

SENATE BILL No. 250

DIGEST OF INTRODUCED BILL

Citations Affected: IC 7.1-1-3-46.5; IC 7.1-5; IC 7.1-7-3-4; IC 7.1-8; IC 9-13-2; IC 15-15-13; IC 16-31-3-14; IC 22-15-5-16; IC 24-4; IC 25-1-1.1-2; IC 34-30-2.1; IC 35-31.5-2; IC 35-46-1-11.7; IC 35-48; IC 35-52-7.

Synopsis: Hemp. Defines "THC" for purposes of alcohol and tobacco law. Changes certain crimes concerning alcohol to include products containing THC. Allows certain law enforcement officers to engage certain minors to purchase a THC product as part of a law enforcement action. Creates: (1) manufacturer permits; (2) distributor permits; (3) retail permits; and (4) carrier permits; for hemp derived cannabinoid products. Requires the alcohol and tobacco commission (commission) to enforce and administer the hemp derived cannabinoid products law. Creates the hemp derived cannabinoid products fund to provide funding for: (1) the commission; (2) state police department tools and programs; (3) local law enforcement agencies for roadside cannabis and hemp testing; and (4) prosecuting attorneys for training programs and certain court costs. Prohibits the sale of hemp derived cannabinoid products online. Provides that a person who knowingly or intentionally
(Continued next page)

Effective: July 1, 2026.

Freeman, Carrasco

January 8, 2026, read first time and referred to Committee on Commerce and Technology.



sells a hemp derived cannabinoid product to a person less than 21 years of age commits a Class A misdemeanor. Provides advertising restrictions for hemp derived cannabinoid products. Requires testing of hemp derived cannabinoid products. Creates a crime regarding transporting of hemp derived cannabinoid products. Creates a crime concerning counterfeit permits. Creates a process to deposit an unused permit. Removes references to "delta-9-tetrahydrocannabinol" in certain crimes. Modifies definitions of "hemp". Modifies the definitions of "marijuana" and "smokable hemp" for purposes of the criminal law code. Repeals the: (1) distribution of low THC hemp extract chapters; and (2) low THC hemp extract sales chapter. Provides that for purposes of Title 9, "schedule I drug" includes marijuana, hemp, and tetrahydrocannabinol. Defines "intoxicated" to include being under the influence of tetrahydrocannabinol. Requires the state seed commissioner (commissioner) to develop a portal and make certain reports. Provides that state industrial hemp programs may not operate above federal restrictions or limitations. Provides that the commissioner may issue a hemp grower's license and a hemp handler's license. Provides that nothing in IC 7.1 and IC 15 may be construed under the "inclusio unius, extenion alterius" canon of construction that marijuana has been legalized. Provides that a retail establishment in which tobacco and products containing THC account for 85% of the establishment's gross sales may not allow an individual under 21 years of age to enter the establishment (current law is limited to tobacco products). Specifies details of the licensure requirements and duties of the licensees. Adds federal definitions of certain hemp terms to Title 35. Makes an appropriation.



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. 250

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
4 **tetrahydrocannabinol.**
5 SECTION 2. IC 7.1-5-7-7, AS AMENDED BY P.L.159-2014,
6 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C
8 misdemeanor for a minor to knowingly:
9 (1) possess an alcoholic beverage **or a product containing THC;**
10 (2) consume an alcoholic beverage **or a product containing**
11 **THC; or**
12 (3) transport an alcoholic beverage **or a product containing**
13 **THC** on a public highway when not accompanied by at least one
14 (1) of the minor's parents or guardians.
15 (b) If a minor is found to have violated subsection (a)(2) or (a)(3)



1 while operating a vehicle, the court may order the minor's driving
 2 privileges suspended for up to one (1) year. However, if the minor is
 3 less than eighteen (18) years of age, the court shall order the minor's
 4 driving privileges suspended for at least sixty (60) days.

5 (c) The court shall deliver any order suspending a minor's driving
 6 privileges under this section to the bureau of motor vehicles, which
 7 shall suspend the minor's driving privileges under IC 9-24-18-12.2 for
 8 the period ordered by the court.

9 SECTION 3. IC 7.1-5-7-8, AS AMENDED BY P.L.32-2019,
 10 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2026]: Sec. 8. (a) It is a Class B misdemeanor for a person to
 12 recklessly, knowingly, or intentionally sell, barter, exchange, provide,
 13 or furnish an alcoholic beverage **or a product containing THC** to a
 14 minor.

15 (b) However, the offense described in subsection (a) is:

16 (1) a Class A misdemeanor if the person has a prior unrelated
 17 conviction under this section; and

18 (2) a Level 6 felony if the consumption, ingestion, or use of the
 19 alcoholic beverage **or product containing THC** is the proximate
 20 cause of the serious bodily injury or death of any person.

21 (c) A person who knowingly or intentionally:

22 (1) rents property; or

23 (2) provides or arranges for the use of property;

24 for the purpose of allowing or enabling a minor to consume an
 25 alcoholic beverage **or a product containing THC** on the property
 26 commits a Class C infraction. However, the violation is a Class B
 27 misdemeanor if the person has a prior unrelated adjudication or
 28 conviction for a violation of this section within the previous five (5)
 29 years.

30 (d) This section shall not be construed to impose civil liability upon
 31 any postsecondary educational institution, including public and private
 32 universities and colleges, business schools, vocational schools, and
 33 schools for continuing education, or its agents for injury to any person
 34 or property sustained in consequence of a violation of this section
 35 unless the institution or its agent:

36 (1) sells, barter, exchanges, provides, or furnishes an alcoholic
 37 beverage **or a product containing THC** to a minor; or

38 (2) either:

39 (A) rents property; or

40 (B) provides or arranges for the use of property;

41 for the purpose of allowing or enabling a minor to consume an
 42 alcoholic beverage **or a product containing THC** on the



property.

SECTION 4. IC 7.1-5-7-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 18. (a) A law enforcement officer vested with full police powers and duties may engage an individual who is:**

(1) at least sixteen (16) years of age; and

(2) less than twenty-one (21) years of age;

to receive or purchase a product that contains any amount of THC as part of an enforcement action under this article.

(b) The initial or contemporaneous receipt or purchase of a product that contains any amount of THC must:

(1) occur under the direction of a law enforcement officer vested with full police powers and duties; and

(2) be a part of the enforcement action.

SECTION 5. IC 7.1-5-10-15, AS AMENDED BY P.L.159-2014, SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 15. (a) A person who, knowing that another person is intoxicated, sells, barter, delivers, or gives away an alcoholic beverage or a product containing THC to the intoxicated person commits a Class B misdemeanor.**

(b) In any civil proceeding in which damages are sought from a permittee or a permittee's agent for the refusal to serve a person an alcoholic beverage or a product containing THC, it is a complete defense if the permittee or agent reasonably believed that the person was intoxicated or was otherwise not entitled to be served an alcoholic beverage or a product containing THC.

(c) After charges have been filed against a person for a violation of subsection (a), the prosecuting attorney shall notify the commission of the charges filed.

SECTION 6. IC 7.1-5-10-15.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 15.5. (a) As used in this section, "furnish" includes barter, deliver, sell, exchange, provide, or give away.**

(b) A person who furnishes an alcoholic beverage or a product containing THC to a person is not liable in a civil action for damages caused by the impairment or intoxication of the person who was furnished the alcoholic beverage or product containing THC unless:

(1) the person furnishing the alcoholic beverage or product containing THC had actual knowledge that the person to whom the alcoholic beverage or product containing THC was furnished was visibly intoxicated at the time the alcoholic beverage or product containing THC was furnished; and



(2) the intoxication of the person to whom the alcoholic beverage
or product containing THC was furnished was a proximate
 cause of the death, injury, or damage alleged in the complaint.

(c) If a person who is at least twenty-one (21) years of age suffers
 injury or death proximately caused by the person's voluntary
 intoxication, the:

- (1) person;
- (2) person's dependents;
- (3) person's personal representative; or
- (4) person's heirs;

may not assert a claim for damages for personal injury or death against
 a person who furnished an alcoholic beverage **or a product containing
 THC** that contributed to the person's intoxication, unless subsections
 (b)(1) and (b)(2) apply.

SECTION 7. IC 7.1-7-3-4 IS ADDED TO THE INDIANA CODE
 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 1, 2026]: **Sec. 4. An e-liquid that is a hemp derived cannabinoid
 product is subject to this article and IC 7.1-8.**

SECTION 8. IC 7.1-8 IS ADDED TO THE INDIANA CODE AS A
NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 2026]:

ARTICLE 8. HEMP DERIVED CANNABINOID PRODUCTS

Chapter 1. Applicability, Purpose, and Effective Date

Sec. 1. This article is effective October 1, 2026.

**Sec. 2. (a) This article does not limit the powers or duties of the
 commission under IC 7.1-2.**

**(b) This article may not be construed to restrict or limit any law
 under IC 35-48.**

**Sec. 3. The purpose of this article is to promote the health and
 safety of hemp derived cannabinoid products by:**

- (1) ensuring hemp derived cannabinoid products sold in
 Indiana meet federal laws and regulations;**
- (2) creating a permitting scheme for hemp derived
 cannabinoid products in Indiana so that hemp derived
 cannabinoid products may be sold and have law enforcement
 oversight; and**
- (3) requiring persons distributing hemp derived cannabinoid
 products in Indiana to have valid permits and to submit an
 applicable certificate of analysis to the commission.**

Chapter 2. Definitions

**Sec. 1. The definitions in this chapter apply throughout this
 article.**



1 **Sec. 2. "Batch" means a specific quantity of a specific product**
 2 **containing cannabinoids derived from hemp that is:**

3 (1) manufactured at the same time;

4 (2) manufactured using the same:

5 (A) methods;

6 (B) equipment; and

7 (C) ingredients;

8 that are uniform and intended to meet specifications for
 9 identity, strength, purity, and composition; and

10 (3) manufactured, packaged, and labeled according to a single
 11 batch production record that is:

12 (A) executed; and

13 (B) documented.

14 **Sec. 3. "CBD product" means a product that contains a**
 15 **cannabinol or cannabigerol but does not contain**
 16 **tetrahydrocannabinol.**

17 **Sec. 4. (a) "Hemp derived cannabinoid product" or "hemp**
 18 **product" means a product derived from, or made by, processing**
 19 **hemp plants or hemp plant parts including derivatives, extracts,**
 20 **cannabinoids, isomers, acids, salts, and salts of isomers.**

21 **(b) The term includes any intermediate or final product derived**
 22 **from hemp, other than industrial hemp, that:**

23 (1) contains cannabinoids in any form; and

24 (2) is intended for human or animal use through any means of
 25 application or administration including:

26 (A) inhalation;

27 (B) ingestion; or

28 (C) topical application.

29 **(c) The term includes cannabidiol, also known as CBD, and all**
 30 **products made from CBD.**

31 **(d) The term does not include:**

32 (1) smokable hemp (as defined in IC 35-48-1.1-38);

33 (2) products that contain a total tetrahydrocannabinol
 34 concentration of more than three-tenths of one percent (0.3%)
 35 on a dry weight basis; or

36 (3) a drug that is the subject of an application approved under
 37 subsection (c) or (j) of Section 505 of the federal Food, Drug,
 38 and Cosmetic Act (21 U.S.C. 355).

39 **Sec. 5. "Hemp distributor" means a person who distributes**
 40 **hemp derived cannabinoid products and has a permit under**
 41 **IC 7.1-8-10.**

42 **Sec. 6. "Hemp manufacturer" means a person who produces**



1 hemp derived cannabinoid products and has a permit under
2 IC 7.1-8-9.

3 Sec. 7. "Hemp permit holder" means a person who holds a
4 permit under IC 7.1-8-9, IC 7.1-8-10, or IC 7.1-8-11.

5 Sec. 8. "Hemp retailer" means a person who sells or dispenses
6 a hemp derived cannabinoid product and has a permit under
7 IC 7.1-8-11.

8 Sec. 9. "Marijuana" has the meaning set forth in
9 IC 35-48-1.1-29.

10 Sec. 10. "Permit holder" means a person who holds a valid
11 permit issued under this article.

12 Chapter 3. Commission Duties

13 Sec. 1. The commission shall enforce and administer this article.

14 Sec. 2. The commission shall:

- 15 (1) issue permits under this article;
- 16 (2) assess fees to permit holders;
- 17 (3) approve or deny permit applications;
- 18 (4) create an online data base for permit information,
19 certificate of analysis information, and other information
20 related to hemp in Indiana;
- 21 (5) monitor all permit holders;
- 22 (6) monitor all hemp derived cannabinoid products
23 manufactured in Indiana;
- 24 (7) test all hemp derived cannabinoid products as necessary
25 to ensure compliance with this article;
- 26 (8) train excise officers to implement and enforce this article;
27 and
- 28 (9) create an affidavit for purposes of IC 7.1-8-6-2(a).

29 Sec. 3. The commission may audit the records of a permit holder
30 at any time to ensure compliance with:

- 31 (1) this article;
- 32 (2) rules adopted by the commission;
- 33 (3) permit requirements; and
- 34 (4) permit conditions.

35 Sec. 4. (a) The commission may inspect a permit holder's:

- 36 (1) records;
- 37 (2) property, including vehicles;
- 38 (3) hemp; and
- 39 (4) hemp derived cannabinoid products.

40 (b) The commission may conduct an inspection under this
41 section independently or in cooperation with:

- 42 (1) the state police department;



(2) a federal law enforcement agency; or

(3) a local law enforcement agency.

Chapter 4. Prescription Drugs

Sec. 1. This article does not apply to the sale or possession of the following:

(1) Marinol.

(2) Syndros.

(3) Cesamet.

(4) Epidiolex.

Sec. 2. An individual who is less than twenty-one (21) years of age may purchase and possess a CBD product.

Chapter 5. Permit Applications

Sec. 1. The commission may:

(1) consider;

(2) approve;

(3) deny; or

(4) renew;

an application to manufacture, distribute, or sell a hemp derived cannabinoid product.

Sec. 2. If an applicant intentionally misstates a material fact in an application for a permit under this chapter, the commission shall deny the application.

Sec. 3. (a) An application for a permit under this article must include the following:

(1) The name of the applicant.

(2) The address of the premises to which the permit will be applicable.

(3) A nonrefundable fee of two hundred fifty dollars (\$250).

(4) The name under which the applicant transacts or intends to transact business.

(5) The address of the applicant.

