
- 14 (A) in conjunction with a tobacco sales certificate; or
- 15 (B) for the same location for which a tobacco sales
- 16 certificate has been issued;
- 17 if the operation of each certificate occurs separately within
- 18 a distinct area on the premises.
- 19 SECTION 36. IC 7.1-3-18.5-5.1 IS ADDED TO THE INDIANA
- 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 21 [EFFECTIVE JULY 1, 2026]: **Sec. 5.1. If a retail location's retail**
- 22 **tobacco sales certificate is suspended or revoked, the commission**
- 23 **shall not renew or grant a new retail tobacco sales certificate for**
- 24 **the retail location until the retail location's application has been**
- 25 **investigated and recommended for approval by the local board.**
- 26 SECTION 37. IC 7.1-3-18.5-9.2, AS ADDED BY P.L.107-2024,
- 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2026]: Sec. 9.2. (a) An employee of a certificate holder must
- 29 hold a valid:
- 30 (1) driver's license issued by the state of Indiana or another state;
- 31 or
- 32 (2) identification card issued by the state of Indiana, another
- 33 state, or the United States;
- 34 to sell tobacco products.
- 35 (b) An employee must have the employee's driver's license or
- 36 identification card or a copy of the employee's driver's license or
- 37 identification card:
- 38 (1) either:
- 39 (A) in the employee's possession; or
- 40 (B) on file with the employee's employer; and
- 41 (2) upon request, readily available to show to an excise officer
- 42 or law enforcement;

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1 when selling tobacco products.

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

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

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

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

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

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

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

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

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

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

32 SECTION 38. IC 7.1-3-20-16.8, AS AMENDED BY THE  
33 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
34 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 ~~<JULY 1, 2026>~~ [\[UPON PASSAGE\]](#)]: Sec. 16.8. (a) A permit that is  
36 authorized by this section may be issued without regard to the quota  
37 provisions of IC 7.1-3-22.

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

42 (1) Whitestown.

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

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- 1 transferred from the permit premises.
- 2 (d) Except as provided in section 16.3 of this chapter, in addition
- 3 to the permits issued to the town of Whitestown under subsection (c),
- 4 the commission may issue to the town of Whitestown not more than:
- 5 (1) three (3) new three-way permits; and
- 6 (2) three (3) new two-way permits;
- 7 under this subsection.
- 8 (e) The following apply to permits issued under subsection (d):
- 9 (1) An applicant for a permit under subsection (d)(1) or (d)(2)
- 10 must be a proprietor, an owner or lessee, or both, of a restaurant
- 11 located 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 subsection
- 19 (d) may not exceed the six (6) permits allocated by permit type,
- 20 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 subsection (d)(1) or (d)(2) 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 (f) Except as provided in section 16.3 of this chapter, in addition
- 42 to the permits issued to the city of Noblesville under subsection (c), the

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

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1 (h) Except as provided in section 16.3 of this chapter, the  
 2 commission may issue to the city of Delphi not more than two (2) new  
 3 three-way permits under this subsection. ~~(h)~~ The following apply to  
 4 permits issued under **this** subsection: ~~(h)~~:

5 (1) An applicant for a permit ~~under subsection (h)~~ must be a  
 6 proprietor, an owner or lessee, or both, of a restaurant located  
 7 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 **this**  
 15 subsection ~~(h)~~ may not exceed the two (2) new three-way  
 16 permits. ~~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 **this** subsection ~~(h)~~ 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 ~~(j)~~ (i) Except as provided in section 16.3 of this chapter, the  
 38 commission may issue to the city of Warsaw not more than three (3)  
 39 new three-way permits under this subsection. ~~(k)~~ The following apply  
 40 to permits issued under **this** subsection: ~~(j)~~:

41 (1) An applicant for a permit ~~under subsection (j)~~ must be a  
 42 proprietor, an owner or lessee, or both, of a restaurant located

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

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

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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.

[ (1) Except as provided in section 16.3 of this chapter, the commission may issue to the town of Schererville not more than three (3) new three-way permits. The following applies 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 the town'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 three (3) new three-way permits.

(4) The town 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

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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 the permit may not be transferred.

(7) The 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 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.

(m) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Lafayette not more than three (3) new three-way permits. 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 the city'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 three (3) new three-way permits.

(4) The city 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 the permit may not be transferred.

(7) The permit may not be transferred from the premises for

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which the permit was issued.

(8) If the area in which the permit issued to a premises 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.

(n) Except as provided in section 16.3 of this chapter, the commission may issue to the city of West Lafayette not more than two (2) new three-way permits. 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 the city'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 two (2) new three-way permits.

