

# HOUSE BILL No. 1285

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 7.1-5-7; IC 9-24-18-2.2; IC 15-15-13; IC 24-4-21; IC 34-30-2.1-71; IC 35-31.5-2; IC 35-46-1; IC 35-48-1.1; IC 35-52-7.

**Synopsis:** Low THC hemp extract. Defines "hemp" as a cannabis plant that contains not more than 0.3% total THC. Defines "low THC hemp extract" as a substance that: (1) is derived from hemp; (2) does not contain more than 0.3% total THC; (3) does not contain synthetic or synthesized cannabinoids; (4) contains no other controlled substances; and (5) is not sold in a container that contains more than 0.4 milligrams of total THC. Provides that a person that manufactured low THC hemp extract before January 1, 2026, may continue to manufacture the product solely for out of state export. Prohibits the sale of products containing THC to minors, and the purchase, possession, or transport of products containing THC by minors. Makes conforming amendments.

**Effective:** July 1, 2026.

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**Bascom, Commons, King,  
Steuerwald**

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January 6, 2026, read first time and referred to Committee on Commerce, Small Business and Economic Development.

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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. 1285

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

- 1 SECTION 1. IC 7.1-5-7-5.1, AS AMENDED BY P.L.10-2010,  
2 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 5.1. (a) A permittee in a criminal prosecution or  
4 in a proceeding before the commission or a local board based upon a  
5 charge of unlawfully furnishing an alcoholic beverage **or a product**  
6 **containing tetrahydrocannabinol** to a minor may offer either or both  
7 of the following proofs as a defense or defenses to the prosecution or  
8 proceeding:  
9 (1) That:  
10 (A) the purchaser:  
11 (i) falsely represented the purchaser's age in a written  
12 statement, such as that prescribed by subsection (b),  
13 supported by two (2) forms of identification showing the  
14 purchaser to be at least twenty-one (21) years of age;  
15 (ii) produced a driver's license bearing the purchaser's  
16 photograph;  
17 (iii) produced a photographic identification card, issued



under IC 9-24-16-1 or a similar card, issued under the laws of another state or the federal government, showing that the purchaser was of legal age to make the purchase; or  
 (iv) produced a government issued document bearing the purchaser's photograph and showing the purchaser to be at least twenty-one (21) years of age;

(B) the appearance of the purchaser was such that an ordinary prudent person would believe the purchaser to be of legal age to make the purchase; and

(C) the sale was made in good faith based upon the reasonable belief that the purchaser was actually of legal age to make the purchase.

(2) That the permittee or the permittee's agent had taken all reasonable precautions in instructing the permittee's employees, in hiring the permittee's employees, and in supervising them as to sale of alcoholic beverages **or products containing tetrahydrocannabinol** to minors.

(b) The following written statement is sufficient for the purposes of subsection (a)(1)(A)(i):

REPRESENTATION AND STATEMENT  
OF AGE

FOR PURCHASE OF ALCOHOLIC

BEVERAGES **OR PRODUCTS CONTAINING THC**

I understand that misrepresentation of age to induce the sale, service, or delivery of alcoholic beverages **or products containing tetrahydrocannabinol** to me is cause for my arrest and prosecution, which can result in punishment as follows:

- (1) Possible payment of a fine of up to \$500.
- (2) Possible imprisonment for up to 60 days.
- (3) Possible loss or deferment of driver's license privileges for up to one year.
- (4) Possible requirement to participate in an alcohol education or treatment program.

Knowing the possible penalties for misstatement, I hereby represent and state, for the purpose of inducing \_\_\_\_\_  
 (Name of licensee)

to sell, serve, or deliver alcoholic beverages **or products containing tetrahydrocannabinol** to me, that I was born:

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ and am \_\_\_\_\_ years of age.  
 (Month) (Day) (Year)

Date \_\_\_\_\_ Signed \_\_\_\_\_  
 Address \_\_\_\_\_



1 2 3 4 5	Other Identification Presented: Nonphoto driver's license: (number & state)	_____ Signature of person who witnessed completion of this statement by patron: _____
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6 7	_____ Social Security Number	_____
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8 9 10 11	_____ Other _____ _____	
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SECTION 2. IC 7.1-5-7-7, AS AMENDED BY P.L.159-2014, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C misdemeanor for a minor to knowingly:

- (1) possess an alcoholic beverage **or a product containing tetrahydrocannabinol**;
- (2) consume an alcoholic beverage **or a product containing tetrahydrocannabinol**; or
- (3) transport an alcoholic beverage **or a product containing tetrahydrocannabinol** on a public highway when not accompanied by at least one (1) of the minor's parents or guardians.