(6) An express statement of the applicant that the applicant consents for the duration of the permit term and one (1) year after the permit expires, to the entrance, inspection, and search by an enforcement officer, without a warrant, of the licensed premises and vehicles to determine whether the applicant is complying with this article. The applicant's consent required by this section is renewed and continued by the retention of a permit or its use by the applicant.

(7) A signed statement by the applicant, under the penalties of perjury, that the individual applying for the permit has not been convicted, in the previous five (5) years, of:



- 1 (A) a federal crime having a sentence of at least one (1)
- 2 year;
- 3 (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony
- 4 under Indiana law;
- 5 (C) a drug related Level 6 felony or misdemeanor;
- 6 (D) a crime in a state other than Indiana having a penalty
- 7 equal to the penalty for a Level 1, Level 2, Level 3, Level 4,
- 8 or Level 5 felony; or
- 9 (E) a drug related felony or misdemeanor in a state other
- 10 than Indiana.
- 11 (8) A written consent for the state police department to
- 12 conduct a state or national criminal history background check
- 13 of the applicant.
- 14 (b) The commission shall deposit an application fee received
- 15 under subsection (a)(3) in the hemp derived cannabinoid products
- 16 fund established by IC 7.1-8-16.
- 17 Sec. 4. (a) Upon receipt of a permit application under this
- 18 chapter, the commission shall forward a copy of the application to
- 19 the state police department.
- 20 (b) The state police department shall do the following:
- 21 (1) Perform a state or national criminal history background
- 22 check of the applicant.
- 23 (2) Determine if the applicant was convicted, in the previous
- 24 five (5) years, of:
- 25 (A) a federal crime having a sentence of at least one (1)
- 26 year;
- 27 (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony
- 28 under Indiana law;
- 29 (C) a drug related Level 6 felony or misdemeanor;
- 30 (D) a crime in a state other than Indiana having a penalty
- 31 equal to the penalty for a Level 1, Level 2, Level 3, Level 4,
- 32 or Level 5 felony; or
- 33 (E) a drug related felony or misdemeanor in a state other
- 34 than Indiana.
- 35 (3) Return the application to the commission with the state
- 36 police department's determinations and a copy of the state or
- 37 national criminal history background check.
- 38 (c) The commission shall review a permit application and
- 39 criminal background check information returned from the state
- 40 police department.
- 41 (d) If the commission determines that all the requirements
- 42 under this chapter have been met and that a permit should be



1 granted to the applicant, the commission shall approve the
2 application for issuance of a permit.

3 Sec. 5. (a) The commission may not issue a permit under this
4 chapter to an individual who:

- 5 (1) is less than twenty-one (21) years of age;
- 6 (2) is not registered with the secretary of state to do business
7 in Indiana;
- 8 (3) has or had an interest in a hemp permit, an alcohol permit,
9 or a tobacco permit that has been revoked by the commission
10 in the previous five (5) years;
- 11 (4) does not have lawful status (as defined in IC 9-13-2-92.3);
- 12 (5) has been convicted within five (5) years, and the conviction
13 has not been expunged under IC 35-38-9, before the date of
14 application of:
- 15 (A) a federal crime having a sentence of at least one (1)
16 year;
- 17 (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony
18 under Indiana law;
- 19 (C) a drug related Level 6 felony or misdemeanor;
- 20 (D) a crime in a state other than Indiana having a penalty
21 equal to the penalty for a Level 1, Level 2, Level 3, Level 4,
22 or Level 5 felony; or
- 23 (E) a drug related felony or misdemeanor in a state other
24 than Indiana;
- 25 (6) is non compos mentis; or
- 26 (7) has made an application for a permit under this article
27 that has been denied less than one (1) year prior to the
28 person's application for a hemp permit unless the first
29 application was denied by reason of a procedural or technical
30 defect.

31 (b) Subsection (a)(1) does not prevent a minor from being a
32 stockholder in a corporation.

33 Sec. 6. (a) A permit issued by the commission under this article
34 must contain the following information:

- 35 (1) The permit number.
- 36 (2) The permit holder's name.
- 37 (3) The permanent location of the business for which the
38 permit is issued.
- 39 (4) The expiration date of the permit.
- 40 (b) A permit issued under this article is:
- 41 (1) valid for one (1) year after the date of issuance, unless the
42 commission suspends or revokes the permit; and



(2) nontransferable.

Sec. 7. The commission may adopt rules under IC 4-22-2 to establish procedures for the issuance, renewal, reinstatement, and maintenance of a permit under this article.

Chapter 6. Permits

Sec. 1. The commission may adopt rules under IC 4-22-2 concerning permits issued under this article.

Sec. 2. (a) If a permit holder sells a hemp business and permit issued under this article, the new owner:

(1) must also file a new application for that type of hemp permit that the previous owner held;

(2) is subject to all of the rules and regulations that applied to the previous permit holder; and

(3) must provide the commission with proof of the sale, including:

(A) a purchase agreement; or

(B) an affidavit signed by the applicant on the form described in IC 7.1-8-3-2(9).

(b) The previous permit holder's permit is void after the later of the following:

(1) The date of the sale of the business.

(2) The date of the transfer of the business.

Sec. 3. (a) A separate permit is required for each location in which a hemp derived cannabinoid product is manufactured, distributed, or sold.

(b) A person may have multiple permits for manufacturing, distributing, or retail selling of hemp, but a person may not have both:

(1) manufacturing and distribution permits;

(2) manufacturing and retail permits; or

(3) distribution and retail permits.

Sec. 4. A person who has been approved to be a hemp permit holder must conspicuously display the holder's hemp permit on the holder's premises, and keep the permit posted and displayed, as soon as the commission has approved the permit and as long as the permit is valid.

Sec. 5. The commission shall not issue more than one (1) type of permit under this article to a person.

Chapter 7. Deposit of Permits

Sec. 1. (a) If a permit holder is unable to immediately operate the business for which the permit was issued, the permit holder shall deposit the permit with the commission, subject to the



commission's approval. The commission may approve the deposit of the permit for the following terms:

(1) An initial term of deposit that expires twenty-four (24) months after the date of the commission's approval.

(2) An extension of the term of deposit that expires twelve (12) months after the date the initial term of deposit under subdivision (1) expires.

(3) An extension of the term of deposit that expires twelve (12) months after the date the initial term of deposit under subdivision (2) expires.

(4) An extension of the term of deposit that expires twelve (12) months after the date the initial term of deposit under subdivision (3) expires.

(b) If the permit has not expired or reverted to the commission, a permit holder may withdraw a permit that is deposited with the commission and make the permit active at any time before the term of deposit expires, subject to any requirements of the commission.

Sec. 2. (a) A permit reverts to the commission if:

(1) a term of deposit under section 1(a) of this chapter expires without the commission approving an extension of the term; and

(2) the permit is not active.

(b) At least ninety (90) days before the date that a term of deposit expires, the commission shall provide written notice to the permit holder of the date that:

(1) the term of deposit expires; and

(2) the permit will revert to the commission if:

(A) the permit is not active; or

(B) an extension of the term of deposit has not been approved by the commission.

Sec. 3. This section sets out the procedure for a permit holder to request deposit of a permit or extension of a term of deposit. A permit holder must do the following:

(1) Submit the permit holder's request for deposit or an extension of the term of deposit to the commission in writing. A permit holder must submit a request for extension at least sixty (60) days before the term of deposit expires.

(2) To make an initial request for deposit of a permit, submit documentation of the following:

(A) The specific reasons why the business for which the permit was issued is not immediately operational.



- 1 (B) A timetable for making the business and the permit
- 2 active.
- 3 (C) A detailed statement of the permit holder's efforts to
- 4 make the business operational and the permit active.
- 5 (3) To request an extension of a term of deposit, appear at a
- 6 public meeting of the commission and provide to the
- 7 commission's satisfaction an explanation of the following:
- 8 (A) The specific reasons why the business for which the
- 9 permit was issued is not immediately operational.
- 10 (B) A timetable for making the business operational and
- 11 the permit active.
- 12 (C) A detailed statement of the permit holder's efforts to
- 13 make the business operational and the permit active.
- 14 (4) Submit to the commission any other documentation of the
- 15 permit holder's efforts under subdivision (3)(C), including:
- 16 (A) contracts for construction or renovation of the permit
- 17 premises;
- 18 (B) zoning applications and approvals; and
- 19 (C) building permits and any other necessary government
- 20 approvals.
- 21 (5) If the commission approves the permit holder's initial
- 22 request for deposit or request for an extension of a term of
- 23 deposit, pay any permit renewal fees that are due.
- 24 **Sec. 4. The commission shall send a notice by mail or electronic**
- 25 **mail to a person of:**
- 26 (1) the commission's approval or denial of a request for
- 27 deposit or extension of a term of deposit; and
- 28 (2) if the permit holder's request is approved:
- 29 (A) the date that the term of deposit expires; and
- 30 (B) any fees that are due and payable by the permit holder.
- 31 **A person adversely affected by the commission's determination**
- 32 **under this chapter may seek judicial review of the determination**
- 33 **under IC 4-21.5.**
- 34 **Sec. 5. (a) This section applies to a permit deposited with the**
- 35 **commission that has never been put into operation by the permit**
- 36 **holder.**
- 37 (b) The commission may not accept an application for transfer
- 38 of ownership of the permit except upon a showing to the
- 39 satisfaction of the commission of both of the following:
- 40 (1) Exceptional and unusual circumstances that necessitate a
- 41 transfer of ownership of the permit, including bankruptcy or
- 42 death of the permit holder.



(2) That the permit holder does not intend to speculatively sell the permit. Evidence of the permit holder's intent may be shown by submitting to the commission documentation showing that the proposed sale price for the permit does not exceed the amount that the permit holder paid to the commission or the previous permit holder for the permit.

Chapter 8. Suspension, Revocation, and Reinstatement of Permits

Sec. 1. (a) The commission may suspend or revoke a hemp permit if the permit holder fails to pay a civil penalty ordered by the commission.

(b) Before enforcing the imposition of a civil penalty or suspending or revoking a hemp permit, the commission shall:

(1) provide written notice of the alleged violation to the permit holder; and

(2) conduct a hearing.

(c) If the commission:

(1) imposes a civil penalty; or

(2) suspends or revokes a hemp permit;

the commission shall issue a written notice to the permit holder within ten (10) business days.

(d) The commission shall suspend a hemp permit if the commission finds by a preponderance of the evidence that the permit holder has committed a crime or that a crime was committed on the premises of the hemp permit holder.

Sec. 2. (a) If a permit has expired or been suspended under this article, the commission may not reinstate or renew the permit until the permit holder has paid all civil penalties imposed by the commission.

(b) The failure to pay a civil penalty described in subsection (a), after ninety (90) days, is a Class B infraction.

(c) If the commission has revoked a hemp permit, the commission may not reinstate or renew the permit until at least one hundred eighty (180) days after the revocation. The commission may reinstate an expired or revoked permit if the applicant demonstrates that the applicant will:

(1) exercise due diligence on the applicant's premises; and

(2) properly supervise and train the applicant's employees or agents that will handle the hemp derived cannabinoid products.

(d) If a permit is reinstated or renewed under this section, the applicant must pay a new nonrefundable application fee of two



1 hundred fifty dollars (\$250).

2 (e) As a condition of reinstatement of a hemp permit, the permit
3 holder must train its employees on the laws and rules governing the
4 proper handling of hemp derived cannabinoid products in Indiana.

5 Chapter 9. Manufacturer Permits

6 Sec. 1. A person shall not manufacture a hemp derived
7 cannabinoid product without holding a valid hemp manufacturer
8 permit issued by the commission.

9 Sec. 2. (a) The commission may issue a hemp derived
10 cannabinoid products manufacturer permit only to a person who:

11 (1) intends to manufacture hemp derived cannabinoid
12 products;

13 (2) owns or operates a premises consisting of a permanent
14 building or structures in which hemp derived cannabinoid
15 products can be manufactured; and

16 (3) meets the commission's requirements for a hemp derived
17 cannabinoid products manufacturer permit.

18 (b) The commission shall charge one thousand dollars (\$1,000)
19 for a hemp derived cannabinoid products manufacturer permit
20 annually.

21 (c) A hemp manufacturer may only sell hemp derived
22 cannabinoid products to a hemp distributor permit holder.

23 Chapter 10. Distributor Permits

24 Sec. 1. (a) A person shall not purchase hemp derived
25 cannabinoid products from a hemp manufacturer without holding
26 a valid hemp distributor permit issued by the commission.

27 (b) A person shall not sell hemp derived cannabinoid products
28 to a hemp retailer without holding a valid hemp distributor permit
29 issued by the commission.

30 (c) A person shall not distribute hemp derived cannabinoid
31 products without holding a valid hemp distributor permit issued by
32 the commission.

33 Sec. 2. (a) The commission may issue a hemp distributor permit
34 to a person who intends to distribute hemp derived cannabinoid
35 products and meets the commission's requirements for a hemp
36 derived cannabinoid products distributor permit.

37 (b) The commission shall charge seven hundred fifty dollars
38 (\$750) for a hemp distributor permit annually.

39 (c) A hemp distributor may only sell hemp derived cannabinoid
40 products to a hemp retail permit holder.

41 (d) A hemp distributor may only buy hemp derived cannabinoid
42 products from a hemp manufacturer permit holder.



1 **Sec. 3. (a) A tax is imposed on the distribution of hemp derived**
 2 **cannabinoid products at five percent (5%) of the wholesale price**
 3 **of the hemp derived cannabinoid product.**

4 **(b) A hemp distributor is liable for the tax imposed under**
 5 **subsection (a) and shall pay it to the commission.**

6 **(c) The commission shall deposit the tax collected under**
 7 **subsection (a) in the hemp derived cannabinoid products fund**
 8 **established by IC 7.1-8-16.**

9 **Chapter 11. Retail Permits**

10 **Sec. 1. (a) A hemp retail permit holder under this chapter may**
 11 **only purchase hemp from a hemp distributor holding a valid hemp**
 12 **distributor permit issued by the commission.**

13 **(b) A person may only purchase hemp derived cannabinoid**
 14 **products from a hemp distributor if the person holds a hemp retail**
 15 **permit.**

16 **(c) A person may only sell:**

17 **(1) a hemp derived cannabinoid product; and**

18 **(2) a CBD product;**

19 **to a member of the public if the person holds a valid hemp derived**
 20 **cannabinoid products retail permit issued by the commission.**

21 **Sec. 2. (a) The commission may issue a hemp derived**
 22 **cannabinoid products retail permit to a person who:**

23 **(1) intends to sell hemp derived cannabinoid products; and**

24 **(2) meets the commission's requirements for a hemp derived**
 25 **cannabinoid products retail permit.**

26 **(b) The commission shall charge five hundred fifty dollars**
 27 **(\$550) for a hemp derived cannabinoid products retail permit**
 28 **annually.**

29 **Sec. 3. (a) It is a Class C infraction for a hemp retail permit**
 30 **holder or an employee or agent of a hemp retail permit holder to**
 31 **recklessly, knowingly, or intentionally sell, barter, exchange,**
 32 **provide, or furnish another person who is or reasonably appears**
 33 **to be less than forty (40) years of age a hemp derived cannabinoid**
 34 **product for consumption off the licensed premises without first**
 35 **requiring the person to produce:**

36 **(1) a driver's license;**

37 **(2) an identification card issued under IC 9-24-16-1 or a**
 38 **similar card issued under the laws of another state or the**
 39 **federal government; or**

40 **(3) a government issued document;**

41 **bearing the person's photograph and birth date showing that the**
 42 **person is at least twenty-one (21) years of age.**



(b) A hemp retail permit holder does not need to request the identification of an individual to purchase a CBD product.

