

HOUSE BILL No. 1067

DIGEST OF INTRODUCED BILL

Citations Affected: IC 24-4-27.

Synopsis: Reporting of grocery staple pricing. Requires: (1) a grocery chain that operates or franchises five or more retail food stores located in Indiana to report each month to the state department of agriculture (department) specified sales information regarding specified staple food items sold by the grocery chain in Indiana; and (2) the department to establish and maintain an online dashboard through which members of the public can view and compare the data reported. Provides for enforcement of the reporting requirement by the attorney general and specifies penalties for violations.

Effective: July 1, 2026.

Gore, Bauer M

December 5, 2025, read first time and referred to Committee on Agriculture and Rural Development.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1067

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

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

1 SECTION 1. IC 24-4-27 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]:

4 **Chapter 27. Reporting of Grocery Store Staple Pricing**
5 **Sec. 1. As used in this chapter, a covered grocery chain's**
6 **"average retail price" of an item for a calendar month is the sales**
7 **weighted, average unit price charged by the covered grocery chain**
8 **to Indiana consumers for the item during the calendar month:**
9 **(1) inclusive of discounts, promotions, and loyalty pricing;**
10 **and**
11 **(2) exclusive of sales tax.**

12 **Sec. 2. As used in this chapter, a covered grocery chain's**
13 **"average wholesale price" for an item for a calendar month is the**
14 **average sales weighted, per unit, landed cost of the item to the**
15 **covered grocery chain during the calendar month:**
16 **(1) including base invoice price and inbound freight and**
17 **distribution charges, minus any off invoice allowances and**



1 vendor funded promotions attributable to the units of the item
 2 paid for by the covered grocery chain in the calendar month;
 3 and

4 (2) excluding any lump sum rebate that is:

5 (A) paid to the covered grocery chain after the calendar
 6 month; and

7 (B) not specifically attributable to the units of the item paid
 8 for by the covered grocery chain in the calendar month.

9 Sec. 3. (a) As used in this chapter, "covered grocery chain"
 10 means a person that operates or franchises five (5) or more retail
 11 food stores physically located in Indiana.

12 (b) A retail food store, however designated, including:

13 (1) an affiliate;

14 (2) a subsidiary;

15 (3) a franchise; or

16 (4) a specialty retailer;

17 that is operated under the person's common branding or supply
 18 chain control is considered to be a retail food store operated by the
 19 person for purposes of subsection (a).

20 Sec. 4. As used in this chapter, "department" means the Indiana
 21 state department of agriculture established under IC 15-11-2.

22 Sec. 5. As used in this chapter, "essential staple" means any of
 23 the following:

24 (1) One (1) gallon of pasteurized white cow's milk.

25 (2) One (1) dozen Grade A large chicken eggs.

26 (3) One (1) loaf, at least twenty (20) ounces but not more than
 27 twenty-four (24) ounces in weight, of sliced white sandwich
 28 bread.

29 (4) Raw, boneless, skinless chicken breast, priced per pound.

30 (5) Raw ground beef, eighty percent (80%) lean and twenty
 31 percent (20%) fat, priced per pound.

32 (6) Infant formula.

33 Sec. 6. As used in this chapter, "NAICS code" refers to the code
 34 used to classify an industry in the most recently published edition
 35 of the North American Industry Classification System Manual -
 36 United States, published by the National Technical Information
 37 Service of the United States Department of Commerce.

38 Sec. 7. (a) As used in this chapter, "retail food store" means a
 39 commercial establishment primarily engaged in the sale of food
 40 and beverages for off-premises consumption as classified under
 41 NAICS code 445110, including supermarket and warehouse club
 42 formats.



(b) The term does not include convenience stores primarily engaged in the retail sale of a limited line of goods as classified under NAICS code 445120, unless the store regularly offers for sale all of the items listed in section 5 of this chapter.

Sec. 8. As used in this chapter, "SKU" means the alphanumeric code used by a retailer to identify a product sold by the retailer for the purpose of tracking the retailer's inventory of the product.

Sec. 9. As used in this chapter, "store brand" means an item sold under a brand name:

- (1) owned by;
 - (2) licensed exclusively to; or
 - (3) otherwise controlled by;
- a covered grocery chain or the covered grocery chain's affiliated wholesaler.

Sec. 10. (a) Each month, a covered grocery chain shall submit to the department, in the form and manner prescribed in rules adopted by the department under section 12 of this chapter, a report containing the following information for the immediately preceding calendar month with regard to the store brand of each essential staple the covered grocery chain sells in Indiana:

- (1) The average retail price.
- (2) The average wholesale price.
- (3) Total units sold by the covered grocery chain in Indiana.
- (4) Any temporary or permanent product discontinuation or substitution relevant to the comparability of:
 - (A) the information included in the report with regard to an essential staple; and
 - (B) the information previously reported under this section by the covered grocery chain with regard to the essential staple.

