



February 20, 2026

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# ENGROSSED HOUSE BILL No. 1424

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DIGEST OF HB 1424 (Updated February 19, 2026 10:23 am - DI 119)

**Citations Affected:** IC 16-18; IC 16-19; IC 16-42; IC 22-11; IC 22-12; IC 22-13.

**Synopsis:** Farm and homestead food sales. Allows the executive board of the Indiana department of health to adopt rules concerning time temperature control for food safety, but provides that the rules may not be applied to a homestead vendor or small farm vendor. Provides that homestead vendors and small farm vendors are exempt from specified health regulations applicable to food establishments. 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  
(Continued next page)

**Effective:** July 1, 2026.

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## Smith H, Morris, Lehman, Greene

(SENATE SPONSORS — BUCHANAN, BYRNE, JOHNSON T, KOCH,  
DORIOT, DONATO)

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January 8, 2026, read first time and referred to Committee on Public Health.  
January 13, 2026, amended, reported — Do Pass.  
January 20, 2026, read second time, amended, ordered engrossed.  
January 21, 2026, engrossed.  
January 22, 2026, read third time, passed. Yeas 76, nays 20.

SENATE ACTION

January 27, 2026, read first time and referred to Committee on Commerce and Technology.  
February 19, 2026, amended, reported favorably — Do Pass.

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## Digest Continued

may not impose any rules, regulations, certifications, or licensing requirements on a homestead vendor or small farm vendor that are not required under federal law, but may investigate complaints against a homestead vendor or small farm vendor regarding a foodborne illness derived from the homestead vendor's or small farm vendor's food products. Permits homestead vendors and small farm vendors to sell specified meat products and other foods from: (1) the property of the homestead vendor or small farm vendor; or (2) a farmers market. Requires a homestead vendor or small farm vendor to provide consumers with specified information regarding the homestead vendor's or small farm vendor's food products through signage or labeling. Provides for conditions under which a homestead vendor or small farm vendor may ship or deliver a food product directly to a consumer. Imposes handling, refrigeration, transportation, and storage requirements for homestead vendor and small farm vendor food products. Provides that public buildings used by homestead vendors and small farm vendors are exempt from certain public building and safety regulations. Provides that buildings, structures, or stands used for sale of homestead vendor or small farm vendor food products are subject to specified fire safety, building, and equipment laws.

**EH 1424—LS 7092/DI 150**



February 20, 2026

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.

## ENGROSSED 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, IC 16-42-5.2, and IC 16-42-5.3, means any building, room,  
5 basement, vehicle of transportation, cellar, or open or enclosed area  
6 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.

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- 1 Gatherings for the purpose of the organization include funerals,  
 2 wedding receptions, christenings, bar or bat mitzvahs, baptisms,  
 3 communions, and other events or celebrations sponsored by the  
 4 organization.
- 5 (3) A vehicle used to transport food solely for distribution to the  
 6 needy, either free of charge or for a nominal donation.
- 7 (4) A private gathering of individuals who separately or jointly  
 8 provide or prepare and consume their own food or that of others  
 9 attending the gathering, regardless of whether the gathering is  
 10 held on public or private property.
- 11 (5) Except for food prepared by a for-profit entity, a venue of the  
 12 sale of food prepared for an organization:
- 13 (A) that is organized for:
- 14 (i) religious purposes; or
- 15 (ii) educational purposes in a nonpublic educational setting;
- 16 (B) that is exempt from taxation under Section 501 of the  
 17 Internal Revenue Code; and
- 18 (C) that offers the food for sale to the final consumer at an  
 19 event held for the benefit of the organization;
- 20 unless the food is being provided in a restaurant or a cafeteria  
 21 with an extensive menu of prepared foods.
- 22 (6) Except for food prepared by a for-profit entity, an Indiana  
 23 nonprofit organization that:
- 24 (A) is organized for civic, fraternal, veterans, or charitable  
 25 purposes;
- 26 (B) is exempt from taxation under Section 501 of the Internal  
 27 Revenue Code; and
- 28 (C) offers food for sale to the final consumer at an event held  
 29 for the benefit of the organization;
- 30 if the events conducted by the organization take place for not  
 31 more than fifteen (15) days in a calendar year.
- 32 (7) The holder of a farm winery permit under IC 7.1-3-12-5 or a  
 33 brewer's permit under IC 7.1-3-2-7(5) if the requirements of  
 34 IC 16-42-5-30 are met.
- 35 (8) A home based vendor or an individual vendor who sells a food  
 36 product under IC 16-42-5.3.
- 37 **(9) A homestead vendor (as defined in IC 16-42-5.4-1).**
- 38 **(10) A small farm (as defined in IC 16-42-5.4-4).**
- 39 SECTION 2. IC 16-18-2-172.5 IS ADDED TO THE INDIANA  
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2026]: **Sec. 172.5. "Homestead vendor", for**  
 42 **purposes of IC 16-42-5.4, has the meaning set forth in**