Sec. 4. A hemp retail permit holder must pay state sales tax on all products that the retail permit holder sells.

Sec. 5. A hemp retail permit holder may not operate from a location that is within one thousand (1,000) feet of the perimeter of:

- (1) a school;
- (2) a playground;
- (3) a child care center;
- (4) a library; or
- (5) a government owned or operated property.

Sec. 6. A hemp retail permit holder shall prohibit the onsite consumption of hemp derived cannabinoid products on the hemp permit holder's premises.

Sec. 7. A hemp retail permit holder may not deliver hemp derived cannabinoid products to any customer.

Sec. 8. The sale of hemp derived cannabinoid products on the Internet is expressly prohibited. Unless specifically granted authority by a statute passed by the general assembly, the commission shall not allow the operation of or authorize online sale of hemp derived cannabinoid products.

Chapter 12. Carrier Permits

Sec. 1. The commission may issue a hemp derived cannabinoid products carrier permit to a person who:

- (1) intends to transport hemp derived cannabinoid products:
 - (A) between a hemp manufacturer and a hemp distributor;
 - (B) between a hemp distributor and a hemp retailer; or
 - (C) between Indiana and another state; and
- (2) meets the commission's requirements for a hemp derived cannabinoid products carrier permit.

Sec. 2. (a) An applicant for a carrier permit under this chapter must submit to the commission the description of the applicant's vehicle including:

- (1) the date of manufacture of the vehicle;
- (2) the vehicle's approximate weight;
- (3) the vehicle's vehicle identification number (VIN);
- (4) the vehicle's license plate number;
- (5) the vehicle's capacity; and
- (6) other information that the commission requires by rule.

(b) An applicant for a carrier permit under this chapter must submit a surety bond in a penal sum of a minimum of five thousand dollars (\$5,000), executed by the applicant and payable to the state



of Indiana, to the commission. The bond shall be conditioned that the applicant will not violate a provision of this title, or a rule or regulation of the commission. The commission shall duly execute and approve the bond.

(c) A separate carrier permit is required for each vehicle that is used to transport hemp derived cannabinoid products.

(d) The driver of the vehicle transporting hemp derived cannabinoid products must possess the carrier permit.

(e) If a driver fails to possess a carrier permit while transporting hemp derived cannabinoid products, a law enforcement officer may seize, embargo, or retain any hemp derived cannabinoid products in the vehicle.

Sec. 3. The commission shall adopt rules under IC 4-22-2 to require an applicant for a carrier permit under this chapter to demonstrate reliability and responsibility.

Sec. 4. (a) The commission shall charge a fee of two hundred fifty dollars (\$250) for a hemp derived cannabinoid products carrier permit annually.

(b) The commission shall deposit a fee received under subsection (a) in the hemp derived cannabinoid products fund established by IC 7.1-8-16.

Chapter 13. Labeling

Sec. 1. (a) A hemp manufacturer may only sell a hemp derived cannabinoid product to a hemp distributor if the hemp derived cannabinoid product is labeled in accordance with this chapter.

(b) A hemp distributor may only distribute a hemp derived cannabinoid product to a hemp retailer if the hemp derived cannabinoid product is labeled in accordance with this chapter.

(c) A hemp retailer may only sell a hemp derived cannabinoid product to a member of the public if the container or packaging of the hemp derived cannabinoid product contains a label that is in accordance with this chapter.

(d) If a person violates this chapter:

(1) a law enforcement officer may seize any improperly labeled products; and

(2) the commission may revoke the person's permit issued under this article.

(e) A product seized under subsection (d) is presumed to be marijuana as defined in IC 35-48-1.1-29.

Sec. 2. A label on a hemp derived cannabinoid product must include the following information:

(1) The batch number.



- (2) The hemp derived cannabinoid product permit number.
- (3) If at the manufacturing stage, the hemp manufacturer's permit number.
- (4) If at the distribution stage, the hemp manufacturer's and the distributor's permit numbers.
- (5) If at the retail stage, the hemp manufacturer's permit number, the hemp distributor's permit number, and the hemp retailer's permit number.
- (6) The weight of the product.
- (7) Test results from a Hemp Analytical Testing Laboratory registered with the federal Drug Enforcement Administration, indicating the:
 - (A) percentage amount of each cannabinoid strain, including THC and cannabidiol, present in the hemp derived cannabinoid product; and
 - (B) number of milligrams of each cannabinoid strain, including THC and cannabidiol, present in the hemp derived cannabinoid product.
- (8) A QR code that links to the commission's online data base with the certificate of analysis for the testing of the hemp derived cannabinoid product.
- (9) That the product is legally available only to an individual who is at least twenty-one (21) years of age.
- (10) The following statement: "THE STATE OF INDIANA HEALTH WARNING: Hemp derived cannabinoid products can be addictive and impair an individual's ability to drive a motor vehicle or operate heavy machinery. Smoking can lead to an increased risk for cancer, tachycardia, hypertension, heart attack, and lung infection. These products may also affect the health of a pregnant woman and the unborn child. KEEP OUT OF THE REACH OF CHILDREN."

Sec. 3. The commission may adopt rules under IC 4-22-2 concerning the recall of hemp derived cannabinoid products due to improper labeling.

Chapter 14. Containers

Sec. 1. As used in this chapter, "container" has the meaning set forth in IC 35-48-8-2.

Sec. 2. A person may not manufacture, sell, or distribute a hemp derived cannabinoid product unless the product is contained in child resistant packaging.

Sec. 3. (a) If the commission discovers any hemp derived cannabinoid product sold or distributed in violation of this article,



1 the commission may seize and take possession of the product. The
 2 commission shall destroy all products seized under this subsection.

3 (b) The commission may impose a civil penalty on any person
 4 who sells or distributes a hemp derived cannabinoid product in
 5 violation of this article. However, the civil penalty may not exceed
 6 the greater of:

- 7 (1) five hundred percent (500%) of the retail value of the
- 8 product sold or distributed in violation of this chapter; or
- 9 (2) five thousand dollars (\$5,000).

10 Chapter 15. Laboratories

11 Sec. 1. (a) The state police department shall publish on the
 12 department's website the list of Hemp Analytical Testing
 13 Laboratories registered with the federal Drug Enforcement
 14 Administration licensed to test hemp for THC concentration in
 15 Indiana.

16 (b) The commission shall notify the state police department if a
 17 laboratory listed under subsection (a) has failed to comply with this
 18 article.

19 (c) The state police department shall delete a laboratory from
 20 the list described in subsection (a) after receiving a notification
 21 under subsection (b).

22 Sec. 2. A hemp manufacturer must test each hemp derived
 23 cannabinoid product that the hemp manufacturer produces at a
 24 Hemp Analytical Testing Laboratory registered with the federal
 25 Drug Enforcement Administration and listed on the state police
 26 department's website.

27 Sec. 3. A hemp manufacturer must submit the following to the
 28 commission:

- 29 (1) The certificate of analysis for each product tested by a
- 30 laboratory under section 2 of this chapter.
- 31 (2) The name of the laboratory that tested the product.
- 32 (3) The license number of the laboratory that tested the
- 33 product.
- 34 (4) A draft of a label that complies with IC 7.1-8-13.
- 35 (5) The address of the hemp manufacturer.
- 36 (6) The percentage of every cannabinoid contained in the
- 37 product.
- 38 (7) The terpenoid type and concentration used.
- 39 (8) The residual solvents and processing chemicals used.
- 40 (9) Any residual pesticides used.
- 41 (10) Any heavy metals contained the product.
- 42 (11) Any microbial impurities in the product.



1 (12) Any mycotoxins present in the product.

2 (13) Any water activity.

3 (14) Any yeast and mold in the product.

4 (15) A statement indicating whether vitamin E acetate is in
5 the product.

6 (16) The hemp grower's license number.

7 Sec. 4. The commission shall publish information compiled
8 under section 3 of this chapter in the commission's data base for
9 hemp derived cannabinoid products and post this information on
10 the commission's website.

11 Sec. 5. (a) A hemp manufacturer, a hemp distributor, or a hemp
12 retailer may not sell a hemp derived cannabinoid product that is
13 not properly tested under section 2 of this chapter.

14 (b) A person who knowingly or intentionally falsifies or alters
15 a certificate of analysis is subject to criminal prosecution under
16 IC 35-43-5-4.

17 Sec. 6. (a) A laboratory testing hemp under this chapter must
18 submit to the hemp manufacturer each certificate of analysis that
19 it performs.

20 (b) The commission shall adopt rules under IC 4-22-2 to
21 implement this chapter.

22 Chapter 16. Hemp Derived Cannabinoid Products Fund

23 Sec. 1. (a) The hemp derived cannabinoid products fund is
24 established as a dedicated fund administered by the commission.

25 (b) All money received by the commission for deposit in the
26 hemp derived cannabinoid products fund shall be deposited in the
27 fund.

28 (c) The commission shall deposit in the fund all:

29 (1) fees for permits received under this article;

30 (2) excise taxes received under IC 7.1-8-10-3(a); and

31 (3) application fees received under this article.

32 (d) No portion of the fund shall revert to the state general fund
33 at the end of a state fiscal year. However, if the fund is abolished,
34 its contents shall revert to the state general fund.

35 (e) All money accruing in the fund is continuously appropriated
36 for the purposes in this chapter.

37 Sec. 2. (a) After June 30 of each year, seventy percent (70%) of
38 the hemp derived cannabinoid products fund for the prior state
39 fiscal year shall be used by the commission for the administration
40 of this article.

41 (b) After June 30 of each year, twenty percent (20%) of the
42 hemp derived cannabinoid products fund for the prior state fiscal



year shall be distributed pursuant to the hemp derived cannabinoid products law enforcement program as described in section 3 of this chapter.

(c) After June 30 of each year, five percent (5%) of the hemp derived cannabinoid products fund for the prior state fiscal year shall be transferred to the division of mental health and addiction to provide funding for the 988 suicide and crisis hotline.

(d) After June 30 of each year, five percent (5%) of the hemp derived cannabinoid products fund for the prior state fiscal year shall be transferred to the state general fund.

Sec. 3. (a) The hemp derived cannabinoid products law enforcement program is established and shall be administered by the commission.

(b) The commission may distribute funds as part of the hemp derived cannabinoid products law enforcement program as follows:

(1) To the state police department for the following:

(A) Funding ARIDE training at the Indiana state police department academy.

(B) Purchasing oral fluid testing material for roadside hemp and cannabis testing.

(C) The destruction of confiscated or illegal hemp derived cannabinoid products.

(D) Funding other items necessary to enforce this article as determined by the commission.

(2) To local law enforcement agencies for oral fluid testing material for roadside hemp and cannabis testing.

(3) To prosecuting attorneys for the following:

(A) Training programs.

(B) Legal and court costs associated with the prosecution of violations related to hemp derived cannabinoid products or marijuana.

(C) Other items necessary to enforce this article as determined by the commission.

Chapter 17. Advertising

Sec. 1. (a) A permit holder under this article shall not engage in any advertising of hemp derived cannabinoid products or a business that sells hemp derived cannabinoid products that:

(1) is false or misleading;

(2) promotes overconsumption of hemp derived cannabinoid products;

(3) depicts actual consumption of hemp derived cannabinoid



products;

(4) depicts a person less than twenty-one (21) years of age;

(5) makes any health, medical, or therapeutic claims about cannabis or hemp derived cannabinoid products;

(6) uses the image of a cannabis leaf or bud;

(7) includes any image designed or likely to appeal to minors;

(8) use items such as toys or inflatables, movie or cartoon characters, or any other depiction or image likely to be appealing to children, if the item, image, or depiction suggests

an intent to cause children to become interested in the purchase or consumption of hemp derived cannabinoid products; and

(9) uses or employs a commercial mascot outside of, and in proximity to, a permitted business.

(b) A permit holder shall not place or pay for any advertising of hemp derived cannabinoid products or a business that sells hemp derived cannabinoid products within one thousand (1,000) feet of the perimeter of:

(1) a school;

(2) a playground;

(3) a child care center;

(4) a library; or

(5) a government owned or government operated property.

(c) A permit holder shall not place or pay for any advertising of hemp derived cannabinoid products or a business that sells hemp derived cannabinoid products:

(1) on or in a private vehicle;

(2) on or in a public transit vehicle;

(3) at a public transit shelter;

(4) at a bus stop;

(5) at a taxi stand;

(6) in a train station; or

(7) in an airport.

(d) The commission may assess a penalty of two thousand dollars (\$2,000) per day for a violation under this chapter.

Chapter 18. Product Testing

Sec. 1. (a) If the commission tests a hemp derived cannabinoid product that:

(1) was manufactured, distributed, or sold by a permit holder;
or

(2) is for sale by a permit holder;

the permit holder shall pay the commissioner two hundred fifty



dollars (\$250) for each test.

(b) A product that purports to be a hemp derived cannabinoid product, but is in violation of this chapter, is to be treated as marijuana, as defined in IC 35-48-1.1-29.

(c) The commission may adopt a rule under IC 4-22-2 to increase the fee described in subsection (a) if the testing costs exceed the fee.

Chapter 19. Enforcement Actions

Sec. 1. If the commission, the state police department, a federal law enforcement agency, or a local law enforcement agency finds that a permit holder possesses a product that purports to be a hemp derived cannabinoid product and does not meet the requirements of this article, the product is considered to be marijuana. The commission, state police department, federal law enforcement agency, or local law enforcement agency may:

- (1) detain, seize, or embargo the product;
- (2) seize the building containing the product; and
- (3) seize the vehicle used to transport or store the product.

