

HOUSE BILL No. 1424

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2; IC 16-42; IC 22-11-17-1.5.

Synopsis: Farm and homestead food sales. Repeals current home based vendor regulations. Provides that the Indiana department of health, a local unit of government, the health and hospital corporation of Marion County, or a local health department may not impose any rules, regulations, certifications, or licensing requirements on a small farm or homestead vendor that are not required under federal law. Permits homestead vendors and small farms to sell various meat products and food. Exempts public buildings used by small farms and homestead vendors from certain public building regulations.

Effective: July 1, 2026.

Smith H, Morris, Lehman, Greene

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



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. 1424

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 16-18-2-137, AS AMENDED BY P.L.49-2022,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 137. (a) "Food establishment", for purposes of
4 IC 16-42-5 **and** IC 16-42-5.2, ~~and IC 16-42-5.3~~, means any building,
5 room, basement, vehicle of transportation, cellar, or open or enclosed
6 area occupied or used for handling food.

7 (b) The term does not include the following:

8 (1) A dwelling where food is prepared on the premises by the
9 occupants, free of charge, for their consumption or for
10 consumption by their guests.

11 (2) A gathering of individuals at a venue of an organization that
12 is organized for educational purposes in a nonpublic educational
13 setting or for religious purposes, if:

14 (A) the individuals separately or jointly provide or prepare,
15 free of charge, and consume their own food or that of others
16 attending the gathering; and

17 (B) the gathering is for a purpose of the organization.



Gatherings for the purpose of the organization include funerals, wedding receptions, christenings, bar or bat mitzvahs, baptisms, communions, and other events or celebrations sponsored by the organization.

(3) A vehicle used to transport food solely for distribution to the needy, either free of charge or for a nominal donation.

(4) A private gathering of individuals who separately or jointly provide or prepare and consume their own food or that of others attending the gathering, regardless of whether the gathering is held on public or private property.

(5) Except for food prepared by a for-profit entity, a venue of the sale of food prepared for an organization:

(A) that is organized for:

(i) religious purposes; or

(ii) educational purposes in a nonpublic educational setting;

(B) that is exempt from taxation under Section 501 of the Internal Revenue Code; and

(C) that offers the food for sale to the final consumer at an event held for the benefit of the organization;

unless the food is being provided in a restaurant or a cafeteria with an extensive menu of prepared foods.

(6) Except for food prepared by a for-profit entity, an Indiana nonprofit organization that:

(A) is organized for civic, fraternal, veterans, or charitable purposes;

(B) is exempt from taxation under Section 501 of the Internal Revenue Code; and

(C) offers food for sale to the final consumer at an event held for the benefit of the organization;

if the events conducted by the organization take place for not more than fifteen (15) days in a calendar year.

(7) The holder of a farm winery permit under IC 7.1-3-12-5 or a brewer's permit under IC 7.1-3-2-7(5) if the requirements of IC 16-42-5-30 are met.

(8) ~~A home based homestead vendor or an individual vendor who sells a food product under IC 16-42-5.3. (as defined in IC 16-42-5.4-1).~~

(9) **A small farm (as defined in IC 16-42-5.4-3).**

SECTION 2. IC 16-18-2-172.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 172.5. "Homestead vendor", for purposes of IC 16-42-5.4, has the meaning set forth in**



IC 16-42-5.4-1.

SECTION 3. IC 16-18-2-222.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 222.5. "Meat product", for purposes of IC 16-42-5.4, has the meaning set forth in IC 16-42-5.4-2.**

SECTION 4. IC 16-18-2-331.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 331.7. "Small farm", for purposes of IC 16-42-5.4, has the meaning set forth in IC 16-42-5.4-3.**

SECTION 5. IC 16-18-2-351.7 IS REPEALED [EFFECTIVE JULY 1, 2026]. **Sec. 351.7. (a) "Time temperature control for safety food", for purposes of IC 16-42-5.3, means a food that requires time or temperature control to safely limit the:**

(1) growth of pathogenic microorganisms; or

(2) formation of toxins.