1 **IC 16-42-5.4-1.**

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

7 SECTION 4. IC 16-18-2-293.9 IS ADDED TO THE INDIANA  
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2026]: **Sec. 293.9. "Produce", for purposes**  
10 **of IC 16-42-5.4, has the meaning set forth in IC 16-42-5.4-3.**

11 SECTION 5. IC 16-18-2-331.7 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2026]: **Sec. 331.7. "Small farm", for**  
14 **purposes of IC 16-42-5.4, has the meaning set forth in**  
15 **IC 16-42-5.4-4.**

16 SECTION 6. IC 16-19-3-4, AS AMENDED BY P.L.1-2025,  
17 SECTION 182, IS AMENDED TO READ AS FOLLOWS  
18 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **Except as provided in**  
19 **IC 16-42-5.4**, the executive board may, by an affirmative vote of a  
20 majority of its members, adopt reasonable rules under IC 4-22-2 on  
21 behalf of the state department to protect or to improve the public health  
22 in Indiana.

23 (b) The rules may concern but are not limited to the following:

- 24 (1) Nuisances dangerous to public health.  
25 (2) The pollution of any water supply other than where  
26 jurisdiction is in the environmental rules board and department of  
27 environmental management.  
28 (3) The disposition of excremental and sewage matter.  
29 (4) The control of fly and mosquito breeding places.  
30 (5) The detection, reporting, prevention, and control of diseases  
31 that affect public health.  
32 (6) The care of maternity and infant cases and the conduct of  
33 maternity homes.  
34 (7) The production, distribution, and sale of human food.  
35 (8) Except as provided in section 4.4 of this chapter, the conduct  
36 of camps.  
37 (9) Standards of cleanliness of eating facilities for the public.  
38 (10) Standards of cleanliness of sanitary facilities offered for  
39 public use.  
40 (11) The handling, disposal, disinterment, and reburial of dead  
41 human bodies.  
42 (12) Vital statistics.



1 (13) Sanitary conditions and facilities in public buildings and  
 2 grounds, including plumbing, drainage, sewage disposal, water  
 3 supply, lighting, heating, and ventilation, other than where  
 4 jurisdiction is vested by law in the fire prevention and building  
 5 safety commission or other state agency.

6 (14) The design, construction, and operation of swimming and  
 7 wading pools. However, the rules governing swimming and  
 8 wading pools do not apply to a pool maintained by an individual  
 9 for the sole use of the individual's household and house guests.

10 **(15) Time temperature control for safety food.**

11 (c) The executive board shall adopt reasonable rules to regulate the  
 12 following:

13 (1) The sanitary operation of tattoo parlors.

14 (2) The sanitary operation of body piercing facilities.

15 (d) The executive board may adopt rules on behalf of the state  
 16 department for the efficient enforcement of this title, except as  
 17 otherwise provided. However, fees for inspections relating to weights  
 18 and measures may not be established by the rules.

19 (e) The executive board may declare that a rule described in  
 20 subsection (d) is necessary to meet an emergency and adopt the rule  
 21 under IC 4-22-2.

22 (f) The rules of the state department may not be inconsistent with  
 23 this title and or any other state law.