(4) The city 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 the permit may not be transferred.

(7) The 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 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

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permit may not be transferred from the permit premises.  
(o) Except as provided in section 16.3 of this chapter, the commission may issue a new three-way permit to an applicant who is a proprietor, an owner or lessee, or both, of a restaurant located within a transit development district established under IC 36-7.5-4.5 and located in the city of Michigan City. The commission may issue not more than eight (8) new three-way permits under this subsection. The following apply to a permit issued under this subsection:

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

(2) The total number of active permits issued under this subsection may not exceed the eight (8) new three-way permits.

(3) 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.

(4) 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.

(5) Except as provided in subdivision (7), the ownership of the permit may not be transferred.

(6) The permit may not be transferred from the premises for which the permit was issued.

(7) If the area in which the permit issued to a premises is located is no longer designated as part of a transit development district established under IC 36-7.5-4.5, 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.

(p) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Delphi not more than two (2) new three-way permits. 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 the

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- city'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 two (2) new three-way permits.
- (4) The city 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 the permit may not be transferred.
- (7) The 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 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.
- (q) Except as provided in section 16.3 of this chapter, the commission may issue to the city of Bloomington not more than two (2) new three-way permits. 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 the city'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

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subsection may not exceed the two (2) new three-way permits.

(4) The city 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 the permit may not be transferred.

(7) The 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 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.

1 SECTION 39. 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).**
- (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. IC 7.1-5-6-3, AS AMENDED BY P.L.32-2019,

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

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

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

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

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

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

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

- 33 (1) **a Class A misdemeanor if the person has a prior**
- 34 **unrelated conviction under this section; and**
- 35 (2) **a Level 6 felony if the consumption, ingestion, or use of**
- 36 **the THC is the proximate cause of the serious bodily injury**
- 37 **or death of any person.**

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

- 42 (1) **using a reliable online age verification service; or**

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1           **(2) obtaining and examining a copy of a government issued**  
 2           **identification.**

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

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

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

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1 manufactured, sold, or consumed within the small brewery  
2 premises; or  
3 (B) operates under a retailer's permit as provided in  
4 IC 7.1-3-2-7(5)(C).

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

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

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

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

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

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

27 (1) at least eighteen (18) years of age; and

28 (2) less than twenty-one (21) years of age;  
29 to receive or purchase alcoholic beverages **or THC** as part of an  
30 enforcement action under this article.

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

34 (1) occur under the direction of an enforcement officer vested  
35 with full police powers and duties; and

36 (2) be a part of the enforcement action.

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

41 (1) A provision of this title.

42 (2) A rule or regulation of the commission adopted in the

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administration of this title.

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

SECTION 45. 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. 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

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- 1 violation of any of the following:
- 2 (1) A provision of IC 23-19, or of a rule or order issued under
- 3 IC 23-19.
- 4 (2) A violation of IC 35-45-9.
- 5 (3) A violation of IC 35-47.
- 6 (4) A violation of IC 35-49-3.
- 7 (5) Murder (IC 35-42-1-1).
- 8 (6) Battery as a Class C felony before July 1, 2014, or a Level 5
- 9 felony after June 30, 2014 (IC 35-42-2-1).
- 10 (7) Kidnapping (IC 35-42-3-2).
- 11 (8) Human and sexual trafficking crimes (IC 35-42-3.5).
- 12 (9) Child exploitation (IC 35-42-4-4).
- 13 (10) Robbery (IC 35-42-5-1).
- 14 (11) Carjacking (IC 35-42-5-2) (before its repeal).
- 15 (12) Arson (IC 35-43-1-1).
- 16 (13) Burglary (IC 35-43-2-1).
- 17 (14) Theft (IC 35-43-4-2).
- 18 (15) Receiving stolen property (IC 35-43-4-2) (before its
- 19 amendment on July 1, 2018).
- 20 (16) Forgery (IC 35-43-5-2).
- 21 (17) An offense under IC 35-43-5.
- 22 (18) Bribery (IC 35-44.1-1-2).
- 23 (19) Official misconduct (IC 35-44.1-1-1).
- 24 (20) Conflict of interest (IC 35-44.1-1-4).
- 25 (21) Perjury (IC 35-44.1-2-1).
- 26 (22) Obstruction of justice (IC 35-44.1-2-2).
- 27 (23) Intimidation (IC 35-45-2-1).
- 28 (24) Promoting prostitution (IC 35-45-4-4).
- 29 (25) Professional gambling (IC 35-45-5-3).
- 30 (26) Maintaining a professional gambling site
- 31 (IC 35-45-5-3.5(b)).
- 32 (27) Promoting professional gambling (IC 35-45-5-4).
- 33 (28) Dealing in or manufacturing cocaine or a narcotic drug
- 34 (IC 35-48-4-1).
- 35 (29) Dealing in methamphetamine (IC 35-48-4-1.1).
- 36 (30) Manufacturing methamphetamine (IC 35-48-4-1.2).
- 37 (31) Dealing in a schedule I, II, or III controlled substance
- 38 (IC 35-48-4-2).
- 39 (32) Dealing in a schedule IV controlled substance
- 40 (IC 35-48-4-3).
- 41 (33) Dealing in a schedule V controlled substance
- 42 (IC 35-48-4-4).

