

HOUSE BILL No. 1402

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-11.4.

Synopsis: Restrictions on location of tobacco and vaping shops. Amends a provision to prohibit the operation of a tobacco and vaping business within 3,520 feet of certain school buildings. (Current law requires 1,000 feet.)

Effective: July 1, 2026.

Dant Chesser, Clere, Miller K

January 8, 2026, read first time and referred to Committee on Public Policy.



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. 1402

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 35-46-1-11.4, AS AMENDED BY P.L.107-2024,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 11.4. (a) Subsection (b) does not apply to a
4 tobacco and vaping business:

5 (1) operating as a tobacco and vaping business before July 1,
6 ~~2020~~; **2026**; or

7 (2) that began operating as a tobacco and vaping business after
8 June 30, ~~2020~~, and before July 1, ~~2024~~, **2026**, if at the time the
9 tobacco and vaping business began operating the tobacco and
10 vaping business was not located in an area prohibited under this
11 section.

12 (b) A person may not operate a tobacco and vaping business within
13 ~~one thousand (1,000)~~ **three thousand five hundred twenty (3,520)**
14 feet of a public or private elementary or secondary school, as measured
15 between the nearest point of the premises occupied by the tobacco and
16 vaping business and the nearest point of a building used by the school
17 for instructional purposes.



(c) Subsection (d) does not apply to a tobacco and vaping business:

(1) operating as a tobacco and vaping business before July 1, ~~2024~~; **2026**; or

(2) that began operating as a tobacco and vaping business after June 30, ~~2024~~, **2026**, if at the time the tobacco and vaping business began operating the tobacco and vaping business was not located in an area prohibited under this section.

(d) A person may not operate a tobacco and vaping business within ~~one thousand (1,000)~~ **three thousand five hundred twenty (3,520)** feet of school property, measured from the nearest point of the premises occupied by the tobacco and vaping business.

(e) A person who violates this section commits a Class C misdemeanor.