24 **(g) Rules adopted under subsection (b)(15) may not apply to a:**

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

26 **(2) small farm (as defined in IC 16-42-5.4-4).**

27 SECTION 7. IC 16-42-5-0.2 IS ADDED TO THE INDIANA CODE  
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 29 1, 2026]: **Sec. 0.2. A person that:**

30 **(1) is a homestead vendor (as defined in IC 16-42-5.4-1); or**

31 **(2) operates a small farm (as defined in IC 16-42-5.4-4);**

32 **is exempt from the requirements of this chapter.**

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

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

37 **Sec. 1. As used in this chapter, "homestead vendor" means a**  
 38 **person that prepares and sells food products or meat products**  
 39 **from:**

40 **(1) property or at a farmers market; and**

41 **(2) which the person does not receive more than one million**  
 42 **five hundred thousand dollars (\$1,500,000) in gross sales from**



- 1           **food products or meat products in a single year.**  
 2           **Sec. 2. As used in this chapter, "meat product" means a product**  
 3 **capable of use as human food that is made wholly or in part from**  
 4 **meat or other parts of the carcass of any of the following:**  
 5           **(1) Cattle.**  
 6           **(2) Sheep.**  
 7           **(3) Swine.**  
 8           **(4) Bison.**  
 9           **(5) Poultry.**  
 10          **(6) Goats.**  
 11          **(7) Rabbit.**  
 12          **Sec. 3. As used in this chapter, "produce" means any**  
 13 **agricultural or naturally occurring product that is:**  
 14          **(1) grown, cultivated, raised, or harvested for human**  
 15 **consumption; and**  
 16          **(2) not prohibited by state or federal law.**  
 17          **Sec. 3.5. As used in this chapter, "property" means land owned**  
 18 **or leased by a homestead vendor or the owner of a small farm that**  
 19 **is either the homestead vendor's or the owner of a small farm's:**  
 20          **(1) primary residence; or**  
 21          **(2) agricultural property.**  
 22          **Sec. 4. As used in this chapter, "small farm" means land:**  
 23          **(1) that is used primarily for growing crops or raising**  
 24 **livestock;**  
 25          **(2) from which a person prepares and sells food products; and**  
 26          **(3) from which not more than one million five hundred**  
 27 **thousand dollars (\$1,500,000) in gross sales is received from:**  
 28                  **(A) meat products;**  
 29                  **(B) cultivated or harvested crops; or**  
 30                  **(C) the sale of food products;**  
 31          **in a single year.**  
 32          **Sec. 5. (a) Except as provided in subsection (b), the state**  
 33 **department, a local unit of government (as defined in**  
 34 **IC 14-22-31.5-1), the corporation, or a local health department**  
 35 **may not impose any rules, regulations, certifications, or licensing**  
 36 **requirements on:**  
 37                  **(1) a homestead vendor; or**  
 38                  **(2) an owner of a small farm;**  
 39 **that are not required under federal law.**  
 40          **(b) The state department, a local unit of government (as defined**  
 41 **in IC 14-22-31.5-1), the corporation, or a local health department**  
 42 **may investigate complaints against:**



1           (1) a homestead vendor; or  
 2           (2) an owner of a small farm;  
 3 regarding a foodborne illness derived from the homestead vendor  
 4 or the owner of a small farm's food product.

5           Sec. 6. (a) The homestead vendor or the owner of a small farm  
 6 may sell the items described in subsection (b) at:

7           (1) property (as defined in section 3.5 of this chapter); or  
 8           (2) a farmers market;  
 9 directly to an end consumer.

10          (b) A homestead vendor or the owner of a small farm may sell  
 11 the following items primarily derived from a location described in  
 12 subsection (a)(1) or (a)(2) directly to an end consumer:

13          (1) Meat products:

14           (A) raised at the individual's property; and

15           (B) slaughtered, processed, and labeled in compliance with  
 16 IC 15-17-5.

17          (2) Prepared foods, including baked goods.

18          (3) Candy.

19          (4) Produce.

20          (5) Natural sweeteners.

21          (6) Fruit spreads.

22          Sec. 7. (a) A homestead vendor or the owner of a small farm  
 23 shall include a label for packaged homemade food products or a  
 24 sign for unpackaged homemade food products that contains the  
 25 following information:

26          (1) The name of the homestead vendor or the owner of the  
 27 small farm that produced the homemade food product.

28          (2) The address of the homestead vendor or the owner of the  
 29 small farm that produced the homemade food product.

