

## HOUSE BILL No. 1346

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 15-15-13; IC 24-4-21; IC 35-31.5-2; IC 35-48-1.1.

**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. Makes conforming amendments.

**Effective:** July 1, 2026.

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## Slager

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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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Introduced

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. 1346

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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 15-15-13-6, AS AMENDED BY P.L.190-2019,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 6. As used in this chapter, "hemp" means the plant  
4 Cannabis sativa L. and any part of that plant, including the seeds  
5 thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts,  
6 and salts of isomers, whether growing or not, with a  
7 ~~delta-9-tetrahydrocannabinol~~ **total tetrahydrocannabinol (THC)**  
8 concentration (**including THCA**) of not more than three-tenths of one  
9 percent (0.3%) on a dry weight basis, for any part of the Cannabis  
10 sativa L. plant.

11 SECTION 2. IC 15-15-13-6.5, AS AMENDED BY P.L.186-2025,  
12 SECTION 104, IS AMENDED TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2026]: Sec. 6.5. As used in this chapter, "hemp  
14 product" means a product derived from, or made by, processing hemp  
15 plants or plant parts including derivatives, extracts, cannabinoids,  
16 isomers, acids, salts, and salts of isomers. However, the term does not  
17 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 3. IC 15-15-13-9, AS AMENDED BY P.L.190-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) An agricultural hemp seed production license issued under this chapter authorizes a grower or handler to produce and handle agricultural hemp seed for sale to licensed hemp growers and handlers. A seller of agricultural hemp seed shall ensure that the seed complies with any standards set by the state seed commissioner. The state seed commissioner shall make available to growers information that identifies sellers of agricultural hemp seed.

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

(c) All growers and handlers must keep records in accordance with rules adopted by the state seed commissioner. Upon at least three (3) days notice, the state seed commissioner may audit the required records during normal business hours. The state seed commissioner may conduct an audit for the purpose of ensuring compliance with:

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

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

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

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

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

(f) A failure to cooperate described in subsection (e) constitutes



1 probable cause for the state seed commissioner, state police, federal  
2 law enforcement agency, or local law enforcement agency to search the  
3 premises of the licensee's hemp operation.

4 (g) If the state police department, a federal law enforcement agency,  
5 or a local law enforcement agency cooperates with the state seed  
6 commissioner in the detention, seizure, or embargo of a crop under this  
7 section:

8 (1) the state police department, federal law enforcement agency,  
9 or local law enforcement agency; and

10 (2) any officer or employee of the state police department, federal  
11 law enforcement agency, or local law enforcement agency who is  
12 involved in the detention, seizure, or embargo;

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

14 (h) The state seed commissioner may order a hemp crop that is  
15 detained, seized, or embargoed for noncompliance with this chapter to  
16 be destroyed by the owner. However, except as prohibited by federal  
17 law, the grower may appeal to the state seed commissioner for the  
18 hemp crop to be diverted to a willing licensed processor for processing  
19 and sale for industrial use. A hemp crop that is detained, seized, or  
20 embargoed may not be used for cannabidiol, other extracts, oil, food,  
21 or cosmetic products that are used for humans or animals.

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

24 SECTION 4. IC 15-15-13-12, AS AMENDED BY P.L.156-2020,  
25 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2026]: Sec. 12. The state seed commissioner is responsible for  
27 the following:

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

29 (2) Conducting random testing of the hemp for compliance with  
30 tetrahydrocannabinol (THC) levels. The state seed commissioner  
31 may enter into agreements with one (1) or more laboratories  
32 selected by the Indiana state police department to perform testing  
33 under this subdivision.

34 (3) Establishing necessary testing criteria and protocols, including  
35 a procedure for testing, using post decarboxylation or other  
36 similarly reliable methods, for ~~delta-9-tetrahydrocannabinol~~ **total**  
37 **tetrahydrocannabinol (THC)** concentration levels, **including**  
38 **THCA**, of the hemp produced.