Chapter 20. Crimes

Sec. 1. (a) A person who knowingly or intentionally transports hemp derived cannabinoid products:

- (1) between a hemp manufacturer and a hemp distributor; or
- (2) between a hemp distributor and a hemp retailer;

without holding a valid hemp derived cannabinoid products carrier permit commits a Class B misdemeanor.

(b) A person who knowingly or intentionally transports a hemp derived cannabinoid product into or through Indiana that was manufactured outside of Indiana commits a Class A misdemeanor.

(c) The commission may revoke the person's hemp derived cannabinoid products carrier permit for violating this section.

(d) A law enforcement agency may seize hemp derived cannabinoid products that are being transported in violation of subsection (a) or (b).

Sec. 2. (a) It is unlawful for a person to possess an article, instrument, imitation, or counterfeit of a permit issued under this article, other than a permit lawfully issued to the person and which the person is lawfully entitled to possess.

(b) It is unlawful for a person to display an imitation or counterfeit of a permit issued under this article for the purpose of defrauding the state of the payment of a tax or permit fee imposed by this title.

(c) A person who knowingly or intentionally violates subsection



(a) or (b) commits a Class A misdemeanor. However, the offense is a Level 6 felony after the first offense.

Sec. 3. A person who knowingly or intentionally sells or offers to sell a hemp derived cannabinoid product over the Internet commits a Class A misdemeanor.

Sec. 4. A person who knowingly or intentionally sells a hemp derived cannabinoid product that has been recalled commits a Class B misdemeanor.

SECTION 9. IC 9-13-2-86, AS AMENDED BY P.L.186-2025, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 86. "Intoxicated" means under the influence of:

- (1) alcohol;
- (2) a controlled substance (as defined in IC 35-48-1.1);
- (3) a drug other than alcohol or a controlled substance;
- (4) a substance described in IC 35-46-6-2 or IC 35-46-6-3;
- (5) ~~a combination of substances described in subdivisions (1) through (4);~~ **any amount of tetrahydrocannabinol;** or
- (6) any other substance, not including food and food ingredients (as defined in IC 6-2.5-1-20), tobacco (as defined in IC 6-2.5-1-28), or a dietary supplement (as defined in IC 6-2.5-1-16);

so that there is an impaired condition of thought and action and the loss of normal control of a person's faculties.

SECTION 10. IC 9-13-2-160.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 160.5. "Schedule I drug", for purposes of this title, includes marijuana, hemp, and tetrahydrocannabinol.**

SECTION 11. IC 15-15-13-0.5, AS ADDED BY P.L.165-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. (a) The state seed commissioner shall administer this chapter.

(b) The state seed commissioner shall develop a portal to share information regarding industrial hemp under this chapter with the state police department.

(c) The state seed commissioner shall report and provide to the United States Secretary of Agriculture required information under 7 CFR 990.7 within thirty (30) days of the information being received.

SECTION 12. IC 15-15-13-1, AS AMENDED BY P.L.190-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) Nothing in this chapter authorizes any



person to violate any federal law or regulation.

(b) Any state industrial hemp grow programs may not operate above federal restrictions or limitations.

~~(b)~~ **(c)** Nothing in this chapter authorizes the state seed commissioner to regulate a hemp product **or a hemp derived cannabinoid product under IC 7.1-8.**

SECTION 13. IC 15-15-13-3, AS AMENDED BY P.L.190-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this chapter, "crop" means any hemp **or industrial hemp** grown under a ~~single~~ **hemp grower's** license issued under this chapter.

SECTION 14. IC 15-15-13-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. "Grow site" means any place or location, either indoors or outdoors, where a hemp or industrial hemp crop is legally grown.**

SECTION 15. IC 15-15-13-4, AS AMENDED BY P.L.190-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. As used in this chapter, "grower" means:

- (1) an individual, a partnership, a company, or a corporation that ~~produces~~ **grows industrial** hemp; ~~for commercial purposes;~~ or
- (2) a person, as part of a hemp research program conducted by a state educational institution (as defined by IC 21-7-13-32).

SECTION 16. IC 15-15-13-5, AS AMENDED BY P.L.190-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. **(a)** As used in this chapter, "handler" means an individual, a partnership, a company, or a corporation that receives **industrial** hemp for scientific research, or for processing ~~into~~ **agricultural** commodities, **industrial** hemp products, or agricultural hemp seed.

(b) The term does not include a person processing or handling hemp derived cannabinoid products under IC 7.1-8.

SECTION 17. IC 15-15-13-6, AS AMENDED BY P.L.190-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. As used in this chapter, "hemp" ~~means the plant Cannabis sativa L. and any part of that plant, including the seeds thereof and all derivatives; extracts; cannabinoids; isomers; acids; salts; and salts of isomers; whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis; for any part of the Cannabis sativa L. plant.~~ **has the meaning set forth in IC 35-48-8-3.**



SECTION 18. IC 15-15-13-6.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.3. As used in this chapter, "remediate" means the process of rendering noncompliant hemp or industrial hemp compliant by:**

(1) removing and destroying flower material, while retaining stalk, stems, leaf material, and seeds; or

(2) shredding the entire plant into a biomass like material, then retesting the shredded biomass material for compliance.

SECTION 19. IC 15-15-13-6.5, AS AMENDED BY P.L.186-2025, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.5. As used in this chapter, "hemp derived cannabinoid product" means a product derived from, or made by, processing hemp plants or plant parts including derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers. However, the term does not include:**

(1) smokable hemp (as defined by IC 35-48-1.1-38); or

(2) products that contain a total delta-9-tetrahydrocannabinol concentration of more than three-tenths of one percent (0.3%) by weight. **has the meaning set forth in IC 7.1-8-2-4.**

SECTION 20. IC 15-15-13-6.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.6. As used in this chapter, "industrial hemp" has the meaning set forth in IC 35-48-8-5.**

SECTION 21. IC 15-15-13-6.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.7. As used in this chapter, "industrial hemp production site" means a location where industrial hemp may be processed, stored, staged, delivered, or received.**

SECTION 22. IC 15-15-13-6.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.8. As used in this chapter, "licensee" means a person who is licensed by the state seed commissioner under this chapter including:**

(1) a grower;

(2) a handler; or

(3) a grower and a handler.

SECTION 23. IC 15-15-13-6.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6.9. As used in this chapter, "lot" means a contiguous area in a field, greenhouse, or indoor growing**



1 structure containing the same variety or strain of cannabis
2 throughout the area.

3 SECTION 24. IC 15-15-13-7, AS AMENDED BY P.L.190-2019,
4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 7. (a) Subject to section 15 of this chapter, the
6 production of, possession of, scientific study of, and commerce in hemp
7 **and industrial hemp** is authorized in Indiana. **Industrial** hemp is
8 subject to regulation by the state seed commissioner. The state seed
9 commissioner shall adopt rules to ~~oversee the licensing, production,~~
10 ~~and management of:~~

11 (1) ~~hemp; and~~

12 (2) ~~agricultural hemp seed; implement this chapter.~~

13 (b) All growers and handlers **of industrial hemp** must have a hemp
14 license issued by the state seed commissioner. Growers and handlers
15 engaged in the production of agricultural hemp seed must also have ~~an~~
16 ~~agricultural a hemp seed production grower's~~ license. **A contract**
17 **grower, hemp cooperative, or a similar entity to a contract grower**
18 **or hemp cooperative must be licensed to grow hemp and industrial**
19 **hemp or to handle industrial hemp.**

20 (c) The state seed commissioner may issue the following hemp
21 licenses:

22 (1) A hemp grower's license, to a person who conducts the
23 activities of a grower including farming or propagating of
24 hemp and industrial hemp.

25 (2) A hemp handler's license, to a person who transports
26 industrial hemp, in any quantity, stage, and for any purpose.

27 (d) A hemp handler is exempt from having to obtain a carrier
28 permit under IC 7.1-8-12.

29 (e) The state seed commissioner may issue both licenses listed
30 under subsection (c) to the same person. The possession of one (1)
31 license does not mean a person possesses the other license.

32 (f) A hemp grower's license does not allow the person holding
33 the license to produce hemp derived cannabinoid products under
34 IC 7.1-8.

35 (g) An application for a ~~hemp license or agricultural hemp seed~~
36 ~~production license~~ **under this chapter** must include the following:

37 (1) The name and address of the applicant.

38 (2) The name and address of the ~~hemp operation~~ **business** of the
39 applicant.

40 (3) The global positioning system coordinates and legal
41 description of the property used ~~for the hemp operation; including~~
42 **the geospatial decimal format:**



- 1 (A) site by field;
- 2 (B) storage site;
- 3 (C) receiving site;
- 4 (D) staging site; and
- 5 (E) similar sites to the sites listed in clauses (A) through
- 6 (D).
- 7 (4) If the ~~hemp license or agricultural hemp seed production~~ license application is made by a grower, the acreage size of the
- 8 field where the hemp will be grown.
- 9
- 10 (5) A statement signed by the applicant, under penalty of perjury,
- 11 that the person applying for the ~~hemp license or agricultural hemp~~ seed production license has not been convicted of a ~~drug related~~
- 12 ~~felony or misdemeanor in the previous ten (10)~~ **any of the**
- 13 **following within five (5) years of the application date, and the**
- 14 **conviction has not been expunged under IC 35-38-9, before**
- 15 **the date of application of:**
- 16
- 17 (A) a federal crime having a sentence of at least one (1)
- 18 year;
- 19 (B) a felony drug related misdemeanor under Indiana law;
- 20 or
- 21 (C) a crime in a state other than Indiana having a penalty
- 22 equal to the penalty for a felony.
- 23 (6) A written consent allowing the state police department to
- 24 conduct a state or national criminal history background check.
- 25 (7) A written consent **that the applicant expressly consents for**
- 26 **a one (1) year duration and for an additional one (1) year**
- 27 **after the applicant's permit expires** ~~allowing to allow~~ the state
- 28 police department, the state seed commissioner, or the state seed
- 29 commissioner's authorized representative, ~~if a license is issued to~~
- 30 ~~the applicant, upon the issuance of a license to the applicant,~~ to
- 31 conduct aerial inspections and to enter the premises on which the
- 32 hemp is grown to conduct physical inspections of hemp planted
- 33 and grown by the applicant, and to ensure the plants meet the
- 34 definition of hemp as set forth in section 6 of this chapter.
- 35 (8) ~~A nonrefundable application fee, which must include the~~
- 36 ~~amount necessary to conduct a state or national criminal history~~
- 37 ~~background check, in an amount determined by the state seed~~
- 38 ~~commissioner.~~
- 39 (8) **An attestation and declaration that the applicant will use**
- 40 **a Hemp Analytical Testing Laboratory registered with the**
- 41 **United States Drug Enforcement Administration to conduct**
- 42 **analytical testing for total THC.**



1 **(9) A crop testing plan that includes:**

2 **(A) regular monitoring by the grower or receiving handler**
 3 **of the crop during growth; and**

4 **(B) a plan to take the crop down if the crop trends in**
 5 **exceedance of the acceptable THC level.**

6 **(10) The intended purpose of growing the crop, including for:**

7 **(A) CBD;**

8 **(B) fiber;**

9 **(C) grain; or**

10 **(D) oil.**

11 **(11) The variety or strain of Cannabis sativa L. to be grown.**

12 **(12) A crop monitoring plan to comply with state and federal**
 13 **law to avoid exceeding three-tenths of one percent (0.3%)**
 14 **total THC.**

15 **(13) The annual harvest and disposal report on a form created**
 16 **and provided by the state seed commissioner.**

17 **(14) If the applicant is growing hemp for a research purpose,**
 18 **the applicant must include a research proposal of adequate**
 19 **verbiage to clearly explain the intent of the research and the**
 20 **anticipated outcome.**

21 **(15) If the applicant is growing hemp, the applicant must**
 22 **include the location of the industrial hemp production site**
 23 **including the county and geospatial location coordinates in**
 24 **decimal format.**

25 ~~(9)~~ **(16) Any other information required by the state seed**
 26 **commissioner.**

27 **(h) Except as provided in subsection (g), a business making an**
 28 **application for a hemp license must also identify the key**
 29 **individuals in the business including:**

30 **(1) a sole proprietor;**

31 **(2) a partner in partnership; and**

32 **(3) an individual with executive managerial control in the**
 33 **business or corporation including a:**

34 **(A) chief executive officer;**

35 **(B) chief operating officer; or**

36 **(C) a chief financial officer.**

37 **(i) An individual described in subsection (h) must also submit a**
 38 **criminal background check.**

39 **(j) A key individual does not include nonexecutive managers**
 40 **including farm, field, or shift managers.**

41 **(k) If an applicant fails to provide a report under subsection**
 42 **(g)(13), the state seed commissioner shall deny the applicant's**



request for a license renewal.

(l) The state seed commissioner shall assess a nonrefundable fee of five hundred dollars (\$500) for an applicant.

(m) The state seed commissioner may assess a fee of one hundred dollars (\$100), on behalf of the state police department, to conduct criminal background checks on an applicant.

SECTION 25. IC 15-15-13-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.5. The state seed commissioner may not issue a license under this chapter to an individual who:

(1) does not provide the required information under section 7 of this chapter;

(2) is less than twenty-one (21) years of age;

(3) is not registered with the secretary of state to do business in Indiana;

(4) does not have lawful status, as defined in IC 9-13-2-92.3;

(5) has been convicted within five (5) years of the application date, and the conviction has not been expunged under IC 35-38-9 before the date of application of:

(A) a federal crime having a sentence of at least one (1) year;

(B) a felony or a drug related misdemeanor under Indiana law; or

(C) a crime in a state other than Indiana having a penalty equal to the penalty for a felony; or

(6) is non compos mentis.

SECTION 26. IC 15-15-13-7.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7.6. (a) A licensee shall ensure that their employees, volunteers, family members, or others servicing a hemp production site, and subject to the management of the licensee, comply with the requirements of Indiana law.

(b) A licensee may not conduct a hemp activity on property owned by, leased from, or previously submitted in a hemp application by any person if the state seed commissioner denied the person's hemp license application or revoked the person's hemp license for any of the following reasons:

(1) The failure to obtain a criminal background check.

(2) The failure to comply with an order from the state seed commissioner.

(c) A licensee must report hemp crop acreage to the Farm Services Agency (FSA) and to the Agricultural Marketing Service,



including the following:

(1) Street address, if available, and geospatial location for each production or grow site where hemp will be grown or handled.

(2) Acreage dedicated to the growing of hemp, or greenhouse, or indoor square footage dedicated to the growing of hemp, must be reported.