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- 1 (34) Dealing in marijuana, hash oil, hashish, or salvia
- 2 (IC 35-48-4-10).
- 3 (35) Money laundering (IC 35-45-15-5).
- 4 (36) A violation of IC 35-47.5-5.
- 5 (37) A violation of any of the following:
- 6 (A) IC 23-14-48-9.
- 7 (B) IC 30-2-9-7(b).
- 8 (C) IC 30-2-10-9(b).
- 9 (D) IC 30-2-13-38(f).
- 10 (38) Practice of law by a person who is not an attorney
- 11 (IC 33-43-2-1).
- 12 (39) An offense listed in IC 35-48-4 involving the manufacture
- 13 or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 14 synthetic drug lookalike substance (as defined in
- 15 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 16 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 17 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 18 represented to be a controlled substance (as described in
- 19 IC 35-48-4-4.6).
- 20 (40) Dealing in a controlled substance resulting in death
- 21 (IC 35-42-1-1.5).
- 22 (41) Organized retail theft (IC 35-43-4-2.2).
- 23 **(42) Sale of alcohol without a permit (IC 7.1-5-10-5).**
- 24 SECTION 47. IC 35-46-6-3, AS AMENDED BY P.L.163-2025,
- 25 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 26 JULY 1, 2026]: Sec. 3. (a) A person who knowingly or intentionally
- 27 uses or distributes nitrous oxide with intent to cause a condition of
- 28 intoxication, euphoria, excitement, exhilaration, stupefaction, or
- 29 dulling of the senses of another person, unless the nitrous oxide is to be
- 30 used for medical purposes, commits a Class B misdemeanor. However,
- 31 the offense is a Class A misdemeanor if the person has a prior
- 32 unrelated conviction under this section.
- 33 (b) Except as provided in subsection (c), a person who knowingly
- 34 or intentionally sells, uses, or distributes flavored nitrous oxide
- 35 commits a Class B misdemeanor. However, the offense is a Class A
- 36 misdemeanor if the person has a prior unrelated conviction under this
- 37 section.
- 38 (c) The prohibition on the sale, **use, or distribution** of flavored
- 39 nitrous oxide in subsection (b) does not apply to:
- 40 (1) a retail or wholesale restaurant supply company that sells or
- 41 distributes flavored nitrous oxide to a person for use in food and
- 42 beverage preparation or other culinary purposes; or

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1 (2) a person that uses flavored nitrous oxide in food and  
 2 beverage recipes or for other legitimate culinary purposes; or  
 3 (3) a law enforcement agency that is disposing of flavored  
 4 nitrous oxide by donation to a nonprofit organization.  
 5 SECTION 48. IC 35-47-2.5-4, AS AMENDED BY P.L.190-2006,  
 6 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2026]: Sec. 4. (a) **This section does not apply to an item**  
 8 **defined as an antique firearm pursuant to 18 U.S.C. 921(a)(16).**  
 9 (b) A dealer may not sell, rent, trade, or transfer from the dealer's  
 10 inventory a handgun to a person until the dealer has done all of the  
 11 following:  
 12 (1) Obtained from the prospective purchaser a completed and  
 13 signed Form 4473 as specified in section 3 of this chapter.  
 14 (2) Contacted NICS:  
 15 (A) by telephone; or  
 16 (B) electronically;  
 17 to request a background check on the prospective purchaser.  
 18 (3) Received authorization from NICS to transfer the handgun to  
 19 the prospective purchaser.  
 20 (b) (c) The dealer shall record the NICS transaction number on  
 21 Form 4473 and retain Form 4473 for auditing purposes.  
 22 SECTION 49. IC 35-52-7-40.1 IS ADDED TO THE INDIANA  
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2026]: Sec. 40.1. IC 7.1-5-7-8.1 defines a  
 25 crime concerning THC.  
 26 SECTION 50. An emergency is declared for this act.

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