(b) If a minor is found to have violated subsection (a)(2) or (a)(3) while operating a vehicle, the court may order the minor's driving privileges suspended for up to one (1) year. However, if the minor is less than eighteen (18) years of age, the court shall order the minor's driving privileges suspended for at least sixty (60) days.

(c) The court shall deliver any order suspending a minor's driving privileges under this section to the bureau of motor vehicles, which shall suspend the minor's driving privileges under IC 9-24-18-12.2 for the period ordered by the court.

SECTION 3. IC 7.1-5-7-8, AS AMENDED BY P.L.32-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) It is a Class B misdemeanor for a person to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish an alcoholic beverage **or a product containing tetrahydrocannabinol** to a minor.

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

- (1) a Class A misdemeanor if the person has a prior unrelated conviction under this section; and
- (2) a Level 6 felony if the consumption, ingestion, or use of the



1        alcoholic beverage **or product containing**  
 2        **tetrahydrocannabinol** is the proximate cause of the serious  
 3        bodily injury or death of any person.

4        (c) A person who knowingly or intentionally:

5            (1) rents property; or

6            (2) provides or arranges for the use of property;

7        for the purpose of allowing or enabling a minor to consume an  
 8        alcoholic beverage **or a product containing tetrahydrocannabinol**  
 9        on the property commits a Class C infraction. However, the violation  
 10       is a Class B misdemeanor if the person has a prior unrelated  
 11       adjudication or conviction for a violation of this section within the  
 12       previous five (5) years.

13       (d) This section shall not be construed to impose civil liability upon  
 14       any postsecondary educational institution, including public and private  
 15       universities and colleges, business schools, vocational schools, and  
 16       schools for continuing education, or its agents for injury to any person  
 17       or property sustained in consequence of a violation of this section  
 18       unless the institution or its agent:

19            (1) sells, barter, exchanges, provides, or furnishes an alcoholic  
 20            beverage **or a product containing tetrahydrocannabinol** to a  
 21            minor; or

22            (2) either:

23                (A) rents property; or

24                (B) provides or arranges for the use of property;

25        for the purpose of allowing or enabling a minor to consume an  
 26        alcoholic beverage **or a product containing**  
 27        **tetrahydrocannabinol** on the property.

28        SECTION 4. IC 9-24-18-12.2, AS ADDED BY P.L.159-2014,  
 29        SECTION 104, IS AMENDED TO READ AS FOLLOWS  
 30        [EFFECTIVE JULY 1, 2026]: Sec. 12.2. Upon receipt of a court order  
 31        under IC 7.1-5-7-7 (minor consuming or transporting alcohol **or a**  
 32        **product containing tetrahydrocannabinol**), the bureau shall suspend  
 33        the minor's driving privileges for the period ordered by the court. If the  
 34        court fails to recommend a fixed term of suspension, or recommends  
 35        a fixed term that is less than the minimum term required by statute, the  
 36        bureau shall impose the minimum period of suspension required under  
 37        IC 7.1-5-7.

38        SECTION 5. IC 15-15-13-6, AS AMENDED BY P.L.190-2019,  
 39        SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40        JULY 1, 2026]: Sec. 6. As used in this chapter, "hemp" means the plant  
 41        Cannabis sativa L. and any part of that plant, including the seeds  
 42        thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts,



and salts of isomers, whether growing or not, with a ~~delta-9-tetrahydrocannabinol~~ **total tetrahydrocannabinol (THC)** concentration **(including THCA)** of not more than three-tenths of one percent (0.3%) on a dry weight basis, for any part of the Cannabis sativa L. plant.