(3) License number of the grower.

(4) The purpose of the crop as fiber, grain, CBD, or other.

(d) A grower who is aware that a hemp crop grown under their license exceeds the acceptable hemp THC level, whether notified by the state seed commissioner or not, must:

(1) secure the crop;

(2) harvest the crop within thirty (30) days of sampling;

(3) transport the crop to a state seed commissioner approved Indiana reverse distributor;

(4) remediate the crop under the direction and supervision of the state seed commissioner's office;

(5) dispose of the crop in a designated site in a manner that complies with local and state burn laws; and

(6) verify the disposal of the crop with the state seed commissioner.

(e) If a grower remediates a crop under this section, the grower must have the crop tested for THC concentration levels and send the results to the state seed commissioner. A crop may only enter the stream of commerce if the hemp is below the acceptable THC concentration levels.

(f) A grower must report to the state seed commissioner if the purpose of the crop changes, or if a different varietal is used, ten (10) days after the receipt of seed or clones.

SECTION 27. IC 15-15-13-8, AS AMENDED BY P.L.156-2020, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) Each license application received under this chapter must be processed as follows:

(+) (a) Upon receipt of a license application, the state seed commissioner shall do one (1) of the following:

(A) forward a copy of the application to the state police department. The state police department shall do the following:

(+) (1) Perform a state or national criminal history background check of the applicant.

(+) (2) Determine if the requirements under section 7(c)(5) 7(g)(5) of this chapter concerning prior criminal convictions have



been met.

~~(iii)~~ **(3)** Return the application to the state seed commissioner along with the state police department's determinations and a copy of the state or national criminal history background check.

~~(B)~~ **Do the following:**

(i) Perform a state or national criminal history background check of the applicant under the same standards as the state police department would perform.

(ii) Determine if the requirements under section 7(c)(5) of this chapter concerning prior criminal convictions have been met.

~~(2)~~ **(b)** The state seed commissioner shall review the license application and the criminal history background check.

~~(b)~~ **(c)** If the state seed commissioner determines that all the requirements under this chapter have been met and that a license should be granted to the applicant, the state seed commissioner shall approve the application for issuance of a license.

(d) The state seed commissioner must approve an application before an applicant can conduct any hemp activity.

~~(c)~~ **(e)** A hemp license or agricultural hemp seed production license under this chapter expires on December 31 of the year for which the license was issued, unless revoked. A hemp license or agricultural hemp seed production license may be renewed in accordance with rules adopted by the state seed commissioner and is nontransferable.

(f) A license is nontransferable.

(g) A license may be renewed annually.

SECTION 28. IC 15-15-13-9, AS AMENDED BY P.L.190-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. ~~(a)~~ An agricultural hemp seed production license issued under this chapter authorizes a grower or handler to produce and handle agricultural hemp seed for sale to licensed hemp growers and handlers. A seller of agricultural hemp seed shall ensure that the seed complies with any standards set by the state seed commissioner. The state seed commissioner shall make available to growers information that identifies sellers of agricultural hemp seed.

~~(b)~~ **(a)** A person who sells agricultural hemp seed to a grower must be a seed distributor who has a permit under IC 15-15-1-34.

~~(c)~~ **(b)** All growers and handlers must keep All records in accordance with rules adopted by the state seed commissioner: related to hemp, industrial hemp, and agricultural hemp seed must be retained by the state seed commissioner, an applicant, and a licensee for at least five (5) years. Upon at least three (3) days notice,



the state seed commissioner may audit the required records during normal business hours. The state seed commissioner may conduct ~~an~~ **audit periodic audits on a licensee** for the purpose of ensuring compliance with:

- (1) this chapter;
- (2) rules adopted by the state seed commissioner; or
- (3) hemp license or agricultural hemp seed production license requirements, terms, and conditions.

(d) ~~In addition to an audit conducted in accordance with subsection (c);~~ The state seed commissioner may inspect independently, or in cooperation with the state police department, a federal law enforcement agency, or a local law enforcement agency, any hemp crop during the crop's growth phase and take a representative composite sample for field analysis. If a crop contains an average ~~delta-9-tetrahydrocannabinol~~ **total tetrahydrocannabinol (THC)** concentration exceeding three-tenths of one percent (0.3%) on a dry weight basis, the state seed commissioner may detain, seize, or embargo the crop.

(e) The state seed commissioner may revoke a license issued under this chapter to a person that fails to cooperate with:

- (1) the state seed commissioner;
- (2) the state police;
- (3) a federal law enforcement agency; ~~or~~
- (4) a local law enforcement agency; **or**
- (5) a person making an official inspection or taking of a sample of a hemp crop during the crop's growth phase.**

~~in an inspection, or in the taking of a sample, under subsection (d).~~

(f) The state seed commissioner may revoke the license of a licensee that grows, sells, or distributes hemp for the following:

- (1) The licensee has not:
 - (A) complied with the requirements under this chapter; or
 - (B) submitted reports required by the state seed commissioner.
- (2) The licensee falsified information.
- (3) The licensee failed to follow labeling requirements.
- (4) The licensee is convicted of violating any Indiana law.

(g) If the state seed commissioner revokes a license, the state seed commissioner shall issue a letter within ten (10) business days to the licensee concerning the revocation.

~~(f)~~ (h) A failure to cooperate described in subsection (e) constitutes probable cause for the state seed commissioner, state police, federal law enforcement agency, or local law enforcement agency to search the



premises of the licensee's hemp operation.

~~(g)~~ **(i)** If the state police department, a federal law enforcement agency, or a local law enforcement agency cooperates with the state seed commissioner in the detention, seizure, or embargo of a crop under this section:

(1) the state police department, federal law enforcement agency, or local law enforcement agency; and

(2) any officer or employee of the state police department, federal law enforcement agency, or local law enforcement agency who is involved in the detention, seizure, or embargo;

is immune from civil liability for the detention, seizure, or embargo.

~~(h)~~ **(j)** The state seed commissioner may order a hemp crop that is detained, seized, or embargoed for noncompliance with this chapter to be destroyed by the owner. However, except as prohibited by federal law, the grower may appeal to the state seed commissioner for the hemp crop to be diverted to a willing licensed processor for processing and sale for industrial use. A hemp crop that is detained, seized, or embargoed may not be used for cannabidiol, other extracts, oil, food, or cosmetic products that are used for humans or animals.

~~(i)~~ **(k)** A grower shall reimburse the state seed commissioner for the cost of testing conducted on the grower's crop under this section.

SECTION 29. IC 15-15-13-9.5, AS ADDED BY P.L.190-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.5. (a) A person who is a handler licensed under this section may distribute clones and other nonseed propagative materials of a hemp plant using the person's own labeling, if the distributor does the following:

(1) Complies with the requirements of this chapter.

(2) Reports the variety and quantity of each variety of the propagative material of plant sold.

(3) Pays the inspection fee on the basis of the report.

(4) Labels the propagative material with the information required by the state seed commissioner.

(5) Keeps records to accurately determine the named varieties and the number of plants of each variety distributed.

(6) Grants the state seed commissioner or the state seed commissioner's authorized representative access to examine the handler's records and verify the quantity and each variety of propagative material distributed.

(7) Report, under oath, to the state seed commissioner on forms furnished by the state seed commissioner each variety and quantity of propagative material sold during each semiannual



- 1 period.
- 2 (8) Any other information or conditions stated in the application.
- 3 (b) The state seed commissioner may revoke a handler's license if
- 4 the commissioner determines any of the following:
- 5 (1) That the licensee has not complied with the requirements
- 6 under this chapter.
- 7 (2) The report required in subsection (a) has not been submitted
- 8 and is more than ten (10) days late.
- 9 (3) The report required in subsection (a) contained false
- 10 information.
- 11 (4) The labeling requirements under this chapter have not been
- 12 met.
- 13 (c) If the inspection fee has not been paid and is more than ten (10)
- 14 days late, the state seed commissioner shall assess a late fee.
- 15 (d) Each year the:
- 16 (1) report required under subsection (a)(7); and
- 17 (2) inspection fees required under this chapter;
- 18 for the period beginning on January 1 and ending on June 30 and for
- 19 the period beginning on July 1 and ending on December 31 are due not
- 20 more than thirty (30) days after the end of the semiannual period.
- 21 **(e) A person holding a hemp handler's license must have in their**
- 22 **immediate possession, while transporting industrial hemp, a**
- 23 **physical document indicating that they have a handler license and**
- 24 **must provide the following to law enforcement when asked:**
- 25 **(1) Evidence of a valid hemp handler license from the state**
- 26 **seed commissioner.**
- 27 **(2) The driver must hold a valid driver's license that includes**
- 28 **the driver's photo and current legal address.**
- 29 **(3) An invoice or delivery document showing to whom the**
- 30 **industrial hemp is to be delivered, the full address, telephone**
- 31 **number, variety of hemp, and quantity of hemp.**
- 32 **(4) A valid certificate of analysis issued by a state seed**
- 33 **commissioner approved laboratory showing the total THC for**
- 34 **the industrial hemp transported.**
- 35 SECTION 30. IC 15-15-13-10 IS REPEALED [EFFECTIVE JULY
- 36 1, 2026]. ~~Sec. 10. The amount of any fees charged growers and~~
- 37 ~~handlers by the state seed commissioner under this chapter must be~~
- 38 ~~sufficient to cover the cost of the administration of this chapter;~~
- 39 ~~including the cost of conducting audits and testing.~~
- 40 SECTION 31. IC 15-15-13-10.1 IS ADDED TO THE INDIANA
- 41 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 42 [EFFECTIVE JULY 1, 2026]: **Sec. 10.1. (a) A licensee shall pay an**



1 **annual fee of ten thousand dollars (\$10,000) for a license issued**
 2 **under this chapter.**

3 **(b) The state seed commissioner may adopt rules, under**
 4 **IC 4-22-2, to raise the annual fee as necessary.**

5 SECTION 32. IC 15-15-13-11, AS AMENDED BY P.L.190-2019,
 6 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2026]: Sec. 11. **(a)** Only a hemp **handler** licensee ~~the~~
 8 ~~licensee's designee, or the licensee's agents~~ may be permitted to
 9 transport **industrial** hemp off a production site. When transporting
 10 **industrial** hemp off the production site, the hemp **handler** licensee
 11 ~~designee, or agent~~ shall have in ~~the licensee's, designee's, or agent's~~
 12 **their** possession the licensing documents from the state seed
 13 commissioner evidencing that the **industrial** hemp is from certified
 14 seed produced by a licensed grower.

15 **(b) The state seed commissioner shall include the grower's**
 16 **license number who produced the hemp and the hemp handler's**
 17 **license number in the licensing documents described in subsection**
 18 **(a).**

19 SECTION 33. IC 15-15-13-12, AS AMENDED BY P.L.156-2020,
 20 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]: Sec. 12. The state seed commissioner is responsible for
 22 the following:

- 23 (1) Monitoring the hemp grown by any **hemp grower** license
 24 holder.
- 25 (2) Conducting random testing of the hemp for compliance with
 26 tetrahydrocannabinol (THC) levels. The state seed commissioner
 27 may enter into agreements with one (1) or more laboratories
 28 selected by the Indiana state police department to perform testing
 29 under this subdivision.
- 30 (3) Establishing necessary testing criteria and protocols, including
 31 a procedure for testing, using post decarboxylation or other
 32 similarly reliable methods, for ~~delta-9-tetrahydrocannabinol~~
 33 **tetrahydrocannabinol** concentration levels of the hemp
 34 produced.
- 35 (4) Establishing the minimum number of acres to be planted
 36 under each license issued under this chapter.
- 37 (5) Regulating any propagative material of a hemp plant.

38 SECTION 34. IC 15-15-13-13, AS AMENDED BY P.L.190-2019,
 39 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2026]: Sec. 13. (a) Subject to section 13.5 of this chapter, in
 41 addition to any other liability or penalty provided by law, the state seed
 42 commissioner may revoke or refuse to issue or renew a hemp license



or an agricultural hemp seed production license and may impose a civil penalty for a violation of:

- (1) a license requirement;
- (2) license terms or conditions; **or**
- (3) a rule relating to growing or handling hemp. **or**
- ~~(4) section 19 of this chapter.~~

(b) The state seed commissioner may not impose a civil penalty under this section that exceeds two thousand five hundred dollars (\$2,500).

(c) The state seed commissioner may revoke or refuse to issue or renew a hemp license or an agricultural hemp seed production license for a violation of any rule of the state seed commissioner that pertains to agricultural operations or activities other than hemp growing or handling.

(d) Any civil penalties collected under this section shall be ~~transferred to the Indiana state department of agriculture and used for hemp marketing and research purposes.~~ **retained by the state seed commissioner to pay expenses to implement this chapter.**

(e) In addition to payment of any civil penalty imposed under this section, a person who commits a violation described in subsection (a) shall reimburse the state seed commissioner for any costs incurred by the state seed commissioner for laboratory testing of material pertaining to the violation.

SECTION 35. IC 15-15-13-13.5, AS AMENDED BY P.L.156-2020, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.5. (a) Except as provided in subsection (b), the state seed commissioner shall give a person who negligently violates this chapter ~~a reasonable time, determined by the state seed commissioner,~~ **ten (10) days** to correct the violation without imposing a penalty under section 13 of this chapter. However, the state seed commissioner may require the person who committed the violation to comply with a corrective action plan determined by the state seed commissioner and report to the state seed commissioner on compliance with the corrective action plan.

(b) A person who commits a negligent violation of this chapter three (3) times in a five (5) year period shall immediately be ineligible to produce hemp for ~~five (5)~~ **ten (10)** years.

(c) If the state seed commissioner ~~believes~~ **determines** that a person has knowingly or intentionally violated this chapter, the state seed commissioner shall notify:

- (1) the superintendent of the state police department; ~~and~~
- (2) the sheriff of the county in which the violation occurred;**



1 **and**

2 ~~(2)~~ **(3)** the prosecuting attorney of the county in which the
3 violation occurred;
4 of the violation **within forty-eight (48) hours of making the**
5 **determination.**

6 (d) A person who commits a negligent violation under this chapter
7 is subject to a ~~late fee of one thousand dollars (\$1,000), as established~~
8 ~~by rule adopted by the state seed commissioner.~~

9 SECTION 36. IC 15-15-13-15, AS AMENDED BY P.L.190-2019,
10 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 15. **(a)** Before ~~December 31, 2019~~, **July 1, 2027**,
12 the state seed commissioner, after consultation with the governor, the
13 director of the state department of agriculture, and the superintendent
14 of the state police department, shall submit ~~a~~ **an updated** plan that
15 monitors and regulates the production of hemp to the United States
16 Department of Agriculture. ~~If the United States Department of~~
17 ~~Agriculture disapproves the plan, the state seed commissioner shall~~
18 ~~submit an amended plan to the United States Department of~~
19 ~~Agriculture.~~

20 **(b) The state seed commissioner may work with the United**
21 **States Department of Agriculture to update the plan described in**
22 **subsection (a), to conform with federal law.**

23 SECTION 37. IC 15-15-13-16, AS AMENDED BY P.L.29-2024,
24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2026]: Sec. 16. (a) The state seed commissioner shall pay all
26 fees collected under this chapter to the treasurer of Purdue University.

