

# HOUSE BILL No. 1409

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-42-28.

**Synopsis:** Mobile retail food establishment operations. Provides that provisions establishing a statewide mobile retail food establishment license may not be construed to prohibit an owner or operator of a mobile retail food establishment from complying with: (1) the collection and reporting requirements relating to food or beverage taxes; or (2) obtaining applicable municipal business permits or complying with municipal ordinances or requirements regulating the business operations of mobile retail food establishments.

**Effective:** Upon passage.

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

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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. 1409

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

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

1       SECTION 1. IC 16-42-28-7, AS ADDED BY P.L.235-2025,  
2       SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3       UPON PASSAGE]: Sec. 7. **(a)** An owner or operator of a mobile retail  
4       food establishment issued a statewide mobile retail food establishment  
5       license is not:

6               (1) required to obtain a county or local **health or safety** license  
7               or permit; or

8               (2) required to pay a county or local **health or safety**:

9                       (A) inspection fee; or

10                      (B) license or permit fee.

11       **(b) Nothing in this section may be construed to prohibit an**  
12       **owner or operator of a mobile retail food establishment from**  
13       **complying with:**

14               (1) the collection and reporting requirements relating to food  
15               or beverage taxes imposed under IC 6-9; or

16               (2) **obtaining applicable municipal business permits or**  
17       **complying with municipal ordinances or requirements**



1           **regulating the business operations of mobile retail food**  
2           **establishments.**  
3           SECTION 2. IC 16-42-28-8, AS ADDED BY P.L.235-2025,  
4           SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5           UPON PASSAGE]: Sec. 8. (a) Beginning January 1, 2027, a local  
6           health department shall:  
7               (1) receive applications for statewide mobile retail food  
8               establishment licenses;  
9               (2) collect annual license fees and inspection fees **authorized**  
10              **under this chapter** and distribute those fees in accordance with  
11              section 5(b) of this chapter;  
12              (3) issue statewide mobile retail food establishment licenses; and  
13              (4) conduct at least semiannual inspections of a mobile retail food  
14              establishment that is issued a statewide mobile retail food  
15              establishment license.  
16           (b) Beginning January 1, 2027, a person may not operate a mobile  
17           retail food establishment in Indiana unless the person obtains a mobile  
18           retail food establishment license.  
19           SECTION 3. **An emergency is declared for this act.**

