

LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT

LS 6335
BILL NUMBER: SB 144

NOTE PREPARED: Feb 24, 2026
BILL AMENDED: Feb 23, 2026

SUBJECT: Tobacco Products, THC, and Vapor Devices.

FIRST AUTHOR: Sen. Alexander
FIRST SPONSOR: Rep. Rowray

BILL STATUS: As Passed House

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: *Sale or Distribution to Minors* - This bill makes it a Class B misdemeanor to sell a THC containing product to a minor.

The bill 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.

The bill makes it a Class B infraction for a person to make a delivery sale of a vapor device to an individual less than 21 years of age.

The bill makes it a Class B infraction for a person to: (1) sell or distribute a vapor device to a person less than 21 years of age; and (2) purchase a vapor device for a person less than 21 years of age.

Possession by a Minor - The bill makes it a Class C infraction for a person less than 21 years of age to purchase, accept, or possess a vapor device.

Advertising Near Schools - The bill also prohibits a person from advertising an e-liquid or a vapor product, by any medium, within 1,000 feet of school property.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Alcohol and Tobacco Commission (ATC):* The ATC would enforce the provisions prohibiting sales of e-liquids, vapor devices, and THC to people under age 21. This enforcement would be done within current resources.

Explanation of State Revenues: *Sale or Distribution to Minors:* The bill increases the penalty for a person to sell or distribute tobacco products to a person less than 21 years of age from a Class C infraction to a Class B infraction. It also expands the provision to include vapor devices. Civil penalties for violations of this

provision would be deposited in the Richard D. Doyle Tobacco Education and Enforcement Fund. The bill would increase civil penalty revenue to the fund, but the revenue increase is expected to be small. [In FY 2025, the fund received \$359,350 in youth tobacco fines.]

Infractions: The bill would increase Class B infractions from the following violations:

- (1) Making a delivery sale of a vapor device to a person less than 21 years of age;
- (2) Selling or distributing a vapor device to a person less than 21 years of age; and
- (3) Purchasing a vapor device for a person less than 21 years of age.

The bill would also increase Class C infractions for a person less than 21 years of age to purchase, accept, or possess a vapor device and for a person who advertises an e-liquid or a vapor product within 1,000 feet of a school property.

The increased revenue from Class C and B infractions is expected to be small. The maximum judgment for a Class C infraction is \$500 and a Class B infraction is \$1,000, which would be deposited in the state General Fund. Fee revenue per case ranges from \$85.50 and \$103, depending on whether the case is filed in a court of record or a municipal court.

Criminal Penalties: A person who sells THC to a minor would commit a Class B misdemeanor, which may be upgraded to a Class A misdemeanor if there is a prior or a Level 6 felony if there is serious bodily injury or death. In addition, if a person violates the bill's provision of advertising an e-liquid or a vapor product within 1,000 feet of a school property with a prior, the violation is a Class C misdemeanor instead of a Class C infraction.

If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class C misdemeanor is \$500, a Class B misdemeanor is \$1,000, a Class A misdemeanor is \$5,000, and a Level 6 felony is \$10,000. The total fee revenue per case would range between \$113 and \$138. The amount of court fees deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

Explanation of Local Expenditures: *Criminal Penalties:* A Class C misdemeanor is punishable by up to 60 days in jail, a Class B misdemeanor is punishable by up to 180 days in jail, and a Class A misdemeanor is punishable by up to a year in jail.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions result in a guilty verdict, certain local units will collect more revenue. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

State Agencies Affected: Alcohol and Tobacco Commission.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual.

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