(b) The term includes the following:

(1) A food of animal origin that is raw or heat treated.

(2) A food of plant origin that is heat treated or consists of any of the following:

(A) Raw seed sprouts.

(B) Cut melons.

(C) Cut leafy greens.

(D) Cut tomatoes or mixtures of cut tomatoes that are not modified in a way that results in mixtures that do not support the growth or formation described in subsection (a).

(E) Garlic-in-oil mixtures that are not modified in a way that results in mixtures that do not support the growth or formation described in subsection (a).

(3) Except as specified in subsection (c)(4) and (c)(5), a food that involves an interaction of pH and Aw for control of spores in food that is heat treated to destroy vegetative cells and subsequently packaged that results in:

(A) an Aw value greater than 0.92 but less than or equal to 0.95 and a pH value greater than 5.6; or

(B) an Aw value greater than 0.95 and a pH value greater than 4.6.

(4) Except as specified in subsection (c)(4) and (c)(5), a food that involves an interaction of pH and Aw for control of vegetative cells and spores in food that is not heat treated; or is heat treated but not packaged; and that results in:



- 1 (A) an Aw value greater than or equal to 0.88 but less than or
- 2 equal to 0.90 and a pH value greater than 5.0;
- 3 (B) an Aw value greater than 0.90 but less than or equal to
- 4 0.92 and a pH value greater than 4.6; or
- 5 (C) an Aw value greater than 0.92 and a pH value greater than
- 6 or equal to 4.2.
- 7 (e) The term does not include the following:
- 8 (1) An air-cooled hard-boiled egg with shell intact.
- 9 (2) An egg with shell intact that:
- 10 (A) is not hard-boiled; and
- 11 (B) has been pasteurized to destroy all viable salmonellae.
- 12 (3) A food in an unopened hermetically sealed container that is
- 13 commercially processed to achieve and maintain commercial
- 14 sterility under conditions of nonrefrigerated storage and
- 15 distribution.
- 16 (4) Except as specified in subsection (b)(1) or (b)(2); a food that
- 17 does not meet the requirements described in subsection (b)(3) or
- 18 (b)(4) due to the:
- 19 (A) pH or Aw value; or
- 20 (B) interaction of Aw and pH values;
- 21 of the food.
- 22 (5) A food that meets the requirements of subsection (b)(3) or
- 23 (b)(4) and has undergone a product assessment showing that the
- 24 growth or toxin formation of pathogenic microorganisms that are
- 25 reasonably likely to occur in the food is precluded due to:
- 26 (A) intrinsic factors; including added or natural characteristics
- 27 of the food (such as preservatives, antimicrobials, humectants,
- 28 acidulants; or nutrients);
- 29 (B) extrinsic factors; including environmental or operational
- 30 factors that affect the food (such as packaging); modified
- 31 atmosphere (such as reduced oxygen packaging); shelf life and
- 32 use; or temperature range of storage and use; or
- 33 (C) any combination of intrinsic and extrinsic factors
- 34 described in clause (A) or (B).
- 35 (6) A food that does not support the growth or toxin formation of
- 36 pathogenic microorganisms in accordance with subdivisions (1)
- 37 through (4) even though the food may contain a pathogenic
- 38 microorganism or chemical or physical contaminant at a level
- 39 sufficient to cause illness or injury.
- 40 SECTION 6. IC 16-42-5-0.2 IS ADDED TO THE INDIANA CODE
- 41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 42 1, 2026]: **Sec. 0.2. A person that:**



1 (1) is a homestead vendor (as defined in IC 16-42-5.4-1); or
 2 (2) operates a small farm (as defined in IC 16-42-5.4-3);
 3 is exempt from the requirements of this chapter.