SECTION 6. IC 15-15-13-6.5, AS AMENDED BY P.L.186-2025, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. As used in this chapter, "hemp product" means a product derived from, or made by, processing hemp plants or plant parts including derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers. However, the term does not include:

- (1) smokable hemp (as defined by IC 35-48-1.1-38); or
- (2) products that contain a total ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol (THC)** concentration **(including THCA)** of more than three-tenths of one percent (0.3%) by weight.

SECTION 7. IC 15-15-13-6.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.7. As used in this chapter, **"pre-2026 hemp" means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis, for any part of the Cannabis sativa L. plant.**

SECTION 8. IC 15-15-13-7, AS AMENDED BY P.L.190-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to section 15 of this chapter, the:

- (1) production of, possession of, scientific study of, and commerce in hemp; **and**
- (2) possession, processing, and scientific study of pre-2026 hemp by a pre-2026 manufacturer (as defined in IC 24-4-21-1) in accordance with IC 24-4-21;**

is authorized in Indiana. Hemp is subject to regulation by the state seed commissioner. The state seed commissioner shall adopt rules to oversee the licensing, production, and management of ~~(1) hemp and (2) agricultural hemp seed.~~ **The state seed commissioner may also adopt rules to oversee a pre-2026 manufacturer. This section does not authorize the growing or production of pre-2026 hemp.**

(b) All growers and handlers must have a hemp license issued by the state seed commissioner. Growers and handlers engaged in the production of agricultural hemp seed must also have an agricultural



1 hemp seed production license.

2 (c) An application for a hemp license or agricultural hemp seed  
3 production license must include the following:

4 (1) The name and address of the applicant.

5 (2) The name and address of the hemp operation of the applicant.

6 (3) The global positioning system coordinates and legal  
7 description of the property used for the hemp operation.

8 (4) If the hemp license or agricultural hemp seed production  
9 license application is made by a grower, the acreage size of the  
10 field where the hemp will be grown.

11 (5) A statement signed by the applicant, under penalty of perjury,  
12 that the person applying for the hemp license or agricultural hemp  
13 seed production license has not been convicted of a drug related  
14 felony or misdemeanor in the previous ten (10) years.

15 (6) A written consent allowing the state police department to  
16 conduct a state or national criminal history background check.

17 (7) A written consent allowing the state police department, the  
18 state seed commissioner, or the state seed commissioner's  
19 authorized representative, if a license is issued to the applicant, to  
20 conduct aerial inspections and to enter the premises on which the  
21 hemp is grown to conduct physical inspections of hemp planted  
22 and grown by the applicant, and to ensure the plants meet the  
23 definition of hemp as set forth in section 6 of this chapter.

24 (8) A nonrefundable application fee, which must include the  
25 amount necessary to conduct a state or national criminal history  
26 background check, in an amount determined by the state seed  
27 commissioner.

28 (9) Any other information required by the state seed  
29 commissioner.

30 SECTION 9. IC 15-15-13-9, AS AMENDED BY P.L.190-2019,  
31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2026]: Sec. 9. (a) An agricultural hemp seed production  
33 license issued under this chapter authorizes a grower or handler to  
34 produce and handle agricultural hemp seed for sale to licensed hemp  
35 growers and handlers. A seller of agricultural hemp seed shall ensure  
36 that the seed complies with any standards set by the state seed  
37 commissioner. The state seed commissioner shall make available to  
38 growers information that identifies sellers of agricultural hemp seed.

39 (b) A person who sells agricultural hemp seed to a grower must be  
40 a seed distributor who has a permit under IC 15-15-1-34.

41 (c) All growers and handlers must keep records in accordance with  
42 rules adopted by the state seed commissioner. Upon at least three (3)



1 days notice, the state seed commissioner may audit the required records  
 2 during normal business hours. The state seed commissioner may  
 3 conduct an audit for the purpose of ensuring compliance with:

- 4 (1) this chapter;
- 5 (2) rules adopted by the state seed commissioner; or
- 6 (3) hemp license or agricultural hemp seed production license
- 7 requirements, terms, and conditions.

