



January 16, 2026

SENATE BILL No. 250

DIGEST OF SB 250 (Updated January 15, 2026 12:05 pm - DI 119)

Citations Affected: IC 7.1-1; IC 7.1-5; IC 7.1-7; IC 7.1-8; IC 9-13; IC 15-15; IC 16-31; IC 22-15; IC 24-4; IC 24-5; IC 25-1; IC 34-30; IC 35-31.5; IC 35-46; IC 35-48; IC 35-52; noncode.

Synopsis: Regulation of hemp. Defines "THC" for purposes of Indiana alcohol and tobacco law. Expands certain crimes concerning alcohol and tobacco, including crimes regarding possession by minors and sales to minors, to include products containing THC. Provides that the alcohol and tobacco commission (commission) shall conduct random inspections of locations where products containing THC are sold. Allows law enforcement officers to engage minors who are at least 16 years of age to purchase THC products as part of a law enforcement action. Enacts provisions regulating the manufacture, distribution, sale, and transportation of hemp derived cannabinoid products (hemp derived cannabinoid products law). Requires the commission to enforce and administer the hemp derived cannabinoid products law. Provides for issuance of: (1) manufacturer permits; (2) distributor permits; (3) retail permits; and (4) carrier permits; for hemp derived cannabinoid products. Prohibits the sale of hemp derived cannabinoid products online or by delivery. Provides that a person issued a manufacturer permit may manufacture hemp derived cannabinoid products only in Indiana. Imposes packaging and labeling requirements for hemp derived cannabinoid products. Requires testing of hemp derived cannabinoid products and provides that the commission may spot test hemp derived cannabinoid products for compliance with the hemp derived cannabinoid products law. Specifies circumstances under which a hemp derived cannabinoid product shall be treated as if it is
(Continued next page)

Effective: July 1, 2026.

Freeman, Carrasco

January 8, 2026, read first time and referred to Committee on Commerce and Technology.
January 15, 2026, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

SB 250—LS 7117/DI 107



marijuana. Creates the hemp derived cannabinoid products fund and specifies purposes for which money in the fund shall be used. Imposes restrictions on advertising of hemp derived cannabinoid products. Imposes criminal penalties for violations of the hemp derived cannabinoid products law, and provides that a violation of the hemp derived cannabinoid products law is a deceptive act for purposes of Indiana law regarding deceptive consumer sales. Provides that for purposes of Indiana motor vehicle law: (1) "intoxicated" includes being under the influence of tetrahydrocannabinol; and (2) "schedule I drug" includes marijuana, hemp, and tetrahydrocannabinol. Provides that the state seed commissioner (commissioner) may issue hemp grower's licenses and hemp handler's licenses, and specifies licensure requirements and duties of licensees. Provides that the commissioner: (1) shall share information with the state police department regarding the commissioner's licensure of hemp growers and handlers; and (2) shall report specified information to the United States Secretary of Agriculture. Provides that Indiana's hemp growing programs may not operate above federal restrictions or limitations. Repeals chapters regarding: (1) distribution of low THC hemp extract; and (2) sale of low THC hemp extract. Provides that a retail establishment in which tobacco products and products containing THC (rather than tobacco products alone, under current law) account for 85% of the establishment's gross sales may not allow an individual under 21 years of age to enter the establishment. Adds federal definitions of certain hemp terms to the Indiana criminal code. Modifies definitions of "marijuana" and "smokable hemp" for purposes of the Indiana criminal code. Removes references to "delta-9-tetrahydrocannabinol" and "low THC hemp extract" in certain crimes. Provides that nothing in Indiana: (1) alcohol and tobacco law; or (2) agriculture law; may be construed under the "inclusio unius, exclusio alterius" canon of construction as legalizing marijuana. Makes an appropriation.



January 16, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE BILL No. 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, including hemp derived cannabinoid**
5 **products, synthetic equivalents of the substances contained in the**
6 **plant or in the resinous extractives of Cannabis, and synthetic**
7 **substances, derivates, and their isomers with a similar chemical**
8 **structure and pharmacological activity.**
9 SECTION 2. IC 7.1-5-7-7, AS AMENDED BY P.L.159-2014,
10 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C
12 misdemeanor for a minor to knowingly:
13 (1) possess an alcoholic beverage **or a product containing THC;**
14 (2) consume an alcoholic beverage **or a product containing**
15 **THC; or**

SB 250—LS 7117/DI 107



(3) transport an alcoholic beverage **or a product containing THC** on a public highway when not accompanied by at least one (1) of the minor's parents or guardians.