30          (3) The ingredients of the homemade food product, in  
 31 descending order by predominance by weight.

32          (4) A description of the homemade food product.

33          (5) A description of allergens that might have come in contact  
 34 with the homemade food product.

35          (6) The following statement in at least 10 point type: "This  
 36 product was produced by a homestead vendor or the owner of  
 37 a small farm that is exempt from government licensing and  
 38 inspection."

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

41          Sec. 8. (a) If a homestead vendor or the owner of a small farm  
 42 obtains a food handler's certificate from a certificate issuer that is



1 accredited by the American National Standards Institute, then the  
2 homestead vendor or the owner of a small farm may ship or deliver  
3 a food product or meat product in a sealed package directly to an  
4 end consumer.

5 (b) A homestead vendor or the owner of a small farm who does  
6 not have a food handler's certificate may not ship or deliver a food  
7 product or meat product.

8 (c) A homestead vendor or the owner of a small farm may not  
9 ship or deliver a food product or meat product to an end consumer  
10 who is located outside Indiana.

11 **Sec. 9. (a) A homestead vendor or the owner of a small farm**  
12 **who sells meat products from livestock under this chapter must**  
13 **keep the meat products refrigerated in a manner consistent with**  
14 **best food handling practices.**

15 (b) A homestead vendor or the owner of a small farm who is  
16 subject to section 8 of this chapter shall:

- 17 (1) handle;
- 18 (2) refrigerate;
- 19 (3) transport; and
- 20 (4) store;

21 **the meat products or food products in a manner that prevents**  
22 **contamination or adulteration.**

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

27 (1) homestead vendor's (as defined in IC 16-42-5.4-1); or  
28 (2) small farm's (as defined in IC 16-42-5.4-4);  
29 **property (as defined in IC 16-42-5.4-3.5) is exempt from this**  
30 **chapter and rules adopted by the commission.**

31 SECTION 10. IC 22-12-1-4, AS AMENDED BY P.L.142-2013,  
32 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 JULY 1, 2026]: Sec. 4. (a) "Class 1 structure" means any part of the  
34 following:

- 35 (1) A building or structure that is intended to be or is occupied or  
36 otherwise used in any part by any of the following:
  - 37 (A) The public.
  - 38 (B) Three (3) or more tenants.
  - 39 (C) One (1) or more persons who act as the employees of  
40 another.
- 41 (2) A site improvement affecting access by persons with physical  
42 disabilities to a building or structure described in subdivision (1).



- 1 (3) Outdoor event equipment.
- 2 (4) Any class of buildings or structures that the commission
- 3 determines by rules to affect a building or structure described in
- 4 subdivision (1), except buildings or structures described in
- 5 subsections (c) through (f).
- 6 (b) Subsection (a)(1) includes a structure that contains three (3) or
- 7 more condominium units (as defined in IC 32-25-2-9) or other units
- 8 that:
- 9 (1) are intended to be or are used or leased by the owner of the
- 10 unit; and
- 11 (2) are not completely separated from each other by an
- 12 unimproved space.
- 13 (c) Subsection (a)(1) does not include a building or structure that
- 14 ~~(1)~~ is intended to be or is used only for an agricultural purpose on
- 15 the land where it is located. ~~and~~ **A building or structure under**
- 16 **this subsection includes a stand or another retail building**
- 17 **used primarily for the sale of goods or other items on**
- 18 **property (as defined in IC 16-42-5.4-3.5).**
- 19 ~~(2)~~ is not used for retail trade or is a stand used for retail sales of
- 20 farm produce for eight (8) or less consecutive months in a
- 21 calendar year.
- 22 (d) Subsection (a)(1) does not include a Class 2 structure.
- 23 (e) Subsection (a)(1) does not include a vehicular bridge.
- 24 (f) Subsection (a)(1) does not include a structure that is intended to
- 25 be or is occupied solely to provide periodic maintenance or repair of:
- 26 (1) the structure; or
- 27 (2) mechanical or electrical equipment located within and affixed
- 28 to the structure.