8 (d) In addition to an audit conducted in accordance with subsection  
 9 (c), the state seed commissioner may inspect independently, or in  
 10 cooperation with the state police department, a federal law enforcement  
 11 agency, or a local law enforcement agency, any hemp crop during the  
 12 crop's growth phase and take a representative composite sample for  
 13 field analysis. If a crop contains an average  
 14 ~~delta-9-tetrahydrocannabinol~~ **total tetrahydrocannabinol** (THC)  
 15 concentration **(including THCA)** exceeding three-tenths of one percent  
 16 (0.3%) on a dry weight basis, the state seed commissioner may detain,  
 17 seize, or embargo the crop.

18 (e) The state seed commissioner may revoke a license issued under  
 19 this chapter to a person that fails to cooperate with:

- 20 (1) the state seed commissioner;
- 21 (2) the state police;
- 22 (3) a federal law enforcement agency; or
- 23 (4) a local law enforcement agency;

24 in an inspection, or in the taking of a sample, under subsection (d).

25 (f) A failure to cooperate described in subsection (e) constitutes  
 26 probable cause for the state seed commissioner, state police, federal  
 27 law enforcement agency, or local law enforcement agency to search the  
 28 premises of the licensee's hemp operation.

29 (g) If the state police department, a federal law enforcement agency,  
 30 or a local law enforcement agency cooperates with the state seed  
 31 commissioner in the detention, seizure, or embargo of a crop under this  
 32 section:

- 33 (1) the state police department, federal law enforcement agency,  
 34 or local law enforcement agency; and
- 35 (2) any officer or employee of the state police department, federal  
 36 law enforcement agency, or local law enforcement agency who is  
 37 involved in the detention, seizure, or embargo;

38 is immune from civil liability for the detention, seizure, or embargo.

39 (h) The state seed commissioner may order a hemp crop that is  
 40 detained, seized, or embargoed for noncompliance with this chapter to  
 41 be destroyed by the owner. However, except as prohibited by federal  
 42 law, the grower may appeal to the state seed commissioner for the





1 hemp crop to be diverted to a willing licensed processor for processing  
 2 and sale for industrial use. A hemp crop that is detained, seized, or  
 3 embargoed may not be used for cannabidiol, other extracts, oil, food,  
 4 or cosmetic products that are used for humans or animals.

5 (i) A grower shall reimburse the state seed commissioner for the  
 6 cost of testing conducted on the grower's crop under this section.

7 SECTION 10. IC 15-15-13-12, AS AMENDED BY P.L.156-2020,  
 8 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2026]: Sec. 12. The state seed commissioner is responsible for  
 10 the following:

11 (1) Monitoring the hemp grown by any license holder.

12 (2) Conducting random testing of the hemp for compliance with  
 13 tetrahydrocannabinol (THC) levels, **including THCA**. The state  
 14 seed commissioner may enter into agreements with one (1) or  
 15 more laboratories selected by the Indiana state police department  
 16 to perform testing under this subdivision.

17 (3) Establishing necessary testing criteria and protocols, including  
 18 a procedure for testing, using post decarboxylation or other  
 19 similarly reliable methods, for ~~delta-9-tetrahydrocannabinol~~ **total**  
 20 **tetrahydrocannabinol (THC)** concentration levels, **including**  
 21 **THCA**, of the hemp produced.

22 (4) Establishing the minimum number of acres to be planted  
 23 under each license issued under this chapter.

24 (5) Regulating any propagative material of a hemp plant.

25 SECTION 11. IC 24-4-21-1, AS AMENDED BY P.L.186-2025,  
 26 SECTION 131, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE JULY 1, 2026]: Sec. 1. The following definitions apply  
 28 throughout this chapter:

29 (1) "Certificate of analysis" means a certificate from an  
 30 independent testing laboratory describing the results of the  
 31 laboratory's testing of a sample.

32 (2) "Independent testing laboratory" means a laboratory:

33 (A) with respect to which no person having a direct or indirect  
 34 interest in the laboratory also has a direct or indirect interest  
 35 in a facility that:

36 (i) processes, distributes, or sells low THC hemp extract, or  
 37 a substantially similar substance in another jurisdiction;

38 (ii) cultivates, processes, distributes, dispenses, or sells  
 39 marijuana; or

40 (iii) cultivates, processes, or distributes hemp; and

41 (B) that is accredited as a testing laboratory to International  
 42 Organization for Standardization (ISO) 17025 by a third party



accrediting body such as the American Association for Laboratory Accreditation (A2LA) or Assured Calibration and Laboratory Accreditation Select Services (ACLASS).

