
HOUSE BILL No. 1424

AM142409 has been incorporated into January 21, 2026 printing.

Synopsis: Farm and homestead food sales.

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Reprinted
January 21, 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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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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 12-13-14-13, AS AMENDED BY P.L.13-2013,
2 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 13. (a) The division shall implement a program
4 that provides a farmers' market administrator or a retailer who sells
5 food at a farmers' market with a wired or wireless point of sale terminal
6 that is connected to the EBT system.

7 (b) **Subject to the availability of funding, the division shall**
8 **implement a program that provides:**
9 (1) **a homestead vendor (as defined in IC 16-42-5.4-1); and**
10 (2) **the owner of a small farm (as defined in IC 16-42-5.4-4);**
11 **with a wired or wireless point of sale terminal that is connected to**
12 **the EBT system.**

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

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- 1 occupied or used for handling food.
- 2 (b) The term does not include the following:
- 3 (1) A dwelling where food is prepared on the premises by the
- 4 occupants, free of charge, for their consumption or for
- 5 consumption by their guests.
- 6 (2) A gathering of individuals at a venue of an organization that
- 7 is organized for educational purposes in a nonpublic educational
- 8 setting or for religious purposes, if:
- 9 (A) the individuals separately or jointly provide or prepare,
- 10 free of charge, and consume their own food or that of others
- 11 attending the gathering; and
- 12 (B) the gathering is for a purpose of the organization.
- 13 Gatherings for the purpose of the organization include funerals,
- 14 wedding receptions, christenings, bar or bat mitzvahs, baptisms,
- 15 communions, and other events or celebrations sponsored by the
- 16 organization.
- 17 (3) A vehicle used to transport food solely for distribution to the
- 18 needy, either free of charge or for a nominal donation.
- 19 (4) A private gathering of individuals who separately or jointly
- 20 provide or prepare and consume their own food or that of others
- 21 attending the gathering, regardless of whether the gathering is
- 22 held on public or private property.
- 23 (5) Except for food prepared by a for-profit entity, a venue of the
- 24 sale of food prepared for an organization:
- 25 (A) that is organized for:
- 26 (i) religious purposes; or
- 27 (ii) educational purposes in a nonpublic educational
- 28 setting;
- 29 (B) that is exempt from taxation under Section 501 of the
- 30 Internal Revenue Code; and
- 31 (C) that offers the food for sale to the final consumer at an
- 32 event held for the benefit of the organization;
- 33 unless the food is being provided in a restaurant or a cafeteria
- 34 with an extensive menu of prepared foods.
- 35 (6) Except for food prepared by a for-profit entity, an Indiana
- 36 nonprofit organization that:
- 37 (A) is organized for civic, fraternal, veterans, or charitable
- 38 purposes;
- 39 (B) is exempt from taxation under Section 501 of the
- 40 Internal Revenue Code; and
- 41 (C) offers food for sale to the final consumer at an event
- 42 held for the benefit of the organization;

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1 if the events conducted by the organization take place for not
 2 more than fifteen (15) days in a calendar year.
 3 (7) The holder of a farm winery permit under IC 7.1-3-12-5 or a
 4 brewer's permit under IC 7.1-3-2-7(5) if the requirements of
 5 IC 16-42-5-30 are met.
 6 (8) A home based vendor or an individual vendor who sells a
 7 food product under IC 16-42-5.3.
 8 **(9) A homestead vendor (as defined in IC 16-42-5.4-1).**
 9 **(10) A small farm (as defined in IC 16-42-5.4-4).**
 10 SECTION 3. IC 16-18-2-172.5 IS ADDED TO THE INDIANA
 11 CODE AS A NEW SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2026]: **Sec. 172.5. "Homestead vendor", for**
 13 **purposes of IC 16-42-5.4, has the meaning set forth in**
 14 **IC 16-42-5.4-1.**
 15 SECTION 4. IC 16-18-2-222.5 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: **Sec. 222.5. "Meat product", for**
 18 **purposes of IC 16-42-5.4, has the meaning set forth in**
 19 **IC 16-42-5.4-2.**
 20 SECTION 5. IC 16-18-2-293.9 IS ADDED TO THE INDIANA
 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2026]: **Sec. 293.9. "Produce", for purposes**
 23 **of IC 16-42-5.4, has the meaning set forth in IC 16-42-5.4-3.**
 24 SECTION 6. IC 16-18-2-331.7 IS ADDED TO THE INDIANA
 25 CODE AS A NEW SECTION TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2026]: **Sec. 331.7. "Small farm", for**
 27 **purposes of IC 16-42-5.4, has the meaning set forth in**
 28 **IC 16-42-5.4-4.**
 29 SECTION 7. IC 16-19-3-4, AS AMENDED BY P.L.1-2025,
 30 SECTION 182, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) **Except as provided in**
 32 **IC 16-42-5.4**, the executive board may, by an affirmative vote of a
 33 majority of its members, adopt reasonable rules under IC 4-22-2 on
 34 behalf of the state department to protect or to improve the public health
 35 in Indiana.
 36 (b) The rules may concern but are not limited to the following:
 37 (1) Nuisances dangerous to public health.
 38 (2) The pollution of any water supply other than where
 39 jurisdiction is in the environmental rules board and department
 40 of environmental management.
 41 (3) The disposition of excremental and sewage matter.
 42 (4) The control of fly and mosquito breeding places.