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

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

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

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

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

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

(c) A person who knowingly or intentionally:

(1) rents property; or

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

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

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

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

(2) either:



- (A) rents property; or
 (B) provides or arranges for the use of property;
 for the purpose of allowing or enabling a minor to consume an
 alcoholic beverage **or a product containing THC** on the
 property.

SECTION 4. IC 7.1-5-7-15 IS AMENDED TO READ AS
 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. A person
 twenty-one (21) years of age or older who knowingly or intentionally
 encourages, aids, or induces a minor to unlawfully possess an alcoholic
 beverage **or a product containing THC** commits a Class C infraction.

SECTION 5. IC 7.1-5-7-16, AS AMENDED BY P.L.216-2011,
 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 JULY 1, 2026]: Sec. 16. The commission shall conduct random
 unannounced inspections at locations where alcoholic beverages **or**
products containing THC are sold or distributed to ensure compliance
 with this title. Only the commission may conduct the random
 unannounced inspections. The commission may use retired or off duty
 law enforcement officers to conduct inspections under this section.

SECTION 6. 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 7. 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



1 beverage **or a product containing THC**.

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

5 SECTION 8. IC 7.1-5-10-15.5 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) As used in this
7 section, "furnish" includes barter, deliver, sell, exchange, provide, or
8 give away.

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

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

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

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

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

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

32 SECTION 9. IC 7.1-7-3-4 IS ADDED TO THE INDIANA CODE
33 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
34 1, 2026]: **Sec. 4. An e-liquid that is a hemp derived cannabinoid**
35 **product is subject to this article and IC 7.1-8.**

36 SECTION 10. IC 7.1-8 IS ADDED TO THE INDIANA CODE AS
37 A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
38 2026]:

39 **ARTICLE 8. HEMP DERIVED CANNABINOID PRODUCTS**

40 **Chapter 1. Applicability, Purpose, and Effective Date**

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

42 **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.

Sec. 4. The definitions in IC 35-48-8 apply throughout this chapter.

Sec. 5. A product that purports to be a hemp derived cannabinoid product, but is in violation of this article, is to be treated as marijuana (as defined in IC 35-48-1.1-29).

Chapter 2. Definitions

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

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

(1) manufactured at the same time;

(2) manufactured using the same:

(A) methods;

(B) equipment; and

(C) ingredients;

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

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

(A) executed; and

(B) documented.

Sec. 3. "CBD product" means a product that contains a cannabidiol or cannabigerol but does not contain tetrahydrocannabinol, any other cannabinoids, or any other controlled substances.

Sec. 3.5. "Container" has the meaning set forth in IC 35-48-8-2.

Sec. 4. (a) "Hemp derived cannabinoid product" has the meaning set forth in IC 35-48-8-4.



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

4 **Sec. 6. "Hemp manufacturer" means a person who produces**
 5 **hemp derived cannabinoid products and has a permit under**
 6 **IC 7.1-8-9.**

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

10 **Sec. 8. "Law enforcement officer" has the meaning set forth in**
 11 **IC 35-31.5-2-185.**

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

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

16 **Chapter 3. Commission Duties**

17 **Sec. 1. The commission shall enforce and administer this article.**

18 **Sec. 2. The commission shall:**

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

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

- 35 (1) this article;
- 36 (2) rules adopted by the commission;
- 37 (3) permit requirements; and
- 38 (4) permit conditions.

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

- 40 (1) records;
- 41 (2) property, including vehicles;
- 42 (3) hemp; and



(4) hemp derived cannabinoid products.

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

- (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 and seizure 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:

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

(B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;

(C) a drug related Level 6 felony or misdemeanor;

(D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or

(E) a drug related felony or misdemeanor in a state other than Indiana.

(8) A written consent for the state police department to conduct a state or national criminal history background check of the applicant.

(b) The commission shall deposit an application fee received under subsection (a)(3) in the hemp derived cannabinoid products fund established by IC 7.1-8-16.

Sec. 4. (a) Upon receipt of a permit application under this chapter, the commission shall forward a copy of the application to the state police department.

(b) 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 applicant was convicted, in the previous five (5) years, of:

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

(B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;

(C) a drug related Level 6 felony or misdemeanor;

(D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or

(E) a drug related felony or misdemeanor in a state other than Indiana.

(3) Return the application to the commission with the state police department's determinations and a copy of the state or national criminal history background check.