(3) "Low THC hemp extract" has the meaning set forth in IC 35-48-1.1-27.

**(4) "Pre-2026 low THC hemp extract" means a substance or compound that:**

**(A) is derived from or contains any part of the plant *Cannabis sativa* L. that meets the definition of hemp under IC 15-15-13-6;**

**(B) contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by dry weight; and**

**(C) contains no other controlled substances.**

**The term does not include smokable hemp, or the harvested reproductive organ, whether immature or mature, of the female hemp plant.**

**(5) "Pre-2026 manufacturer" means a person that:**

**(A) manufactured or processed pre-2026 low THC hemp extract before January 1, 2026; and**

**(B) has been in continuous operation as a manufacturer or processor since January 1, 2026.**

SECTION 12. IC 24-4-21-3, AS AMENDED BY P.L.190-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. A person may distribute low THC hemp extract in Indiana only if the distributor has a certificate of analysis prepared by an independent testing laboratory showing:

(1) that the low THC hemp extract is the product of a batch tested by the independent testing laboratory;

(2) that the independent testing laboratory determined that the batch ~~contained not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by weight,~~ **meets the requirements of IC 35-48-1.1-27(a)(1) through IC 35-48-1.1-27(a)(4),** based on the testing of a random sample of the batch; and

(3) the cannabidiol percent present of the low THC hemp extract.

SECTION 13. IC 24-4-21-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. (a) This section applies only to a pre-2026 manufacturer.**

**(b) A pre-2026 manufacturer may continue to manufacture or process pre-2026 low THC hemp extract in Indiana under the same**



terms and conditions that applied to the manufacturer on December 31, 2025.

(c) A pre-2026 manufacturer:

(1) may distribute pre-2026 low THC hemp extract to a manufacturer, processor, distributor, or retailer in another jurisdiction, if receipt of pre-2026 low THC hemp extract by that person is lawful in that jurisdiction; and

(2) may not distribute pre-2026 low THC hemp extract to any person in Indiana, unless the distribution is required by law, including for purposes of testing or analysis.

(d) A person may possess pre-2026 low THC hemp extract for purposes authorized under subsection (c)(2).

(e) Nothing in this section authorizes a retailer to possess or sell pre-2026 low THC hemp extract.

SECTION 14. IC 24-4-21-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Except as provided in subsection (b), Low THC hemp extract must be distributed in packaging that contains the following information:

(1) A scannable bar code or QR code linked to a document that contains information with respect to the manufacture of the low THC hemp extract, including the:

(A) batch identification number;

(B) product name;

(C) batch date;

(D) expiration date, which must be not more than two (2) years from the date of manufacture;

(E) batch size;

(F) total quantity produced;

(G) ingredients used, including the:

(i) ingredient name;

(ii) name of the company that manufactured the ingredient;

(iii) company or product identification number or code, if applicable; and

(iv) ingredient lot number; and

(H) download link for a certificate of analysis for the low THC hemp extract.

(2) The batch number.

(3) The Internet address of a ~~web site~~ **website** to obtain batch information.

(4) The expiration date.



(5) The number of milligrams of low THC hemp extract.

(6) The manufacturer.

(7) ~~The fact~~ **A statement** that the product ~~contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC); including precursors, by weight.~~ **meets the requirements of IC 35-48-1.1-27.**

(b) Before July 1, 2018, low THC hemp extract may be distributed in Indiana without having met the requirements described in subsection (a).

SECTION 15. IC 24-4-21-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. (a) This section applies only to pre-2026 low THC hemp extract.**

(b) Pre-2026 low THC hemp extract that is being transported within Indiana for delivery to another jurisdiction must be transported in a sealed container that is clearly and prominently labeled with a notice stating: "This product may not be delivered or sold to a person in Indiana".

