

SENATE BILL No. 190

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2; IC 35-43-4-10.

Synopsis: Crimes concerning gift cards. Establishes the offenses of gift card theft, a Class A misdemeanor, and gift card fraud, a Level 6 felony.

Effective: July 1, 2026.

Carrasco, Walker K

January 6, 2026, read first time and referred to Committee on Corrections and Criminal Law.



Introduced

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. 190

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 35-31.5-2-67.7 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 67.7. "Counterfeit gift card"**, for
4 **purposes of IC 35-43-4-10**, has the meaning set forth in
5 **IC 35-43-4-10(a)**.

6 SECTION 2. IC 35-31.5-2-143.6 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2026]: **Sec. 143.6. "Gift card"**, for purposes
9 **of IC 35-43-4-10**, has the meaning set forth in **IC 35-43-4-10(a)**.

10 SECTION 3. IC 35-31.5-2-143.8 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: **Sec. 143.8. "Gift card redemption**
13 **information"**, for purposes of **IC 35-43-4-10**, has the meaning set
14 **forth in IC 35-43-4-10(a)**.

15 SECTION 4. IC 35-43-4-10 IS ADDED TO THE INDIANA CODE
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2026]: **Sec. 10. (a) The following definitions apply throughout**



1 this section:

2 (1) "Counterfeit gift card" means:
3 (A) an object that is not a gift card but contains identifying
4 information that purports to be a gift card; or
5 (B) a gift card that has been tampered with or altered.

6 (2) "Gift card" means a card, code, or other object that is:
7 (A) activated or inactive;
8 (B) issued on a prepaid basis in a specified amount; and
9 (C) redeemable for specified goods or services.

10 (3) "Gift card redemption information" means:
11 (A) the digital data contained within a gift card's magnetic
12 strip or chip; or
13 (B) information that is unique to a gift card that allows a
14 person to access, transfer, or spend the funds that are on
15 the gift card.

16 (b) A person who knowingly or intentionally exerts
17 unauthorized control over:

18 (1) a gift card; or
19 (2) gift card redemption information;

20 commits gift card theft, a Class A misdemeanor. However, the
21 offense is a Level 6 felony if the person has a prior unrelated
22 conviction under this subsection.

23 (c) A person who knowingly or intentionally:

24 (1) creates or possesses a counterfeit gift card;
25 (2) places a counterfeit gift card in a retail location where a
26 consumer would customarily purchase a gift card; or
27 (3) tampers with a gift card or gift card redemption
28 information;

29 commits gift card fraud, a Level 6 felony. However, the offense is
30 a Level 5 felony if the person has a prior unrelated conviction
31 under this subsection.