(c) The commission may assess a fee of one hundred dollars (\$100) on behalf of the state police department to conduct criminal background checks.

(d) The commission shall review a permit application and criminal background check information returned from the state police department.

(e) If the commission determines that all the requirements under this chapter have been met and that a permit should be granted to the applicant, the commission shall approve the application for issuance of a permit.

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

- (1) is less than twenty-one (21) years of age;
- (2) is not registered with the secretary of state to do business in Indiana;
- (3) has or had an interest in a hemp permit, an alcohol permit, or a tobacco sales certificate that has been revoked by the commission in the previous five (5) years;
- (4) does not have lawful status (as defined in IC 9-13-2-92.3);
- (5) has been convicted within five (5) years, 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 Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;
- (C) a drug related Level 6 felony or misdemeanor;
- (D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or
- (E) a drug related felony or misdemeanor in a state other than Indiana;

- (6) is non compos mentis; or
- (7) has made an application for a permit under this title that has been denied less than one (1) year prior to the person's application for a hemp permit unless the first application was denied by reason of a procedural or technical defect.

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

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

- (1) The permit number.



(2) The permit holder's name.

(3) The name and address of the business for which the permit is issued.

(4) The expiration date of the permit.

(b) A permit issued under this article is:

(1) valid for one (1) year after the date of issuance, unless the 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. (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.

(c) The commission may choose to not issue a permit to the new owner if the new owner does not comply with the application requirements of this article.

Sec. 2. (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. 3. 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



1 soon as the commission has approved the permit and as long as the
2 permit is valid.

3 Sec. 4. The commission shall not issue more than one (1) type of
4 permit under this article to a person.

5 Chapter 7. Deposit of Permits

6 Sec. 1. (a) If a permit holder is unable to immediately operate
7 the business for which the permit was issued, the permit holder
8 shall deposit the permit with the commission, subject to the
9 commission's approval. The commission may approve the deposit
10 of the permit for the following terms:

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

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

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

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

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

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

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

31 (2) the permit is not active.

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

35 (1) the term of deposit expires; and

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

37 (A) the permit is not active; or

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

40 Sec. 3. This section sets out the procedure for a permit holder to
41 request deposit of a permit or extension of a term of deposit. A
42 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.

(B) A timetable for making the business and the permit active.

(C) A detailed statement of the permit holder's efforts to make the business operational and the permit active.

(3) To request an extension of a term of deposit, appear at a public meeting of the commission and provide to the commission's satisfaction an explanation of the following:

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

(B) A timetable for making the business operational and the permit active.

(C) A detailed statement of the permit holder's efforts to make the business operational and the permit active.

(4) Submit to the commission any other documentation of the permit holder's efforts under subdivision (3)(C), including:

(A) contracts for construction or renovation of the permit premises;

(B) zoning applications and approvals; and

(C) building permits and any other necessary government approvals.

(5) If the commission approves the permit holder's initial request for deposit or request for an extension of a term of deposit, pay any permit renewal fees that are due.

Sec. 4. The commission shall send a notice by mail or electronic mail to a person of:

(1) the commission's approval or denial of a request for deposit or extension of a term of deposit; and

(2) if the permit holder's request is approved:

(A) the date that the term of deposit expires; and

(B) any fees that are due and payable by the permit holder.

A person adversely affected by the commission's determination under this chapter may seek judicial review of the determination under IC 4-21.5.

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 for ninety (90) days 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 hundred fifty dollars (\$250).

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

Chapter 9. Manufacturer Permits

Sec. 1. (a) A person shall not manufacture a hemp derived cannabinoid product without holding a valid hemp manufacturer



1 permit issued by the commission.

2 (b) A hemp manufacturer shall only purchase hemp from a
3 person licensed to grow hemp under IC 15-15-13.

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

6 (1) intends to manufacture hemp derived cannabinoid
7 products;

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

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

13 (b) The commission shall charge one thousand dollars (\$1,000)
14 for a hemp derived cannabinoid products manufacturer permit
15 annually. The commission shall deposit this fee in the hemp derived
16 cannabinoid products fund established by IC 7.1-8-16.

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

19 (d) A hemp manufacturer may only manufacture hemp derived
20 cannabinoid products in Indiana.

21 Chapter 10. Distributor Permits

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

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

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

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

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

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

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

41 Chapter 11. Retail Permits

42 Sec. 1. (a) A hemp retail permit holder under this chapter may



1 only purchase hemp derived cannabinoid products from a hemp
 2 distributor holding a valid hemp distributor permit issued by the
 3 commission.