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- 1 (5) The detection, reporting, prevention, and control of diseases
2 that affect public health.
- 3 (6) The care of maternity and infant cases and the conduct of
4 maternity homes.
- 5 (7) The production, distribution, and sale of human food.
- 6 (8) Except as provided in section 4.4 of this chapter, the conduct
7 of camps.
- 8 (9) Standards of cleanliness of eating facilities for the public.
- 9 (10) Standards of cleanliness of sanitary facilities offered for
10 public use.
- 11 (11) The handling, disposal, disinterment, and reburial of dead
12 human bodies.
- 13 (12) Vital statistics.
- 14 (13) Sanitary conditions and facilities in public buildings and
15 grounds, including plumbing, drainage, sewage disposal, water
16 supply, lighting, heating, and ventilation, other than where
17 jurisdiction is vested by law in the fire prevention and building
18 safety commission or other state agency.
- 19 (14) The design, construction, and operation of swimming and
20 wading pools. However, the rules governing swimming and
21 wading pools do not apply to a pool maintained by an individual
22 for the sole use of the individual's household and house guests.
- 23 **(15) Time temperature control for safety food.**
- 24 (c) The executive board shall adopt reasonable rules to regulate
25 the following:
- 26 (1) The sanitary operation of tattoo parlors.
- 27 (2) The sanitary operation of body piercing facilities.
- 28 (d) The executive board may adopt rules on behalf of the state
29 department for the efficient enforcement of this title, except as
30 otherwise provided. However, fees for inspections relating to weights
31 and measures may not be established by the rules.
- 32 (e) The executive board may declare that a rule described in
33 subsection (d) is necessary to meet an emergency and adopt the rule
34 under IC 4-22-2.
- 35 (f) The rules of the state department may not be inconsistent with
36 this title and or any other state law.
- 37 **(g) Rules adopted under subsection (b)(15) may not apply to a:**
38 **(1) homestead vendor (as defined in IC 16-42-5.4-1); or**
39 **(2) small farm (as defined in IC 16-42-5.4-4).**
- 40 SECTION 8. IC 16-42-5-0.2 IS ADDED TO THE INDIANA
41 CODE AS A NEW SECTION TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2026]: **Sec. 0.2. A person that:**

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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 16-42-5.4-4);
3 is exempt from the requirements of this chapter.

4 SECTION 9. IC 16-42-5.4 IS ADDED TO THE INDIANA CODE
5 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]:

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

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

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

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

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

26 **Sec. 3. As used in this chapter, "produce" means any**
27 **agricultural or naturally occurring product that is:**

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

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

- 34 (1) primary residence; or
- 35 (2) agricultural property.

36 **Sec. 4. As used in this chapter, "small farm" means land:**

- 37 (1) that is used primarily for growing crops or raising
- 38 livestock;
- 39 (2) from which a person prepares and sells food products;
- 40 and
- 41 (3) from which not more than one million five hundred
- 42 thousand dollars (\$1,500,000) in gross sales is received from:

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- 1 (A) meat products;
- 2 (B) cultivated or harvested crops; or
- 3 (C) the sale of food products;
- 4 in a single year.

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

- 10 (1) a homestead vendor; or
- 11 (2) an owner of a small farm;
- 12 that are not required under federal law.

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

- 16 (1) a homestead vendor; or
- 17 (2) an owner of a small farm;
- 18 regarding a foodborne illness derived from the homestead vendor
 19 or the owner of a small farm's food product.

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

- 22 (1) property (as defined in section 3.5 of this chapter); or
- 23 (2) a farmers market;
- 24 directly to an end consumer.