27 (b) The board of trustees of Purdue University shall expend the fees
28 on proper vouchers filed with the treasurer of Purdue University. The
29 treasurer shall pay vouchers for the following expenses:

- 30 (1) The employment of inspectors and seed analysts.
- 31 (2) Procuring samples.
- 32 (3) Printing bulletins giving the results of inspection.
- 33 (4) Any other expenses of the Purdue University agricultural
34 programs authorized by law and for implementing this chapter.

35 (c) The dean of agriculture of Purdue University, **with assistance**
36 **from the state seed commissioner**, shall make and submit an annual
37 financial report to the:

- 38 (1) governor;
- 39 (2) legislative council; and
- 40 (3) budget committee;

41 in such form as the state board of accounts requires, showing the total
42 receipts and expenditures of all fees received under this chapter, by



December 31 of each year. The report must also include general information regarding how many licenses are issued under this chapter and how many acres of land are used in hemp production under this chapter. The budget committee shall review this report annually.

(d) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 38. IC 15-15-13-18 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 18. (a) A person who sells hemp in Indiana must:

(1) be licensed in Indiana and in the jurisdiction where the hemp was grown; and

(2) provide the buyer with a receipt that contains the seller's name, place of business, and license number and quantity of hemp sold.

(b) A person who buys hemp in Indiana must retain the receipt described in subsection (a)(2) for a period of two (2) years.

SECTION 39. IC 15-15-13-19 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 19. (a) Hemp bud (as defined in IC 35-48-1.1-23) and hemp flower (as defined in IC 35-48-1.1-24) may be sold only to a processor licensed under this chapter.

(b) The state seed commissioner may impose a civil penalty under section 13 of this chapter for a violation of subsection (a).

SECTION 40. IC 15-15-13-19.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 19.1. An industrial hemp product that is manufactured into a hemp derived cannabinoid product under IC 7.1-8 is subject to IC 7.1-8 and not this chapter.**

SECTION 41. IC 15-15-13-21 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 21. A county, city, town, or township may not adopt or enforce an ordinance restricting or regulating:

(1) the growth, production, or processing of hemp; or

(2) any subject regulated by this chapter.

SECTION 42. IC 16-31-3-14, AS AMENDED BY P.L.186-2025, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) A person holding a certificate or license issued under this article must comply with the applicable standards and rules established under this article. A certificate holder or license holder is subject to disciplinary sanctions under subsection (b) if the department of homeland security determines that the certificate holder or license holder:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a certificate or license, including



- 1 cheating on a certification or licensure examination;
- 2 (2) engaged in fraud or material deception in the course of
- 3 professional services or activities;
- 4 (3) advertised services or goods in a false or misleading manner;
- 5 (4) falsified or knowingly allowed another person to falsify
- 6 attendance records or certificates of completion of continuing
- 7 education courses required under this article or rules adopted
- 8 under this article;
- 9 (5) is convicted of a crime, if the act that resulted in the
- 10 conviction has a direct bearing on determining if the certificate
- 11 holder or license holder should be entrusted to provide emergency
- 12 medical services;
- 13 (6) is convicted of violating IC 9-19-14.5;
- 14 (7) fails to comply and maintain compliance with or violates any
- 15 applicable provision, standard, or other requirement of this article
- 16 or rules adopted under this article;
- 17 (8) continues to practice if the certificate holder or license holder
- 18 becomes unfit to practice due to:
 - 19 (A) professional incompetence that includes the undertaking
 - 20 of professional activities that the certificate holder or license
 - 21 holder is not qualified by training or experience to undertake;
 - 22 (B) failure to keep abreast of current professional theory or
 - 23 practice;
 - 24 (C) physical or mental disability; or
 - 25 (D) addiction to, abuse of, or dependency on alcohol or other
 - 26 drugs that endanger the public by impairing the certificate
 - 27 holder's or license holder's ability to practice safely;
- 28 (9) engages in a course of lewd or immoral conduct in connection
- 29 with the delivery of services to the public;
- 30 (10) allows the certificate holder's or license holder's name or a
- 31 certificate or license issued under this article to be used in
- 32 connection with a person who renders services beyond the scope
- 33 of that person's training, experience, or competence;
- 34 (11) is subjected to disciplinary action in another state or
- 35 jurisdiction on grounds similar to those contained in this chapter.
- 36 For purposes of this subdivision, a certified copy of a record of
- 37 disciplinary action constitutes prima facie evidence of a
- 38 disciplinary action in another jurisdiction;
- 39 (12) assists another person in committing an act that would
- 40 constitute a ground for disciplinary sanction under this chapter;
- 41 (13) allows a certificate or license issued by the commission to
- 42 be:



- 1 (A) used by another person; or
- 2 (B) displayed to the public when the certificate or license is
- 3 expired, inactive, invalid, revoked, or suspended; or
- 4 (14) fails to notify the department in writing of any misdemeanor
- 5 or felony criminal conviction, except traffic related misdemeanors
- 6 other than operating a motor vehicle under the influence of a drug
- 7 or alcohol, within ninety (90) days after the entry of an order or
- 8 judgment. A certified copy of the order or judgment with a letter
- 9 of explanation must be submitted to the department along with the
- 10 written notice.
- 11 (b) The department of homeland security may issue an order under
- 12 IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if
- 13 the department of homeland security determines that a certificate
- 14 holder or license holder is subject to disciplinary sanctions under
- 15 subsection (a):
- 16 (1) Revocation of a certificate holder's certificate or license
- 17 holder's license for a period not to exceed seven (7) years.
- 18 (2) Suspension of a certificate holder's certificate or license
- 19 holder's license for a period not to exceed seven (7) years.
- 20 (3) Censure of a certificate holder or license holder.
- 21 (4) Issuance of a letter of reprimand.
- 22 (5) Assessment of a civil penalty against the certificate holder or
- 23 license holder in accordance with the following:
- 24 (A) The civil penalty may not exceed five hundred dollars
- 25 (\$500) per day per violation.
- 26 (B) If the certificate holder or license holder fails to pay the
- 27 civil penalty within the time specified by the department of
- 28 homeland security, the department of homeland security may
- 29 suspend the certificate holder's certificate or license holder's
- 30 license without additional proceedings.
- 31 (6) Placement of a certificate holder or license holder on
- 32 probation status and requirement of the certificate holder or
- 33 license holder to:
- 34 (A) report regularly to the department of homeland security
- 35 upon the matters that are the basis of probation;
- 36 (B) limit practice to those areas prescribed by the department
- 37 of homeland security;
- 38 (C) continue or renew professional education approved by the
- 39 department of homeland security until a satisfactory degree of
- 40 skill has been attained in those areas that are the basis of the
- 41 probation; or
- 42 (D) perform or refrain from performing any acts, including



1 community restitution or service without compensation, that
2 the department of homeland security considers appropriate to
3 the public interest or to the rehabilitation or treatment of the
4 certificate holder or license holder.

5 The department of homeland security may withdraw or modify
6 this probation if the department of homeland security finds after
7 a hearing that the deficiency that required disciplinary action is
8 remedied or that changed circumstances warrant a modification
9 of the order.

10 (c) If an applicant or a certificate holder or license holder has
11 engaged in or knowingly cooperated in fraud or material deception to
12 obtain a certificate or license, including cheating on the certification or
13 licensure examination, the department of homeland security may
14 rescind the certificate or license if it has been granted, void the
15 examination or other fraudulent or deceptive material, and prohibit the
16 applicant from reapplying for the certificate or license for a length of
17 time established by the department of homeland security.

18 (d) The department of homeland security may deny certification or
19 licensure to an applicant who would be subject to disciplinary sanctions
20 under subsection (b) if that person were a certificate holder or license
21 holder, has had disciplinary action taken against the applicant or the
22 applicant's certificate or license to practice in another state or
23 jurisdiction, or has practiced without a certificate or license in violation
24 of the law. A certified copy of the record of disciplinary action is
25 conclusive evidence of the other jurisdiction's disciplinary action.

26 (e) The department of homeland security may order a certificate
27 holder or license holder to submit to a reasonable physical or mental
28 examination if the certificate holder's or license holder's physical or
29 mental capacity to practice safely and competently is at issue in a
30 disciplinary proceeding. Failure to comply with a department of
31 homeland security order to submit to a physical or mental examination
32 makes a certificate holder or license holder liable to temporary
33 suspension under subsection (i).

34 (f) Except as provided under subsection (a), subsection (g), and
35 section 14.5 of this chapter, a certificate or license may not be denied,
36 revoked, or suspended because the applicant, certificate holder, or
37 license holder has been convicted of an offense. The acts from which
38 the applicant's, certificate holder's, or license holder's conviction
39 resulted may be considered as to whether the applicant or certificate
40 holder or license holder should be entrusted to serve the public in a
41 specific capacity.

42 (g) The department of homeland security may deny, suspend, or



1 revoke a certificate or license issued under this article if the individual
 2 who holds or is applying for the certificate or license is convicted of
 3 any of the following:

4 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

5 (2) Possession of methamphetamine under IC 35-48-4-6.1.

6 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~.
 7 **IC 35-48-4-7(b).**

8 (4) Fraudulently obtaining a controlled substance under
 9 ~~IC 35-48-4-7(c)~~. **IC 35-48-4-7(d).**

10 (5) Manufacture of paraphernalia as a Class D felony (for a crime
 11 committed before July 1, 2014) or Level 6 felony (for a crime
 12 committed after June 30, 2014) under IC 35-48-4-8.1(c).

13 (6) Dealing in paraphernalia as a Class D felony (for a crime
 14 committed before July 1, 2014) or Level 6 felony (for a crime
 15 committed after June 30, 2014) under IC 35-48-4-8.5(b).

16 (7) Possession of paraphernalia as a Class D felony (for a crime
 17 committed before July 1, 2014) or Level 6 felony (for a crime
 18 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
 19 its amendment on July 1, 2015).

20 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class
 21 D felony (for a crime committed before July 1, 2014) or Level 6
 22 felony (for a crime committed after June 30, 2014) under
 23 IC 35-48-4-11.

24 (9) A felony offense under IC 35-48-4 involving:

25 (A) possession of a synthetic drug (as defined in
 26 IC 35-31.5-2-321);

27 (B) possession of a synthetic drug lookalike substance (as
 28 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,
 29 2019)) as a:

30 (i) Class D felony (for a crime committed before July 1,
 31 2014); or

32 (ii) Level 6 felony (for a crime committed after June 30,
 33 2014);

34 under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or

35 (C) possession of a controlled substance analog (as defined in
 36 IC 35-48-1.1-8).

37 (10) Maintaining a common nuisance under IC 35-48-4-13
 38 (repealed) or IC 35-45-1-5, if the common nuisance involves a
 39 controlled substance.

40 (11) An offense relating to registration, labeling, and prescription
 41 forms under IC 35-48-4-14.

42 (h) A decision of the department of homeland security under



subsections (b) through (g) may be appealed to the commission under IC 4-21.5-3-7.

(i) The department of homeland security may temporarily suspend a certificate holder's certificate or license holder's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department of homeland security finds that a certificate holder or license holder would represent a clear and immediate danger to the public's health, safety, or property if the certificate holder or license holder were allowed to continue to practice.

(j) On receipt of a complaint or information alleging that a person certified or licensed under this chapter or IC 16-31-3.5 has engaged in or is engaging in a practice that is subject to disciplinary sanctions under this chapter, the department of homeland security must initiate an investigation against the person.

(k) The department of homeland security shall conduct a factfinding investigation as the department of homeland security considers proper in relation to the complaint.

(l) The department of homeland security may reinstate a certificate or license that has been suspended under this section if the department of homeland security is satisfied that the applicant is able to practice with reasonable skill, competency, and safety to the public. As a condition of reinstatement, the department of homeland security may impose disciplinary or corrective measures authorized under this chapter.

(m) The department of homeland security may not reinstate a certificate or license that has been revoked under this chapter.

(n) The department of homeland security must be consistent in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the department of homeland security's findings or orders.

(o) A certificate holder may not surrender the certificate holder's certificate, and a license holder may not surrender the license holder's license, without the written approval of the department of homeland security, and the department of homeland security may impose any conditions appropriate to the surrender or reinstatement of a surrendered certificate or license.

(p) For purposes of this section, "certificate holder" means a person who holds:

- (1) an unlimited certificate;
- (2) a limited or probationary certificate; or
- (3) an inactive certificate.

(q) For purposes of this section, "license holder" means a person



1 who holds:

- 2 (1) an unlimited license;
- 3 (2) a limited or probationary license; or
- 4 (3) an inactive license.

5 SECTION 43. IC 22-15-5-16, AS AMENDED BY P.L.186-2025,
6 SECTION 123, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) A practitioner shall comply
8 with the standards established under this licensing program. A
9 practitioner is subject to the exercise of the disciplinary sanctions under
10 IC 22-12-7-7 if the department finds that a practitioner has:

- 11 (1) engaged in or knowingly cooperated in fraud or material
12 deception in order to obtain a license to practice, including
13 cheating on a licensing examination;
- 14 (2) engaged in fraud or material deception in the course of
15 professional services or activities;
- 16 (3) advertised services or goods in a false or misleading manner;
- 17 (4) falsified or knowingly allowed another person to falsify
18 attendance records or certificates of completion of continuing
19 education courses provided under this chapter;
- 20 (5) been convicted of a crime that has a direct bearing on the
21 practitioner's ability to continue to practice competently;
- 22 (6) knowingly violated a state statute or rule or federal statute or
23 regulation regulating the profession for which the practitioner is
24 licensed;
- 25 (7) continued to practice although the practitioner has become
26 unfit to practice due to:
 - 27 (A) professional incompetence;
 - 28 (B) failure to keep abreast of current professional theory or
29 practice;
 - 30 (C) physical or mental disability; or
 - 31 (D) addiction to, abuse of, or severe dependency on alcohol or
32 other drugs that endanger the public by impairing a
33 practitioner's ability to practice safely;
- 34 (8) engaged in a course of lewd or immoral conduct in connection
35 with the delivery of services to the public;
- 36 (9) allowed the practitioner's name or a license issued under this
37 chapter to be used in connection with an individual or business
38 who renders services beyond the scope of that individual's or
39 business's training, experience, or competence;
- 40 (10) had disciplinary action taken against the practitioner or the
41 practitioner's license to practice in another state or jurisdiction on
42 grounds similar to those under this chapter;



(11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter;

or

(12) allowed a license issued by the department to be:

(A) used by another person; or

(B) displayed to the public when the license has expired, is inactive, is invalid, or has been revoked or suspended.