(b) Notwithstanding any rule adopted, or guidance issued, by the department under section 12 of this chapter, a covered grocery chain must use reasonable and consistently applied methods to derive state level:

- (1) average retail prices; and
 - (2) average wholesale prices;
- specific to Indiana.

(c) The report under subsection (a) must specify the following:

- (1) The fat content of the pasteurized white cow's milk for which information is included in the report.
- (2) The net weight of the loaf of sliced white sandwich bread for which information is included in the report.



(3) The following information regarding the infant formula for which information is included in the report:

(A) Each form in which the infant formula is sold by the covered grocery chain in Indiana.

(B) The:

(i) net weight; and

(ii) price per ounce;

of each form reported under clause (A).

(d) If a covered grocery chain does not sell a store brand of an essential staple in Indiana, the covered grocery chain shall designate the essential staple as "Not Offered" in the report under subsection (a).

(e) If a covered grocery chain sells more than one (1) store brand of an essential staple in Indiana, the covered grocery chain shall include in the report under subsection (a):

(1) a single Indiana sales weighted average for the essential staple; and

(2) each SKU under which the covered grocery chain sells the essential staple in Indiana.

(f) A covered grocery chain shall submit the report under subsection (a) not later than the fifteenth day of the month immediately following the month covered by the report. If the fifteenth day of a month falls on a weekend or state holiday, a covered grocery chain shall submit the report not later than the next business day.

(g) A covered grocery chain's report under subsection (a) must be attested to by an officer or authorized representative of the covered grocery chain as true and correct to the best of the representative's knowledge after reasonable inquiry.

(h) A covered grocery chain shall:

(1) maintain underlying records sufficient to substantiate the data reported by the covered grocery chain under this section for the immediately preceding three (3) years; and

(2) make the records under subdivision (1) available to the department for audit upon reasonable notice by the department.

Sec. 11. (a) The department shall establish and maintain an online dashboard through which members of the public can view and compare the data reported to the department under this chapter.

(b) The department shall make the information reported to the department under this chapter for a calendar month available on



the dashboard not later than fifteen (15) days after the information is required to be reported under section 10(f) of this chapter.

(c) The dashboard must enable users of the dashboard to:

(1) compare reported data:

(A) over time; and

(B) across covered grocery chains; and

(2) access archived data reported under this chapter for at least the five (5) immediately preceding years.

(d) The department shall not publish personally identifiable consumer information on the dashboard.

(e) The department may:

(1) aggregate; or

(2) delay by not more than thirty (30) days the publication of; average wholesale price information for the purpose of minimizing prospective price signaling.

Sec. 12. (a) The department shall adopt rules under IC 4-22-2 to:

(1) standardize methodologies for calculation of average retail price and average wholesale price, including acceptable cost accounting practices and allocation methods, for purposes of this chapter;

(2) prescribe the electronic format, data fields, and attestation required for a report under section 10 of this chapter;

(3) specify treatment of discounts, off invoice allowances, and vendor funded promotions for purposes of required reporting under this chapter;

(4) define acceptable product substitutions to preserve comparability of data when SKUs change; and

(5) establish audit procedures and documentation for purposes of this chapter.

(b) The department may issue guidance to harmonize reporting under this chapter to the extent that national or regional procurement by covered grocery chains obscures Indiana specific costs incurred by covered grocery chains.

Sec. 13. (a) Failure to file a complete and accurate report when and as required under this chapter is a deceptive act under IC 24-5-0.5-3.

(b) The attorney general shall enforce this chapter and may, subject to subsection (e), bring a civil action on behalf of the state against a covered grocery chain that violates this chapter.

(c) In addition to the remedies available under IC 24-5-0.5-3, a court may assess the following civil penalties for a violation of this



chapter:

(1) Not more than one thousand dollars (\$1,000) per day that a report required under section 10 of this chapter is late.

(2) Not more than ten thousand dollars (\$10,000) for willful reporting of materially false information under this chapter.

(3) Injunctive relief, including orders compelling the production of reports or records.

(d) Each failure by a covered grocery chain to report information regarding any one (1) required staple, in any one (1) calendar month, as required under this chapter constitutes a separate violation of this chapter.

(e) The attorney general:

(1) shall provide a covered grocery chain a seven (7) day cure period before filing a civil action against the covered grocery chain under this section based solely on the covered grocery chain's failure to submit a report under this chapter by the date required under this chapter; and

(2) if the covered grocery chain submits the delinquent report not later than the end of the cure period under subdivision (1), shall not bring an action against the covered grocery chain under this section for the covered grocery chain's failure to submit the report by the date required under this chapter.

Sec. 14. Reporting of data by covered grocery chains, and publication of the data by the department, under this chapter may not be construed as an agreement, combination, or conspiracy in restraint of trade. However, this section does not legalize conduct that is otherwise unlawful under state or federal antitrust law.