29 SECTION 11. IC 22-13-2-16 IS ADDED TO THE INDIANA  
 30 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 31 [EFFECTIVE JULY 1, 2026]: **Sec. 16. The following apply to a**  
 32 **building, a structure, a stand, or another retail building under**  
 33 **IC 22-12-1-4(c) used primarily for the sale of goods or other items**  
 34 **on property (as defined in IC 16-42-5.4-3.5):**

- 35 (1) This section does not:
- 36 (A) authorize the placement of a building, structure, or
- 37 stand within a public right-of-way, utility easement, or
- 38 other restricted area in violation of applicable law;
- 39 (B) affect the authority of a county, municipality, or other
- 40 local unit to regulate access to a road, including ingress
- 41 and egress, driveway permits, curb cuts, or related
- 42 requirements; or



- 1           **(C) affect the authority of a county, municipality, or other**
- 2           **local unit to enforce requirements concerning setbacks,**
- 3           **parking, and signage.**
- 4           **(2) If the building, structure, or stand contains plumbing**
- 5           **fixtures and is located within the boundaries of a sewer**
- 6           **district or is otherwise eligible for connection to a public**
- 7           **sewer system, the owner shall obtain a will-serve letter from**
- 8           **the applicable sewer utility. If the building, structure, or stand**
- 9           **is not located within a sewer district the owner must obtain:**
- 10           **(A) a new or modified septic construction permit issued by**
- 11           **the local health department; or**
- 12           **(B) written verification from the local health department**
- 13           **that the existing onsite sewage system has sufficient**
- 14           **capacity to serve the building, structure, or stand.**
- 15           **(3) Compliance with this section does not require:**
- 16           **(A) classification as a Class 1 structure;**
- 17           **(B) a design release;**
- 18           **(C) plan review;**
- 19           **(D) a building permit; or**
- 20           **(E) a certificate of occupancy under this article.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1424, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 5. IC 16-18-2-351.7, AS ADDED BY P.L.151-2024, SECTION 5, IS AMENDED TO READ AS FOLLOWS [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:

- (A) an Aw value greater than or equal to 0.88 but less than or equal to 0.90 and a pH value greater than 5.0;



- (B) an Aw value greater than 0.90 but less than or equal to 0.92 and a pH value greater than 4.6; or
  - (C) an Aw value greater than 0.92 and a pH value greater than or equal to 4.2.
- (c) The term does not include the following:
- (1) An air-cooled hard-boiled egg with shell intact.
  - (2) An egg with shell intact that:
    - (A) is not hard-boiled; and
    - (B) has been pasteurized to destroy all viable salmonellae.
  - (3) A food in an unopened hermetically sealed container that is commercially processed to achieve and maintain commercial sterility under conditions of nonrefrigerated storage and distribution.
  - (4) Except as specified in subsection (b)(1) or (b)(2), a food that does not meet the requirements described in subsection (b)(3) or (b)(4) due to the:
    - (A) pH or Aw value; or
    - (B) interaction of Aw and pH values;
 of the food.
  - (5) A food that meets the requirements of subsection (b)(3) or (b)(4) and has undergone a product assessment showing that the growth or toxin formation of pathogenic microorganisms that are reasonably likely to occur in the food is precluded due to:
    - (A) intrinsic factors, including added or natural characteristics of the food (such as preservatives, antimicrobials, humectants, acidulants, or nutrients);
    - (B) extrinsic factors, including environmental or operational factors that affect the food (such as packaging), modified atmosphere (such as reduced oxygen packaging), shelf life and use, or temperature range of storage and use; or
    - (C) any combination of intrinsic and extrinsic factors described in clause (A) or (B).
  - (6) A food that does not support the growth or toxin formation of pathogenic microorganisms in accordance with subdivisions (1) through (4) even though the food may contain a pathogenic microorganism or chemical or physical contaminant at a level sufficient to cause illness or injury.

SECTION 6. IC 16-19-3-4, AS AMENDED BY P.L.1-2025, SECTION 182, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **Except as provided in IC 16-42-5.4**, the executive board may, by an affirmative vote of a majority of its members, adopt reasonable rules under IC 4-22-2 on

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behalf of the state department to protect or to improve the public health in Indiana.