For purposes of subdivision (10), a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction.

(b) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the department may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the license for a length of time established by the department.

(c) The department may deny licensure to an applicant who has had disciplinary action taken against the applicant or the applicant's license to practice in another state or jurisdiction or who has practiced without a license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(d) The department may order a practitioner to submit to a reasonable physical or mental examination if the practitioner's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department order to submit to a physical or mental examination makes a practitioner liable to temporary suspension under subsection (h).

(e) Except as provided under subsection (f) or (g), a license may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.

(f) The department may deny, suspend, or revoke a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~
IC 35-48-4-7(b).



(4) Fraudulently obtaining a controlled substance under ~~IC 35-48-4-7(b)~~ **IC 35-48-4-7(c)** (for a crime committed before July 1, 2014) or ~~IC 35-48-4-7(c)~~ **IC 35-48-4-7(d)** (for a crime committed after June 30, 2014).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(c).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1.1-8), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014;
or

(B) Level 6 felony for a crime committed after June 30, 2014; under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

(g) The department shall deny, revoke, or suspend a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.



- 1 (6) Dealing in a schedule IV controlled substance under
- 2 IC 35-48-4-3.
- 3 (7) Dealing in a schedule V controlled substance under
- 4 IC 35-48-4-4.
- 5 (8) Dealing in a substance represented to be a controlled
- 6 substance under IC 35-48-4-4.5 (repealed).
- 7 (9) Knowingly or intentionally manufacturing, advertising,
- 8 distributing, or possessing with intent to manufacture, advertise,
- 9 or distribute a substance represented to be a controlled substance
- 10 under IC 35-48-4-4.6.
- 11 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 12 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 13 under IC 35-48-4-10.
- 14 (12) An offense under IC 35-48-4 involving the manufacture or
- 15 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 16 synthetic drug lookalike substance (as defined in
- 17 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 18 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 19 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 20 represented to be a controlled substance (as described in
- 21 IC 35-48-4-4.6).
- 22 (13) A violation of any federal or state drug law or rule related to
- 23 wholesale legend drug distributors licensed under IC 25-26-14.
- 24 (h) The department may temporarily suspend a practitioner's license
- 25 under IC 4-21.5-4 before a final adjudication or during the appeals
- 26 process if the department finds that a practitioner represents a clear and
- 27 immediate danger to the public's health, safety, or property if the
- 28 practitioner is allowed to continue to practice.
- 29 (i) On receipt of a complaint or an information alleging that a person
- 30 licensed under this chapter has engaged in or is engaging in a practice
- 31 that jeopardizes the public health, safety, or welfare, the department
- 32 shall initiate an investigation against the person.
- 33 (j) Any complaint filed with the office of the attorney general
- 34 alleging a violation of this licensing program shall be referred to the
- 35 department for summary review and for its general information and any
- 36 authorized action at the time of the filing.
- 37 (k) The department shall conduct a fact finding investigation as the
- 38 department considers proper in relation to the complaint.
- 39 (l) A practitioner may petition the department to accept the
- 40 surrender of the practitioner's license. The practitioner may not
- 41 surrender the practitioner's license without the written approval of the
- 42 department, and the department may impose any conditions appropriate



1 to the surrender or reinstatement of a surrendered license.

2 (m) A practitioner who has been subjected to disciplinary sanctions
3 may be required by the commission to pay the costs of the proceeding.
4 The practitioner's ability to pay shall be considered when costs are
5 assessed. If the practitioner fails to pay the costs, a suspension may not
6 be imposed solely upon the practitioner's inability to pay the amount
7 assessed. The costs are limited to costs for the following:

- 8 (1) Court reporters.
- 9 (2) Transcripts.
- 10 (3) Certification of documents.
- 11 (4) Photo duplication.
- 12 (5) Witness attendance and mileage fees.
- 13 (6) Postage.
- 14 (7) Expert witnesses.
- 15 (8) Depositions.
- 16 (9) Notarizations.

17 SECTION 44. IC 24-4-21 IS REPEALED [EFFECTIVE JULY 1,
18 2026]. (Distribution of Low THC Hemp Extract).

19 SECTION 45. IC 24-4-22 IS REPEALED [EFFECTIVE JULY 1,
20 2026]. (Low THC Hemp Extract Sales).

21 SECTION 46. IC 25-1-1.1-2, AS AMENDED BY P.L.186-2025,
22 SECTION 134, IS AMENDED TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2026]: Sec. 2. Notwithstanding IC 25-1-7, a
24 board, a commission, or a committee may suspend, deny, or revoke a
25 license or certificate issued under this title by the board, the
26 commission, or the committee without an investigation by the office of
27 the attorney general if the individual who holds the license or
28 certificate is convicted of any of the following and the board,
29 commission, or committee determines, after the individual has
30 appeared in person, that the offense affects the individual's ability to
31 perform the duties of the profession:

- 32 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 33 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 34 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~
- 35 **IC 35-48-4-7(b).**
- 36 (4) Fraudulently obtaining a controlled substance under
- 37 ~~IC 35-48-4-7(c).~~ **IC 35-48-4-7(d).**
- 38 (5) Manufacture of paraphernalia as a Class D felony (for a crime
- 39 committed before July 1, 2014) or a Level 6 felony (for a crime
- 40 committed after June 30, 2014) under IC 35-48-4-8.1(c).
- 41 (6) Dealing in paraphernalia as a Class D felony (for a crime
- 42 committed before July 1, 2014) or a Level 6 felony (for a crime



committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1.1-8), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014;
or

(B) Level 6 felony for a crime committed after June 30, 2014; under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

(12) A sex crime under IC 35-42-4.

(13) A felony that reflects adversely on the individual's fitness to hold a professional license.

SECTION 47. IC 34-30-2.1-72, AS ADDED BY P.L.105-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 72. IC 7.1-5-10-15 (Concerning ~~alcoholic beverage~~ a permittee or permittee's agent refusing to ~~serve~~ **provide** alcoholic beverages **or products containing THC** to certain persons).

SECTION 48. IC 34-30-2.1-73, AS ADDED BY P.L.105-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 73. IC 7.1-5-10-15.5 (Concerning persons who furnish an alcoholic beverage **or a product containing THC** for damages caused by an impaired or intoxicated person).

SECTION 49. IC 35-31.5-2-61.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 61.5. "Container", for purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-2.**

SECTION 50. IC 35-31.5-2-152.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2026]: **Sec. 152.2. "Hemp", for purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-3.**

SECTION 51. IC 35-31.5-2-152.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 152.3. "Hemp derived cannabinoid product", for purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-4.**

SECTION 52. IC 35-31.5-2-169.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 169.3. "Industrial hemp", for purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-5.**

SECTION 53. IC 35-31.5-2-176.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 176.1. "Intermediate hemp derived cannabinoid product", for purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-6.**

SECTION 54. IC 35-31.5-2-189.9 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 189.9. "Low THC hemp extract", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1.1-27.~~

SECTION 55. IC 35-46-1-11.7, AS AMENDED BY P.L.163-2025, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11.7. (a) A retail establishment in which tobacco products **and products containing tetrahydrocannabinol (THC)** account for at least eighty-five percent (85%) of the retail establishment's gross sales may not allow an individual who is less than twenty-one (21) years of age to enter the retail establishment.

(b) An individual who is less than twenty-one (21) years of age may not enter a retail establishment described in subsection (a).

(c) A retail establishment described in subsection (a) must conspicuously post on all entrances to the retail establishment the following:

(1) A sign in boldface type that states "NOTICE: It is unlawful for a person less than 21 years old to enter this store."

(2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the Indiana department of health.

(d) A person who violates this section commits a Class C infraction. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the person has not been cited for a violation of this section in the previous one (1) year, a civil penalty of up to four hundred



dollars (\$400).

(2) If the person has had one (1) violation in the previous one (1) year, a civil penalty of up to eight hundred dollars (\$800).

(3) If the person has had two (2) violations in the previous one (1) year, a civil penalty of up to one thousand four hundred dollars (\$1,400).

(4) If the person has had three (3) or more violations in the previous one (1) year, a civil penalty of up to two thousand dollars (\$2,000).

A person may not be cited more than once every twenty-four (24) hours.

(e) 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 established under IC 7.1-6-2-6.

(f) A person who violates subsection (a) at least six (6) times in any one (1) year period commits habitual illegal entrance by a minor, a Class B infraction.

SECTION 56. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. "Controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under:

(1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or IC 35-48-2-12, if IC 35-48-2-14 does not apply; or

(2) a rule adopted by the board, if IC 35-48-2-14 applies.

~~The term does not include low THC hemp extract.~~

SECTION 57. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) "Controlled substance analog" means a substance that, due to its chemical structure and potential for abuse or misuse, meets the following criteria:

(1) The substance is substantially similar to a controlled substance classified under IC 35-48-2.

(2) The substance has a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system or is represented or intended to have a narcotic, stimulant, depressant, or hallucinogenic effect on the central nervous system substantially similar to or greater than that of a controlled substance classified under IC 35-48-2.

(b) The definition set forth in subsection (a) does not include:

(1) a controlled substance;

(2) a legend drug;



(3) a substance for which there is an approved new drug application;

(4) any compound, mixture, or preparation that contains any controlled substance, that is not for administration to a human being or an animal, and that is packaged in a form or concentration, or with adulterants or denaturants, such that as packaged it does not present any significant potential for abuse;

or

(5) a substance to which an investigational exemption applies under Section 505 of the federal Food, Drug and Cosmetic Act (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), but only to the extent that conduct with respect to the substance is pursuant to the exemption. **or**

~~(6) low THC hemp extract.~~

(c) For purposes of subsection (a), "substantially similar", as it applies to the chemical structure of a substance, means that the chemical structure of the substance, when compared to the structure of a controlled substance, has a single difference in the structural formula that substitutes one (1) atom or functional group for another, including:

(1) one (1) halogen for another halogen;

(2) one (1) hydrogen for a halogen;

(3) one (1) halogen for a hydrogen; or

(4) an alkyl group added or deleted:

(A) as a side chain to or from a molecule; or

(B) from a side chain of a molecule.

SECTION 58. IC 35-48-1.1-21, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 21. "Hashish" does not include ~~low THC hemp extract.~~ **a hemp derived cannabinoid product.**

SECTION 59. IC 35-48-1.1-22, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. "Hash oil" does not include ~~low THC hemp extract.~~ **a hemp derived cannabinoid product.**

SECTION 60. IC 35-48-1.1-27 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 27. (a) "Low THC hemp extract" means a substance or compound that:

(1) is derived from or contains any part of the plant *Cannabis sativa* L. that meets the definition of hemp under IC 15-15-13-6;

(2) contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC), including precursors, by weight; and

(3) contains no other controlled substances.



(b) The term does not include:

- (1) the harvested reproductive organ, whether immature or mature, of the female hemp plant; or
- (2) smokable hemp.

SECTION 61. IC 35-48-1.1-29, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 29. (a) "Marijuana" means any part of the plant genus Cannabis whether growing or not; the seeds thereof; the resin extracted from any part of the plant, including hashish and hash oil; any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

(b) The term does not include:

- (1) the mature stalks of the plant;
- (2) fiber produced from the stalks;
- (3) oil or cake made from the seeds of the plant;
- (4) any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom);
- (5) the sterilized seed of the plant which is incapable of germination;
- (6) hemp (as defined by IC 15-15-13-6);
- (7) low THC hemp extract; or
- (8) smokable hemp.

(1) a hemp derived cannabinoid product (as defined in IC 7.1-8-2-4); or

(2) industrial hemp monitored and licensed with the state seed commissioner under IC 15-15-13.

SECTION 62. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 38. (a) Except as provided in subsection (b), "smokable hemp" means a product containing ~~not more than three-tenths percent (0.3%)~~ delta-9-tetrahydrocannabinol **any amount of tetrahydrocannabinol (THC)**, including precursors and derivatives of THC, in a form that allows THC to be introduced into the human body by inhalation of smoke. The term includes:

- (1) hemp bud; and
- (2) hemp flower.

(b) The term does not include:

- (1) a hemp plant that is; or
- (2) parts of a hemp plant that are;

grown or handled by a licensee **governed by IC 15-15-13** and for processing or manufacturing into a ~~legal~~ **hemp derived cannabinoid**



1 product **under IC 7.1-8.**

2 SECTION 63. IC 35-48-2-1, AS AMENDED BY P.L.84-2010,
3 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 1. (a) The board shall administer this article and
5 may recommend to the general assembly the addition, deletion, or
6 rescheduling of all substances listed in the schedules in sections 4, 6,
7 8, 10, and 12 of this chapter by submitting in an electronic format
8 under IC 5-14-6 a report of such recommendations to the legislative
9 council. In making a determination regarding a substance, the board
10 shall consider the following:

- 11 (1) The actual or relative potential for abuse.
- 12 (2) The scientific evidence of its pharmacological effect, if
- 13 known.
- 14 (3) The state of current scientific knowledge regarding the
- 15 substance.
- 16 (4) The history and current pattern of abuse.
- 17 (5) The scope, duration, and significance of abuse.
- 18 (6) The risk to public health.
- 19 (7) The potential of the substance to produce psychic or
- 20 physiological dependence liability.
- 21 (8) Whether the substance is an immediate precursor of a
- 22 substance already controlled under this article.

23 (b) After considering the factors enumerated in subsection (a), the
24 board shall make findings and recommendations concerning the control
25 of the substance if it finds the substance has a potential for abuse.

26 (c) If the board finds that a substance is an immediate precursor,
27 substances which are precursors of the controlled precursor shall not
28 be subject to control solely because they are precursors of the
29 controlled precursor.

30 (d) If any substance is designated or rescheduled to a more
31 restrictive schedule as a controlled substance under federal law and
32 notice is given to the board, the board shall recommend similar control
33 of the substance under this article in the board's report to the general
34 assembly, unless the board objects to inclusion or rescheduling. In that
35 case, the board shall publish the reasons for objection and afford all
36 interested parties an opportunity to be heard. At the conclusion of the
37 hearing, the board shall publish its findings.

