

# SENATE BILL No. 190

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## 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.

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## Carrasco, Walker K

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

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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.