(b) The rules may concern but are not limited to the following:

- (1) Nuisances dangerous to public health.
- (2) The pollution of any water supply other than where jurisdiction is in the environmental rules board and department of environmental management.
- (3) The disposition of excremental and sewage matter.
- (4) The control of fly and mosquito breeding places.
- (5) The detection, reporting, prevention, and control of diseases that affect public health.
- (6) The care of maternity and infant cases and the conduct of maternity homes.
- (7) The production, distribution, and sale of human food.
- (8) Except as provided in section 4.4 of this chapter, the conduct of camps.
- (9) Standards of cleanliness of eating facilities for the public.
- (10) Standards of cleanliness of sanitary facilities offered for public use.
- (11) The handling, disposal, disinterment, and reburial of dead human bodies.
- (12) Vital statistics.
- (13) Sanitary conditions and facilities in public buildings and grounds, including plumbing, drainage, sewage disposal, water supply, lighting, heating, and ventilation, other than where jurisdiction is vested by law in the fire prevention and building safety commission or other state agency.
- (14) The design, construction, and operation of swimming and wading pools. However, the rules governing swimming and wading pools do not apply to a pool maintained by an individual for the sole use of the individual's household and house guests.

**(15) Time temperature control for safety food.**

(c) The executive board shall adopt reasonable rules to regulate the following:

- (1) The sanitary operation of tattoo parlors.
- (2) The sanitary operation of body piercing facilities.

(d) The executive board may adopt rules on behalf of the state department for the efficient enforcement of this title, except as otherwise provided. However, fees for inspections relating to weights and measures may not be established by the rules.

(e) The executive board may declare that a rule described in subsection (d) is necessary to meet an emergency and adopt the rule



under IC 4-22-2.

(f) The rules of the state department may not be inconsistent with this title and or any other state law.

**(g) Rules adopted under subsection (b)(15) may not apply to a:**

- (1) homestead vendor (as defined in IC 16-42-5.4-1); or**
- (2) small farm (as defined in IC 16-42-5.4-3)."**

Page 4, delete lines 1 through 39.

Page 5, line 19, after "carcass" insert "of".

Page 6, delete lines 5 through 6, begin a new line double block indented and insert:

**"(B) slaughtered, processed, and labeled in compliance with IC 15-17-5."**

Page 6, line 7, delete "Pastries." and insert "**Prepared foods, including baked goods.**".

Page 6, delete line 9, begin a new line block indented and insert:

- "(4) Produce, including the following:**
- (A) Pickled, acidified, or fermented produce.**
  - (B) Fruits and vegetables.**
  - (C) Nuts.**
  - (D) Herbs.**
  - (E) Legumes.**
  - (F) Leafy greens."**

Page 6, line 28, delete "through delivery to the end".

Page 6, line 29, delete "consumer in" and insert "**in a**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1424 as introduced.)

BARRETT

Committee Vote: yeas 11, nays 1.

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#### HOUSE MOTION

Mr. Speaker: I move that House Bill 1424 be amended to read as follows:

Page 2, line 38, delete "IC 16-42-5.4-3)." and insert "**IC 16-42-5.4-4).**".

Page 3, between lines 6 and 7, begin a new paragraph and insert:

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"SECTION 4. IC 16-18-2-293.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 293.9. "Produce", for purposes of IC 16-42-5.4, has the meaning set forth in IC 16-42-5.4-3.**"

Page 3, line 11, delete "IC 16-42-5.4-3." and insert "**IC 16-42-5.4-4.**".

Page 6, line 9, delete "IC 16-42-5.4-3)." and insert "**IC 16-42-5.4-4).**".

Page 6, line 14, delete "IC 16-42-5.4-3);" and insert "**IC 16-42-5.4-4);**".

Page 6, between lines 38 and 39, begin a new paragraph and insert:  
**"Sec. 3. As used in this chapter, "produce" means any agricultural or naturally occurring product that is:**

- (1) grown, cultivated, raised, or harvested for human consumption; and**
- (2) not prohibited by state or federal law."**

Page 6, line 39, delete "3." and insert "**4.**".

Page 7, line 6, delete "4." and insert "**5.**".

Page 7, line 13, delete "5." and insert "**6.**".

Page 7, delete lines 21 through 27, begin a new line block indented and insert:

**"(4) Produce."**

Page 7, line 30, delete "6." and insert "**7.**".

Page 8, line 2, delete "7." and insert "**8.**".