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

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

42 SECTION 5. IC 24-4-21-3, AS AMENDED BY P.L.190-2019,



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

5 (1) that the low THC hemp extract is the product of a batch tested  
6 by the independent testing laboratory;  
7 (2) that the independent testing laboratory determined that the  
8 batch contained not more than three-tenths percent (0.3%) total  
9 delta-9-tetrahydrocannabinol (THC), including precursors, by  
10 weight, meets the requirements of IC 35-48-1.1-27(a)(1)  
11 through IC 35-48-1.1-27(a)(4), based on the testing of a random  
12 sample of the batch; and  
13 (3) the cannabidiol percent present of the low THC hemp extract.

14 SECTION 6. IC 24-4-21-4, AS AMENDED BY THE TECHNICAL  
15 CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS  
16 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:  
17 Sec. 4. (a) Except as provided in subsection (b), Low THC hemp  
18 extract must be distributed in packaging that contains the following  
19 information:

20 (1) A scannable bar code or QR code linked to a document that  
21 contains information with respect to the manufacture of the low  
22 THC hemp extract, including the:  
23 (A) batch identification number;  
24 (B) product name;  
25 (C) batch date;  
26 (D) expiration date, which must be not more than two (2) years  
27 from the date of manufacture;  
28 (E) batch size;  
29 (F) total quantity produced;  
30 (G) ingredients used, including the:  
31 (i) ingredient name;  
32 (ii) name of the company that manufactured the ingredient;  
33 (iii) company or product identification number or code, if  
34 applicable; and  
35 (iv) ingredient lot number; and  
36 (H) download link for a certificate of analysis for the low THC  
37 hemp extract.  
38 (2) The batch number.  
39 (3) The Internet address of a ~~web site~~ **website** to obtain batch  
40 information.  
41 (4) The expiration date.  
42 (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 7. 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 8. 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 9. 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 10. 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 11. 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**



1                   **THC;**  
2                   by dry weight; and  
3                   **(3) does not contain a cannabinoid:**  
4                   **(A) that is not capable of being naturally produced by the**  
5                   **Cannabis sativa L. plant; or**  
6                   **(B) that:**  
7                    **(i) is capable of being naturally produced by the**  
8                   **Cannabis sativa L. plant; and**  
9                    **(ii) was synthesized or manufactured outside the plant;**  
10                  **(3) (4) contains no other controlled substances; and**  
11                  **(5) is not sold or delivered in a container that contains, in**  
12                  **aggregate, more than four-tenths (0.4) of a milligram of:**  
13                  **(A) total tetrahydrocannabinol (THC), including THCA**  
14                  **and any other precursors; and**  
15                  **(B) any other cannabinoids that have similar effects (or are**  
16                  **marketed to have similar effects) on humans or animals as**  
17                  **THC.**  
18                  (b) The term does not include:  
19                   (1) the harvested reproductive organ, whether immature or  
20                   mature, of the female hemp plant; or  
21                   (2) smokable hemp.  
22                  SECTION 12. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025,  
23                  SECTION 249, IS AMENDED TO READ AS FOLLOWS  
24                  [EFFECTIVE JULY 1, 2026]: Sec. 38. (a) Except as provided in  
25                  subsection (b), "smokable hemp" means a product containing not more  
26                  than three-tenths percent (0.3%) **delta-9-tetrahydrocannabinol total**  
27                  **tetrahydrocannabinol (THC), including THCA and any other**  
28                  **precursors and derivatives of THC, in a form that allows THC to be**  
29                  **introduced into the human body by inhalation of smoke. The term**  
30                  **includes:**  
31                   (1) hemp bud; and  
32                   (2) hemp flower.  
33                  (b) The term does not include:  
34                   (1) a hemp plant that is; or  
35                   (2) parts of a hemp plant that are;  
36                  grown or handled by a licensee for processing or manufacturing into a  
37                  legal hemp product.

