



January 14, 2026

SENATE BILL No. 144

DIGEST OF SB 144 (Updated January 13, 2026 8:27 am - DI 140)

Citations Affected: IC 7.1-7; IC 35-31.5; IC 35-46.

Synopsis: Tobacco products and vapor products. Increases the penalty for a person who: (1) makes a delivery sale of an e-liquid to an individual less than 21 years of age; (2) sells or distributes a tobacco product to a person less than 21 years of age; and (3) purchases a tobacco product for a person less than 21 years of age; from a Class C infraction to a Class B infraction. Makes it a Class B infraction for a person to make a delivery sale of a vapor product to an individual less than 21 years of age. Makes it a Class B infraction for a person to: (1) sell or distribute a vapor product to a person less than 21 years of age; and (2) purchase a vapor product for a person less than 21 years of age. Makes it a Class C infraction for a person less than 21 years of age to purchase, accept, or possess a vapor product.

Effective: July 1, 2026.

**Alexander, Freeman, Bohacek,
Koch, Deery**

January 5, 2026, read first time and referred to Committee on Corrections and Criminal Law.
January 13, 2026, reported favorably — Do Pass.

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January 14, 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.

SENATE BILL No. 144

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 7.1-7-6-5, AS AMENDED BY P.L.49-2020,
2 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 5. A person who knowingly or intentionally makes
4 a delivery sale of an e-liquid **or a vapor product** to an individual who
5 is less than twenty-one (21) years of age commits a ~~Class C~~ **Class B**
6 infraction.
- 7 SECTION 2. IC 35-31.5-2-345.4 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2026]: **Sec. 345.4. "Vapor product" means a**
10 **powered vaporizer that converts e-liquid to a vapor intended for**
11 **inhalation.**
- 12 SECTION 3. IC 35-46-1-10, AS AMENDED BY P.L.163-2025,
13 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2026]: Sec. 10. (a) A person may not be charged with a
15 violation under this section and a violation under IC 7.1-7-6-5.
- 16 (b) A person who knowingly:
17 (1) sells or distributes a tobacco product **or a vapor product** to

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1 a person less than twenty-one (21) years of age; or
 2 (2) purchases a tobacco product **or a vapor product** for delivery
 3 to another person who is less than twenty-one (21) years of age;
 4 commits a ~~Class C~~ **Class B** infraction. For a sale to take place under
 5 this section, the buyer must pay the seller for the tobacco product **or**
 6 **vapor product**.

7 (c) It is not a defense that the person to whom the tobacco product
 8 **or vapor product** was sold or distributed did not smoke, chew, inhale,
 9 or otherwise consume the tobacco product **or vapor product**.

10 (d) The following defenses are available to a person accused of
 11 selling or distributing a tobacco product **or a vapor product** to a
 12 person who is less than twenty-one (21) years of age:

13 (1) The buyer or recipient produced a driver's license bearing the
 14 purchaser's or recipient's photograph, showing that the purchaser
 15 or recipient was of legal age to make the purchase.

16 (2) The buyer or recipient produced a photographic identification
 17 card issued under IC 9-24-16-1, or a similar card issued under the
 18 laws of another state or the federal government, showing that the
 19 purchaser or recipient was of legal age to make the purchase.

20 (3) The appearance of the purchaser or recipient was such that an
 21 ordinary prudent person would believe that the purchaser or
 22 recipient was not less than thirty (30) years of age.

23 (e) It is a defense that the accused person sold or delivered the
 24 tobacco product **or vapor product** to a person who acted in the
 25 ordinary course of employment or a business concerning tobacco
 26 products **or vapor products** including the following activities:

27 (1) Agriculture.

28 (2) Processing.

29 (3) Transporting.

30 (4) Wholesaling.

31 (5) Retailing.

32 (f) As used in this section, "distribute" means to give a tobacco
 33 product **or a vapor product** to another person as a means of
 34 promoting, advertising, or marketing the tobacco product **or vapor**
 35 **product** to the general public.

36 (g) Unless the person buys or receives a tobacco product **or a vapor**
 37 **product** under the direction of a law enforcement officer as part of an
 38 enforcement action, a person who sells or distributes a tobacco product
 39 **or a vapor product** is not liable for a violation of this section unless
 40 the person less than twenty-one (21) years of age who bought or
 41 received the tobacco product **or vapor product** is issued a citation or
 42 summons under section 10.5 of this chapter.



(h) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle tobacco education and enforcement fund (IC 7.1-6-2-6).

SECTION 4. IC 35-46-1-10.5, AS AMENDED BY P.L.163-2025, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.5. (a) A person less than twenty-one (21) years of age who:

(1) purchases a tobacco product **or vapor product**;

(2) accepts a tobacco product **or vapor product** for personal use;

or

(3) possesses a tobacco product **or vapor product** on the person's person;

commits a Class C infraction.

(b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning a tobacco product **or vapor product** for the following activities:

(1) Agriculture.

(2) Processing.

(3) Transporting.

(4) Wholesaling.

(5) Retailing.

(c) A person less than twenty-one (21) years of age who has in the person's possession false or fraudulent evidence of majority or identity with the intent to purchase a tobacco product **or vapor product** commits a Class C infraction.



COMMITTEE REPORT

Mr. President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 144, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 144 as introduced.)

FREEMAN, Chairperson

Committee Vote: Yeas 7, Nays 0

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