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

- 28 (1) Meat products:
 - 29 (A) raised at the individual's property; and
 - 30 (B) slaughtered, processed, and labeled in compliance
 31 with IC 15-17-5.
- 32 (2) Prepared foods, including baked goods.
- 33 (3) Candy.
- 34 (4) Produce.
- 35 (5) Natural sweeteners.
- 36 (6) Fruit spreads.

37 Sec. 7. (a) A homestead vendor or the owner of a small farm
 38 shall include a label for packaged homemade food products or a
 39 sign for unpackaged homemade food products that contains the
 40 following information:

- 41 (1) The name of the homestead vendor or the owner of the
 42 small farm that produced the homemade food product.

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- 1 **(2) The address of the homestead vendor or the owner of the**
- 2 **small farm that produced the homemade food product.**
- 3 **(3) The ingredients of the homemade food product, in**
- 4 **descending order by predominance by weight.**
- 5 **(4) A description of the homemade food product.**
- 6 **(5) A description of allergens that might have come in**
- 7 **contact with the homemade food product.**
- 8 **(6) The following statement in at least 10 point type: "This**
- 9 **product was produced by a homestead vendor or the owner**
- 10 **of a small farm that is exempt from government licensing**
- 11 **and inspection."**

12 **(b) A homestead vendor may not ship or deliver a food**

13 **product to an end consumer who is located outside Indiana.**

14 **Sec. 8. (a) If a homestead vendor or the owner of a small farm**

15 **obtains a food handler's certificate from a certificate issuer that is**

16 **accredited by the American National Standards Institute, then the**

17 **homestead vendor or the owner of a small farm may ship or deliver**

18 **a food product or meat product in a sealed package directly to an**

19 **end consumer.**

20 **(b) A homestead vendor or the owner of a small farm who does**

21 **not have a food handler's certificate may not ship or deliver a food**

22 **product or meat product.**

23 **(c) A homestead vendor or the owner of a small farm may not**

24 **ship or deliver a food product or meat product to an end consumer**

25 **who is located outside Indiana.**

26 **Sec. 9. (a) A homestead vendor or the owner of a small farm**

27 **who sells meat products from livestock under this chapter must**

28 **keep the meat products refrigerated in a manner consistent with**

29 **best food handling practices.**

30 **(b) A homestead vendor or the owner of a small farm who is**

31 **subject to section 8 of this chapter shall:**

- 32 **(1) handle;**
- 33 **(2) refrigerate;**
- 34 **(3) transport; and**
- 35 **(4) store;**

36 **the meat products or food products in a manner that prevents**

37 **contamination or adulteration.**

38 **SECTION 10. IC 22-11-17-1.5 IS ADDED TO THE INDIANA**

39 **CODE AS A NEW SECTION TO READ AS FOLLOWS**

40 **[EFFECTIVE JULY 1, 2026]: Sec. 1.5. A public building located on**

41 **a:**

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

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

4 SECTION 11. IC 22-12-1-4, AS AMENDED BY P.L.142-2013,
5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 4. (a) "Class 1 structure" means any part of the
7 following:

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

10 (A) The public.

11 (B) Three (3) or more tenants.

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

14 (2) A site improvement affecting access by persons with physical
15 disabilities to a building or structure described in subdivision
16 (1).

17 (3) Outdoor event equipment.

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

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

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

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

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

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

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

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

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

42 (1) the structure; or

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

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

9 (1) **This section does not:**
10 (A) **authorize the placement of a building, structure, or**
11 **stand within a public right-of-way, utility easement, or**
12 **other restricted area in violation of applicable law;**
13 (B) **affect the authority of a county, municipality, or**
14 **other local unit to regulate access to a road, including**
15 **ingress and egress, driveway permits, curb cuts, or**
16 **related requirements; or**
17 (C) **affect the authority of a county, municipality, or**
18 **other local unit to enforce requirements concerning**
19 **setbacks, parking, and signage.**

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

27 (A) **a new or modified septic construction permit issued**
28 **by the local health department; or**
29 (B) **written verification from the local health**
30 **department that the existing onsite sewage system has**
31 **sufficient capacity to serve the building, structure, or**
32 **stand.**

33 (3) **Compliance with this subsection does not require:**
34 (A) **classification as a Class 1 structure;**
35 (B) **a design release;**
36 (C) **plan review;**
37 (D) **a building permit; or**
38 (E) **a certificate of occupancy under this article.**

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