Page 8, line 11, delete "IC 16-42-5.4-3);" and insert "**IC 16-42-5.4-4);**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1424 as printed January 13, 2026.)

SMITH H

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#### HOUSE MOTION

Mr. Speaker: I move that House Bill 1424 be amended to read as follows:

Page 7, delete lines 34 through 41, begin a new line block indented and insert:

- "(1) The name of the homestead vendor or the owner of the small farm that produced the homemade food product.**
- (2) The address of the homestead vendor or the owner of the**



**small farm that produced the homemade food product.**

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

**(4) A description of the homemade food product.**

**(5) A description of allergens that might have come in contact with the homemade food product.**

**(6) The following statement in at least 10 point type: "This product was produced by a homestead vendor or the owner of a small farm that is exempt from government licensing and inspection."."**

(Reference is to HB 1424 as printed January 13, 2026.)

GARCIA WILBURN

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#### COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Technology, to which was referred House Bill No. 1424, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert: "SECTION 1. IC 16-18-2-137, AS AMENDED BY P.L.49-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 137. (a) "Food establishment", for purposes of IC 16-42-5, IC 16-42-5.2, and IC 16-42-5.3, means any building, room, basement, vehicle of transportation, cellar, or open or enclosed area occupied or used for handling food.

(b) The term does not include the following:

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

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

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

(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,

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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 vendor or an individual vendor who sells a food product under IC 16-42-5.3.

**(9) A homestead vendor (as defined in IC 16-42-5.4-1).**

**(10) A small farm (as defined in IC 16-42-5.4-4)."**

Page 2, delete lines 1 through 38.

Page 3, delete lines 16 through 42.

Delete page 4.

Page 5, delete lines 1 through 2.

Page 6, delete lines 20 through 21.

Page 6, delete lines 26 through 32, begin a new paragraph and



insert:

**"Sec. 1. As used in this chapter, "homestead vendor" means a person that prepares and sells food products or meat products from:**

- (1) property or at a farmers market; and**
- (2) which the person does not receive more than one million five hundred thousand dollars (\$1,500,000) in gross sales from food products or meat products in a single year."**

Page 7, between lines 5 and 6, begin a new paragraph and insert:

**"Sec. 3.5. As used in this chapter, "property" means land owned or leased by a homestead vendor or the owner of a small farm that is either the homestead vendor's or the owner of a small farm's:**

- (1) primary residence; or**
- (2) agricultural property."**

Page 7, line 7, after "used" insert **"primarily"**.

Page 7, line 11, delete "livestock" and insert **"meat"**.

Page 7, delete lines 15 through 32, begin a new paragraph and insert:

**"Sec. 5. (a) Except as provided in subsection (b), the state department, a local unit of government (as defined in IC 14-22-31.5-1), the corporation, or a local health department may not impose any rules, regulations, certifications, or licensing requirements on:**

- (1) a homestead vendor; or**
- (2) an owner of a small farm;**

**that are not required under federal law.**

**(b) The state department, a local unit of government (as defined in IC 14-22-31.5-1), the corporation, or a local health department may investigate complaints against:**

- (1) a homestead vendor; or**
- (2) an owner of a small farm;**

**regarding a foodborne illness derived from the homestead vendor or the owner of a small farm's food product.**

**Sec. 6. (a) The homestead vendor or the owner of a small farm may sell the items described in subsection (b) at:**

- (1) property (as defined in section 3.5 of this chapter); or**
- (2) a farmers market;**

**directly to an end consumer.**

**(b) A homestead vendor or the owner of a small farm may sell the following items primarily derived from a location described in subsection (a)(1) or (a)(2) directly to an end consumer:**

- (1) Meat products:**



- (A) raised at the individual's property; and
  - (B) slaughtered, processed, and labeled in compliance with IC 15-17-5.
- (2) Prepared foods, including baked goods.
  - (3) Candy.
  - (4) Produce.
  - (5) Natural sweeteners.
  - (6) Fruit spreads."