38 (e) **This subsection does not include marijuana.** If a substance is
39 rescheduled to a less restrictive schedule or deleted as a controlled
40 substance under federal law, the substance is rescheduled or deleted
41 under this article. If the board objects to inclusion, rescheduling, or
42 deletion of the substance, the board shall notify the chairman of the



legislative council not more than thirty (30) days after the federal law is changed and the substance may not be rescheduled or deleted until the conclusion of the next complete session of the general assembly. The notice from the board to the chairman of the legislative council must be published.

(f) The board shall conduct hearings regarding revocations, suspensions, and restrictions of registrations as provided in IC 35-48-3-4. All hearings shall be conducted in accordance with IC 4-21.5-3.

(g) Authority to control under this section does not extend to distilled spirits, wine, or malt beverages, as those terms are defined or used in IC 7.1, or to tobacco.

(h) The board shall exclude any nonnarcotic substance from a schedule if that substance may, under the Federal Food, Drug, and Cosmetic Act or state law, be sold over the counter without a prescription.

SECTION 64. IC 35-48-4-2, AS AMENDED BY P.L.61-2020, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a) This section does not apply to a hemp derived cannabinoid product as defined in IC 7.1-8-2-4.**

(a) (b) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

a controlled substance or controlled substance analog, pure or adulterated, classified in schedule I, except marijuana, hash oil, hashish, or salvia, or a controlled substance, or controlled substance analog, pure or adulterated, classified in schedule II or III; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

a controlled substance or controlled substance analog, pure or adulterated, classified in schedule I, except marijuana, hash oil, hashish, or salvia, or a controlled substance, or controlled substance analog, pure or adulterated, classified in schedule II or III;

commits dealing in a schedule I, II, or III controlled substance, a Level



6 felony, except as provided in subsections ~~(b)~~ (c) through ~~(f)~~ (g).

~~(b)~~ (c) A person may be convicted of an offense under subsection ~~(a)(2)~~ (b)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least twenty-eight (28) grams.

~~(c)~~ (d) The offense is a Level 5 felony if:

(1) the amount of the drug involved is at least one (1) gram but less than five (5) grams; or

(2) the amount of the drug involved is less than one (1) gram and an enhancing circumstance applies.

~~(d)~~ (e) The offense is a Level 4 felony if:

(1) the amount of the drug involved is at least five (5) grams but less than ten (10) grams; or

(2) the amount of the drug involved is at least one (1) gram but less than five (5) grams and an enhancing circumstance applies.

~~(e)~~ (f) The offense is a Level 3 felony if:

(1) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams; or

(2) the amount of the drug involved is at least five (5) grams but less than ten (10) grams and an enhancing circumstance applies.

~~(f)~~ (g) The offense is a Level 2 felony if:

(1) the amount of the drug involved is at least twenty-eight (28) grams; or

(2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies.

SECTION 65. IC 35-48-4-7, AS AMENDED BY P.L.61-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) **This section does not apply to a hemp derived cannabinoid product as defined in IC 7.1-8-2-4.**

~~(a)~~ (b) A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally possesses a:

(1) controlled substance or controlled substance analog (pure or adulterated), classified in schedule I, except marijuana, hashish, or salvia; or

(2) controlled substance or controlled substance analog (pure or adulterated), classified in schedule II, III, or IV;

commits possession of a controlled substance, a Class A misdemeanor,



except as provided in subsection ~~(b)~~: **(c)**.

~~(b)~~ **(c)** The offense is a Level 6 felony if the person commits the offense and an enhancing circumstance applies.

~~(c)~~ **(d)** A person who, without a valid prescription or order of a practitioner acting in the course of the practitioner's professional practice, knowingly or intentionally obtains:

(1) more than four (4) ounces of schedule V controlled substances containing codeine in any given forty-eight (48) hour period unless pursuant to a prescription;

(2) a schedule V controlled substance pursuant to written or verbal misrepresentation; or

(3) possession of a schedule V controlled substance other than by means of a prescription or by means of signing an exempt narcotic register maintained by a pharmacy licensed by the Indiana state board of pharmacy;

commits a Class A misdemeanor.

SECTION 66. IC 35-48-4-10, AS AMENDED BY P.L.153-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers; or

(D) finances the delivery of;

marijuana, hash oil, hashish, or salvia, pure or adulterated; or

(2) possesses, with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

marijuana, hash oil, hashish, or salvia, pure or adulterated;

commits dealing in marijuana, hash oil, hashish, or salvia, a Class A misdemeanor, except as provided in subsections (b) through (d).

(b) A person may be convicted of an offense under subsection (a)(2) only if:

(1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or

(2) the amount of the drug involved is at least:

(A) ten (10) pounds, if the drug is marijuana; or

(B) three hundred (300) grams, if the drug is hash oil, hashish, or salvia.



(c) The offense is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense and the amount of the drug involved is:

(A) less than thirty (30) grams of marijuana; or

(B) less than five (5) grams of hash oil, hashish, or salvia; or

(2) the amount of the drug involved is:

(A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or

(B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia.

(d) The offense is a Level 5 felony if:

(1) the person has a prior conviction for a drug dealing offense and the amount of the drug involved is:

(A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or

(B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia;

(2) the:

(A) amount of the drug involved is:

(i) at least ten (10) pounds of marijuana; or

(ii) at least three hundred (300) grams of hash oil, hashish, or salvia; or

(B) offense involved a sale to a minor; or

(3) the:

(A) person is a retailer;

(B) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be ~~low THC hemp extract~~; **a hemp derived cannabinoid product**; and

(C) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.

SECTION 67. IC 35-48-4-11, AS AMENDED BY P.L.153-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) A person who:

(1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;

(2) knowingly or intentionally grows or cultivates marijuana; or

(3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;

commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if:



(1) the person has a prior conviction for a drug offense; or

(2) the:

(A) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be ~~low THC hemp extract~~; **a hemp derived cannabinoid product**; and

(B) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.

(c) The offense described in subsection (a) is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense; and

(2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

SECTION 68. IC 35-48-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 8. Offenses Relating to Hemp

Sec. 0.5. Nothing in IC 7.1 or IC 15 may be construed under the "inclusio unius, extenion alterius" canon of construction that marijuana has been legalized.

Sec. 1. The terms defined in sections 2 through 6 of this chapter apply only to this chapter and if cited in another statute concerning hemp.

Sec. 2. (a) "Container" means the innermost wrapping, packaging, or vessel in direct contact with a final hemp derived cannabinoid product in which the final hemp derived cannabinoid product is enclosed for retail sale to consumers, including a jar, bottle, bag, box, packet, can, carton, or cartridge.

(b) The term excludes bulk shipping containers or outer wrappings that are not essential for the final retail delivery or sale to an end consumer for personal or household use.

(c) The term does not include a drug that is subject of an application approved under 21 U.S.C. 355(c) or (j).

Sec. 3. (a) "Hemp" means the plant Cannabis sativa L. and any part of the plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether grown or not, with a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than three-tenths of one percent (0.3%) on a dry weight basis.

(b) The term includes industrial hemp and hemp derived cannabinoid products.

(c) The term does not include:

(1) any viable seeds from a Cannabis sativa L. plant that



1 exceeds a total tetrahydrocannabinols concentration
 2 (including tetrahydrocannabinolic acid) of three-tenths of one
 3 percent (0.3%) in the plant on a dry weight basis;

4 (2) any intermediate hemp derived cannabinoid products
 5 containing:

6 (A) cannabinoids that are not capable of being naturally
 7 produced by a *Cannabis sativa* L. plant;

8 (B) cannabinoids that:

9 (i) are capable of being naturally produced by the
 10 *Cannabis sativa* L. plant; and

11 (ii) were synthesized or manufactured outside the plant;
 12 or

13 (C) more than three-tenths of one percent (0.3%)
 14 combined total concentration of:

15 (i) total tetrahydrocannabinols (including
 16 tetrahydrocannabinolic acid); and

17 (ii) any other cannabinoids that have similar effects (or
 18 are marketed to have similar effects) on humans or
 19 animals as a tetrahydrocannabinol as determined by the
 20 United States Secretary of Health and Human Services;

21 (3) any intermediate hemp derived cannabinoid products
 22 which are marketed or sold as a final product or directly to an
 23 end consumer for personal or household use; or

24 (4) any final hemp derived cannabinoid products containing:

25 (A) cannabinoids that are not capable of being naturally
 26 produced by a *Cannabis sativa* L. plant;

27 (B) cannabinoids that:

28 (i) are capable of being naturally produced by a
 29 *Cannabis sativa* L. plant; and

30 (ii) were synthesized or manufactured outside the plant;
 31 or

32 (C) greater than four-tenths (0.4) milligram combined total
 33 per container of:

34 (i) total tetrahydrocannabinols (including
 35 tetrahydrocannabinolic acid); and

36 (ii) any other cannabinoids that have similar effects, or
 37 are marketed to have similar effects, on humans or
 38 animals as a tetrahydrocannabinol, as determined by the
 39 United States Secretary of Health and Human Services.

40 Sec. 4. "Hemp derived cannabinoid product" means any
 41 intermediate or final product derived from hemp, other than
 42 industrial hemp, that:



- (1) meets the definition of "hemp" under section 3 of this chapter;
- (2) contains cannabinoids in any form; and
- (3) is intended for human or animal use through any means of application or administration, including inhalation, ingestion, or topical application.

Sec. 5. "Industrial hemp" means hemp:

- (1) grown for the use of the stalk of the plant fiber produced from the stalk, or any other noncannabinoid derivative, mixture, preparation, or manufacture of the stalk;
- (2) grown for the use of the whole grain, oil, cake, nut, hull, or other noncannabinoid compound, derivative, mixture, preparation, or manufacture of the seeds of the plant;
- (3) grown for purposes of producing microgreens or other edible hemp leaf products for human consumption that are derived from an immature hemp plant that is grown from seeds that do not exceed the threshold for total tetrahydrocannabinols concentration of three-tenths of one percent (0.3%) in the plant on a dry weight basis;
- (4) that is a plant that does not enter the stream of commerce and is intended to support hemp research at an institution of higher education, as defined in 20 U.S.C. 1001, or an independent research institute; or
- (5) grown for the use of a viable seed of the plant produced solely for the production or manufacture of any material described in subdivisions (1) through (4).

Sec. 6. "Intermediate hemp derived cannabinoid product" means a hemp derived cannabinoid product that:

- (1) is not yet in the final form or preparation and is marketed or intended to be used or consumed by a human or animal; or
- (2) is a powder, liquid, tablet, oil, or other product form that is intended or marketed to be mixed, dissolved, formulated, or added to or prepared with or into any other substance prior to administration or consumption.

Sec. 7. A person who:

- (1) is a retailer under IC 7.1-8;
- (2) knowingly or intentionally sells marijuana that is packaged in a manner that appears to be a hemp derived cannabinoid product; and
- (3) knew or reasonably should have known that the product was marijuana;

commits a Level 5 felony.



1 **Sec. 8. (a) A person who does not hold a valid permit under**
 2 **IC 7.1-8 who;**

3 **(1) knowingly or intentionally:**

4 **(A) manufactures;**

5 **(B) finances the manufacture of;**

6 **(C) delivers;**

7 **(D) finances the delivery of; or**

8 **(E) sells;**

9 **hemp derived cannabinoid product; or**

10 **(2) possesses, with intent to:**

11 **(A) manufacture;**

12 **(B) finance the manufacture of;**

13 **(C) deliver;**

14 **(D) finance the delivery of; or**

15 **(E) sell;**

16 **hemp derived cannabinoid product;**

17 **commits unlicensed dealing in hemp derived cannabinoid product,**
 18 **a Class A misdemeanor, except as provided in subsections (b)**
 19 **through (d).**

20 **(b) A person may be convicted of an offense under subsection**
 21 **(a)(2) only if:**

22 **(1) there is evidence in addition to the weight of the drug that**
 23 **the person intended to manufacture, finance the manufacture**
 24 **of, deliver, finance the delivery of, or sell, the hemp derived**
 25 **cannabinoid product; or**

26 **(2) the amount of the hemp derived cannabinoid product**
 27 **involved is at least ten (10) pounds.**

28 **(c) The offense is a Level 6 felony if the person has a prior**
 29 **conviction for an offense under this section and the amount of the**
 30 **hemp derived cannabinoid product involved is less than ten (10)**
 31 **pounds.**

32 **(d) The offense is a Level 5 felony if the person has a prior**
 33 **conviction for a dealing offense under this section and the amount**
 34 **of the hemp derived cannabinoid product involved is less than ten**
 35 **(10) pounds or the offense involved a sale to a minor.**

36 SECTION 69. IC 35-52-7-39, AS ADDED BY P.L.169-2014,
 37 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime concerning
 39 alcohol and products containing THC.

40 SECTION 70. IC 35-52-7-40, AS ADDED BY P.L.169-2014,
 41 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning



1 alcohol and products containing THC.

2 SECTION 71. IC 35-52-7-98 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: **Sec. 98. IC 7.1-8-15-5 defines a crime**
5 **concerning hemp derived cannabinoid product certificate of**
6 **analyses.**

7 SECTION 72. IC 35-52-7-99 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2026]: **Sec. 99. IC 7.1-8-20-1 defines crimes**
10 **concerning the transportation of hemp derived cannabinoid**
11 **products.**

12 SECTION 73. IC 35-52-7-100 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2026]: **Sec. 100. IC 7.1-8-20-2 defines crimes**
15 **regarding hemp derived cannabinoid products permits.**

16 SECTION 74. IC 35-52-7-101 IS ADDED TO THE INDIANA
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2026]: **Sec. 101. IC 7.1-8-20-3 defines a crime**
19 **concerning the sale of hemp derived cannabinoid products over the**
20 **Internet.**

21 SECTION 75. IC 35-52-7-102 IS ADDED TO THE INDIANA
22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2026]: **Sec. 102. IC 7.1-8-20-4 defines a crime**
24 **concerning recalled hemp derived cannabinoid products.**

25 SECTION 76. [EFFECTIVE JULY 1, 2026] (a) The state seed
26 commissioner shall adopt rules under IC 4-22-2, to comply with
27 this act by July 1, 2027.

28 (b) While rules are pending under subsection (a), the state seed
29 commissioner shall adopt provisional rules to comply with this act
30 by October 1, 2027.

31 (c) This SECTION expires January 1, 2028.