(c) Pre-2026 low THC hemp extract must be distributed in packaging that contains the following information:

(1) A scannable bar code or QR code linked to a document that contains information with respect to the manufacture of the pre-2026 low THC hemp extract, including the:

(A) batch identification number;

(B) product name;

(C) batch date;

(D) expiration date, which must be not more than two (2) years from the date of manufacture;

(E) batch size;

(F) total quantity produced;

(G) ingredients used, including the:

(i) ingredient name;

(ii) name of the company that manufactured the ingredient;

(iii) company or product identification number or code, if applicable; and

(iv) ingredient lot number; and

(H) download link for a certificate of analysis for the pre-2026 low THC hemp extract.

(2) The batch number.

(3) The Internet address of a website to obtain batch information.



(4) The expiration date.

(5) The number of milligrams of pre-2026 low THC hemp extract.

(6) The manufacturer.

(7) A statement that the product contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by weight.

SECTION 16. IC 34-30-2.1-71, AS ADDED BY P.L.105-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 71. IC 7.1-5-7-8 (Concerning postsecondary educational institutions for alcohol related injuries and **or tetrahydrocannabinol product related injuries**).

SECTION 17. IC 35-31.5-2-58.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. **58.5. "Consumable hemp substance", for purposes of IC 35-48-1.1, has the meaning set forth in IC 35-48-1.1-6.5.**

SECTION 18. IC 35-31.5-2-61.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. **61.5. "Container", for purposes of IC 35-48-1.1, has the meaning set forth in IC 35-48-1.1-6.7.**

SECTION 19. IC 35-46-1-8, AS AMENDED BY P.L.186-2025, SECTION 242, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) A person at least eighteen (18) years of age who knowingly or intentionally encourages, aids, induces, or causes a child to commit an act of delinquency (as defined by IC 31-37-1 or IC 31-37-2) commits contributing to delinquency, a Class A misdemeanor, except as provided in subsections (b) through (e).

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

(c) The offense described in subsection (a) is a Level 5 felony if:

(1) the person committing the offense is at least twenty-one (21) years of age and knowingly or intentionally furnishes:

(A) an alcoholic beverage **or a product containing tetrahydrocannabinol** to a child in violation of IC 7.1-5-7-8 when the person committing the offense knew or reasonably should have known that the person furnished the alcoholic beverage was a child; or



- 1 (B) a controlled substance (as defined in IC 35-48-1.1-7) or a  
 2 drug (as defined in IC 9-13-2-49.1) in violation of Indiana law;  
 3 and  
 4 (2) the consumption, ingestion, or use of the alcoholic beverage,  
 5 controlled substance, or drug is the proximate cause of the death  
 6 of any person.
- 7 (d) Except as provided in subsection (c), the offense described in  
 8 subsection (a) is a Level 6 felony if:  
 9 (1) the person committing the offense is at least twenty-one (21)  
 10 years of age;  
 11 (2) the child who commits the delinquent act is less than sixteen  
 12 (16) years of age; and  
 13 (3) the act would be a misdemeanor if committed by an adult.
- 14 (e) If the person who commits the offense described in subsection  
 15 (a) is at least twenty-one (21) years of age, and the child who commits  
 16 the delinquent act is less than sixteen (16) years of age, the offense is:  
 17 (1) a Level 5 felony if the delinquent act would be a Level 6  
 18 felony if committed by an adult;  
 19 (2) a Level 4 felony if the delinquent act would be a Level 5  
 20 felony if committed by an adult;  
 21 (3) a Level 3 felony if the delinquent act would be a Level 4  
 22 felony if committed by an adult;  
 23 (4) a Level 2 felony if the delinquent act would be a Level 3  
 24 felony if committed by an adult;  
 25 (5) a Level 1 felony if the delinquent act would be a Level 1 or 2  
 26 felony if committed by an adult; or  
 27 (6) punishable under IC 35-50-2-3(a) (penalty for murder) if the  
 28 delinquent act would be murder if committed by an adult.
- 29 SECTION 20. IC 35-46-1-10.1, AS ADDED BY P.L.94-2008,  
 30 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 31 JULY 1, 2026]: Sec. 10.1. (a) If a permit holder or an agent or  
 32 employee of a permit holder violates IC 7.1-5-7-8 on the licensed  
 33 premises, in addition to any other penalty, a civil judgment may be  
 34 imposed against the permit holder as follows:  
 35 (1) If the licensed premises at that specific business location has  
 36 not been issued a citation or summons for a violation of  
 37 IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil  
 38 penalty of up to two hundred dollars (\$200).  
 39 (2) If the licensed premises at that specific business location has  
 40 had one (1) citation or summons for a violation of IC 7.1-5-7-8 in  
 41 the previous one hundred eighty (180) days, a civil penalty of up  
 42 to four hundred dollars (\$400).