Page 8, delete lines 10 through 27, begin a new paragraph and insert:

**"Sec. 8. (a) If a homestead vendor or the owner of a small farm obtains a food handler's certificate from a certificate issuer that is accredited by the American National Standards Institute, then the homestead vendor or the owner of a small farm may ship or deliver a food product or meat product in a sealed package directly to an end consumer.**

**(b) A homestead vendor or the owner of a small farm who does not have a food handler's certificate may not ship or deliver a food product or meat product.**

**(c) A homestead vendor or the owner of a small farm may not ship or deliver a food product or meat product to an end consumer who is located outside Indiana.**

**Sec. 9. (a) A homestead vendor or the owner of a small farm who sells meat products from livestock under this chapter must keep the meat products refrigerated in a manner consistent with best food handling practices.**

**(b) A homestead vendor or the owner of a small farm who is subject to section 8 of this chapter shall:**

- (1) handle;
- (2) refrigerate;
- (3) transport; and
- (4) store;

**the meat products or food products in a manner that prevents contamination or adulteration.**

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

- (1) homestead vendor's (as defined in IC 16-42-5.4-1); or
  - (2) small farm's (as defined in IC 16-42-5.4-4);
- property (as defined in IC 16-42-5.4-3.5) is exempt from this chapter and rules adopted by the commission.**



SECTION 12. IC 22-12-1-4, AS AMENDED BY P.L.142-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) "Class 1 structure" means any part of the following:

(1) A building or structure that is intended to be or is occupied or otherwise used in any part by any of the following:

(A) The public.

(B) Three (3) or more tenants.

(C) One (1) or more persons who act as the employees of another.

(2) A site improvement affecting access by persons with physical disabilities to a building or structure described in subdivision (1).

(3) Outdoor event equipment.

(4) Any class of buildings or structures that the commission determines by rules to affect a building or structure described in subdivision (1), except buildings or structures described in subsections (c) through (f).

(b) Subsection (a)(1) includes a structure that contains three (3) or more condominium units (as defined in IC 32-25-2-9) or other units that:

(1) are intended to be or are used or leased by the owner of the unit; and

(2) are not completely separated from each other by an unimproved space.

(c) Subsection (a)(1) does not include a building or structure that ~~(1)~~ is intended to be or is used only for an agricultural purpose on the land where it is located. **and A building or structure under this subsection includes a stand or another retail building used primarily for the sale of goods or other items on property (as defined in IC 16-42-5.4-3.5).**

~~(2) is not used for retail trade or is a stand used for retail sales of farm produce for eight (8) or less consecutive months in a calendar year.~~

(d) Subsection (a)(1) does not include a Class 2 structure.

(e) Subsection (a)(1) does not include a vehicular bridge.

(f) Subsection (a)(1) does not include a structure that is intended to be or is occupied solely to provide periodic maintenance or repair of:

(1) the structure; or

(2) mechanical or electrical equipment located within and affixed to the structure.

SECTION 12. IC 22-13-2-16 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2026]: **Sec. 16. The following apply to a building, a structure, a stand, or another retail building under IC 22-12-1-4(c) used primarily for the sale of goods or other items on property (as defined in IC 16-42-5.4-3.5):**

**(1) This section does not:**

**(A) authorize the placement of a building, structure, or stand within a public right-of-way, utility easement, or other restricted area in violation of applicable law;**

**(B) affect the authority of a county, municipality, or other local unit to regulate access to a road, including ingress and egress, driveway permits, curb cuts, or related requirements; or**

**(C) affect the authority of a county, municipality, or other local unit to enforce requirements concerning setbacks, parking, and signage.**

**(2) If the building, structure, or stand contains plumbing fixtures and is located within the boundaries of a sewer district or is otherwise eligible for connection to a public sewer system, the owner shall obtain a will-serve letter from the applicable sewer utility. If the building, structure, or stand is not located within a sewer district the owner must obtain:**

**(A) a new or modified septic construction permit issued by the local health department; or**

**(B) written verification from the local health department that the existing onsite sewage system has sufficient capacity to serve the building, structure, or stand.**

**(3) Compliance with this section does not require:**

**(A) classification as a Class 1 structure;**

**(B) a design release;**

**(C) plan review;**

**(D) a building permit; or**

**(E) a certificate of occupancy under this article."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1424 as reprinted January 21, 2026.)

BUCHANAN, Chairperson

Committee Vote: Yeas 10, Nays 0.

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