4 SECTION 7. IC 16-42-5.3 IS REPEALED [EFFECTIVE JULY 1,
 5 2026]. (Home Based Food Products).

6 SECTION 8. IC 16-42-5.4 IS ADDED TO THE INDIANA CODE
 7 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2026]:

9 **Chapter 5.4. Regulation of Community Producers**

10 **Sec. 1.** As used in this chapter, "homestead vendor" means a
 11 person:

- 12 (1) that prepares and sells food products from the person's
 13 property; and
 14 (2) from which not more than one million five hundred
 15 thousand dollars (\$1,500,000) in gross sales is received in a
 16 single year.

17 **Sec. 2.** As used in this chapter, "meat product" means a product
 18 capable of use as human food that is made wholly or in part from
 19 meat or other parts of the carcass any of the following:

- 20 (1) Cattle.
 21 (2) Sheep.
 22 (3) Swine.
 23 (4) Bison.
 24 (5) Poultry.
 25 (6) Goats.
 26 (7) Rabbit.

27 **Sec. 3.** As used in this chapter, "small farm" means land:

- 28 (1) that is used for growing crops or raising livestock;
 29 (2) from which a person prepares and sells food products; and
 30 (3) from which not more than one million five hundred
 31 thousand dollars (\$1,500,000) in gross sales is received from:
 32 (A) livestock products;
 33 (B) cultivated or harvested crops; or
 34 (C) the sale of food products;
 35 in a single year.

36 **Sec. 4.** The state department, a local unit of government (as
 37 defined in IC 14-22-31.5-1), the corporation, or a local health
 38 department may not impose any rules, regulations, certifications,
 39 or licensing requirements on a:

- 40 (1) homestead vendor; or
 41 (2) small farm;

42 that are not required under federal law.



1 **Sec. 5. A homestead vendor or the owner of a small farm may**
 2 **sell the following items on the homestead or small farm's premises:**

3 **(1) Meat products:**

4 **(A) raised at the individual's primary residence; and**

5 **(B) slaughtered and processed at an official establishment**
 6 **(as defined in IC 15-17-2-72).**

7 **(2) Pastries.**

8 **(3) Candy.**

9 **(4) Produce.**

10 **(5) Natural sweeteners.**

11 **(6) Fruit spreads.**

12 **Sec. 6. (a) A homestead vendor or the owner of a small farm**
 13 **shall include a label for packaged homemade food products or a**
 14 **sign for unpackaged homemade food products that contains the**
 15 **following information:**

16 **(1) The name of the homestead vendor or the owner of the**
 17 **small farm that produced the homemade food product.**

18 **(2) The ingredients of the homemade food product, in**
 19 **descending order by predominance by weight.**

20 **(3) A description of the homemade food product.**

21 **(4) The following statement in at least 10 point type: "This**
 22 **product was produced in a private residence that is exempt**
 23 **from government licensing and inspection."**

24 **(b) A homestead vendor may not ship or deliver a food product**
 25 **to an end consumer who is located outside Indiana.**

26 **Sec. 7. A homestead vendor or the owner of a small farm who**
 27 **sells meat products from livestock under this chapter must keep**
 28 **the meat products refrigerated through delivery to the end**
 29 **consumer in manner consistent with best food handling practices.**

30 **SECTION 9. IC 22-11-17-1.5 IS ADDED TO THE INDIANA**
 31 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 32 **[EFFECTIVE JULY 1, 2026]: Sec. 1.5. A public building located on**
 33 **a:**

34 **(1) homestead vendor's (as defined in IC 16-42-5.4-1); or**

35 **(2) small farm's (as defined in IC 16-42-5.4-3);**

36 **property is exempt from this chapter and rules adopted by the**
 37 **commission.**

38 **SECTION 10. [EFFECTIVE JULY 1, 2026] (a) Before December**
 39 **31, 2026, the Indiana department of health shall amend rules**
 40 **affected by IC 16-42-5.3, as repealed by this act, and IC 16-42-5.4,**
 41 **as added by this act, to comply with the amendments made by this**
 42 **act.**



1 **(b) This SECTION expires December 31, 2027.**