(3) If the licensed premises at that specific business location has had two (2) citations or summonses for a violation of IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil penalty of up to seven hundred dollars (\$700).

(4) If the licensed premises at that specific business location has had three (3) or more citations or summonses for a violation of IC 7.1-5-7-8 in the previous one hundred eighty (180) days, a civil penalty of up to one thousand dollars (\$1,000).

(b) The defenses set forth in IC 7.1-5-7-5.1 are available to a permit holder in an action under this section.

(c) Unless a person less than twenty-one (21) years of age buys or receives an alcoholic beverage under the direction of a law enforcement officer as part of an enforcement action, a permit holder that sells alcoholic beverages **or a product containing tetrahydrocannabinol** is not liable under this section unless the person less than twenty-one (21) years of age who bought or received the alcoholic beverage **or product containing tetrahydrocannabinol** is charged for violating IC 7.1-5-7-7.

(d) All civil penalties collected under this section shall be deposited in the alcohol and tobacco commission's enforcement and administration fund under IC 7.1-4-10.

SECTION 21. IC 35-48-1.1-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.5. "Consumable hemp substance" means a substance derived from hemp that is intended to be introduced into a person's body.**

SECTION 22. IC 35-48-1.1-6.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.7. "Container" means the innermost wrapping, packaging, vessel, or cartridge in direct contact with a consumable hemp substance intended for retail sale to a consumer. The term does not include bulk shipping containers or outer wrappings that are not essential for the final retail delivery to a consumer.**

SECTION 23. IC 35-48-1.1-27, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 27. (a) "Low THC hemp extract" means a substance or compound that:**

(1) is derived from or contains any part of the plant *Cannabis sativa* L. that meets the definition of hemp under IC 15-15-13-6;

(2) contains not more than three-tenths percent (0.3%), ~~total~~ **delta-9-tetrahydrocannabinol in aggregate:**



- (A) total tetrahydrocannabinol (THC), including THCA and any other precursors; and  
 (B) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as THC;  
 by dry weight; and  
 (3) does not contain a cannabinoid:  
 (A) that is not capable of being naturally produced by the Cannabis sativa L. plant; or  
 (B) that:  
 (i) is capable of being naturally produced by the Cannabis sativa L. plant; and  
 (ii) was synthesized or manufactured outside the plant;  
 (4) contains no other controlled substances; and  
 (5) is not sold or delivered in a container that contains, in aggregate, more than four-tenths (0.4) of a milligram of:  
 (A) total tetrahydrocannabinol (THC), including THCA and any other precursors; and  
 (B) any other cannabinoids that have similar effects (or are marketed to have similar effects) on humans or animals as THC.

(b) The term does not include:

- (1) the harvested reproductive organ, whether immature or mature, of the female hemp plant; or
- (2) smokable hemp.

SECTION 24. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 38. (a) Except as provided in subsection (b), "smokable hemp" means a product containing not more than three-tenths percent (0.3%) ~~delta-9-tetrahydrocannabinol~~ total tetrahydrocannabinol (THC), including THCA and any other precursors and derivatives of THC, in a form that allows THC to be introduced into the human body by inhalation of smoke. The term includes:

- (1) hemp bud; and
- (2) hemp flower.

(b) The term does not include:

- (1) a hemp plant that is; or
  - (2) parts of a hemp plant that are;
- grown or handled by a licensee for processing or manufacturing into a legal hemp product.

SECTION 25. IC 35-52-7-39, AS ADDED BY P.L.169-2014,





1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime concerning  
3 alcohol **and products containing tetrahydrocannabinol.**

4 SECTION 26. IC 35-52-7-40, AS ADDED BY P.L.169-2014,  
5 SECTION 2, IS AMENDED TO READ AS FOLLOWS: Sec. 40.  
6 IC 7.1-5-7-8 defines a crime concerning alcohol **and products**  
7 **containing tetrahydrocannabinol.**