4 (b) A person may only purchase hemp derived cannabinoid
 5 products from a hemp distributor if the person holds a hemp retail
 6 permit.

7 (c) A person may only sell:

- 8 (1) a hemp derived cannabinoid product; and
- 9 (2) a CBD product;

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

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

- 14 (1) intends to sell hemp derived cannabinoid products; and
- 15 (2) meets the commission's requirements for a hemp derived
 16 cannabinoid products retail permit.

17 (b) The commission shall charge five hundred fifty dollars
 18 (\$550) for a hemp derived cannabinoid products retail permit
 19 annually. The commission shall deposit this fee in the hemp derived
 20 cannabinoid products fund established by IC 7.1-8-16.

21 Sec. 3. (a) It is a Class C infraction for a hemp retail permit
 22 holder or an employee or agent of a hemp retail permit holder to
 23 recklessly, knowingly, or intentionally sell, barter, exchange,
 24 provide, or furnish another person who is or reasonably appears
 25 to be less than forty (40) years of age a hemp derived cannabinoid
 26 product without first requiring the person to produce:

- 27 (1) a driver's license;
- 28 (2) an identification card issued under IC 9-24-16-1 or a
 29 similar card issued under the laws of another state or the
 30 federal government; or
- 31 (3) a government issued document;

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

34 (b) A hemp retail permit holder does not need to request the
 35 identification of an individual to purchase a CBD product, as
 36 defined in IC 7.1-8-2-3.

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

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

- 41 (1) a school;
- 42 (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. (a) The commission may issue a hemp carrier permit to a person who:

- (1) intends to transport hemp or hemp derived cannabinoid products:
 - (A) between a hemp grower, licensed under IC 15-15-13-7 and a hemp manufacturer;
 - (B) between a hemp manufacturer and a hemp distributor;
 - (C) between a hemp distributor and a hemp retailer; or
 - (D) between Indiana and another state; and
- (2) meets the commission's requirements for a hemp carrier permit.

(b) A person transporting industrial hemp, as defined in IC 35-48-8-5, is exempt under this article but must obtain a hemp handler permit under IC 15-15-13-7 to transport industrial hemp.

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



1 regulation of the commission. The commission shall duly execute
2 and approve the bond.

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

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

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

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

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

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

19 Chapter 13. Labeling

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

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

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

30 (d) If a person violates this chapter:

31 (1) a law enforcement officer shall seize any improperly
32 labeled products; and

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

35 (e) A product seized under subsection (d)(1) is presumed to be
36 marijuana as defined in IC 35-48-1.1-29.

37 Sec. 2. (a) A label on a hemp derived cannabinoid product must
38 be conspicuous and include the following information:

39 (1) The batch number.

40 (2) The hemp derived cannabinoid product permit number.

41 (3) If at the manufacturing stage, the hemp manufacturer's
42 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) Except as provided in subsection (b), 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."

(b) Subsection (a)(9) does not apply to CBD products, as defined in IC 7.1-8-2-3.

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

(b) The commission may impose a civil penalty on any person



1 who sells or distributes a hemp derived cannabinoid product in
 2 violation of this article. However, the civil penalty may not exceed
 3 the greater of:

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

7 **Chapter 15. Laboratories**

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

13 **(b)** The commission shall notify the state police department if a
 14 laboratory listed under subsection (a) has failed to comply with this
 15 article.

16 **(c)** The state police department shall delete a laboratory from
 17 the list described in subsection (a) after receiving a notification
 18 under subsection (b).

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

24 **Sec. 3.** A hemp manufacturer must submit the following to the
 25 commission:

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



- 1 (15) A statement indicating whether vitamin E acetate is in
- 2 the product.
- 3 (16) The hemp grower's license number.
- 4 Sec. 4. The commission shall publish information compiled
- 5 under section 3 of this chapter in the commission's data base for
- 6 hemp derived cannabinoid products and post this information on
- 7 the commission's website.
- 8 Sec. 5. (a) A hemp manufacturer, a hemp distributor, or a hemp
- 9 retailer may not sell a hemp derived cannabinoid product that is
- 10 not properly tested under section 2 of this chapter.
- 11 (b) A person who knowingly or intentionally falsifies or alters
- 12 a certificate of analysis is subject to criminal prosecution under
- 13 IC 35-43-5-4.
- 14 (c) A hemp derived cannabinoid product with a falsified or
- 15 altered certificate of analysis is to be considered marijuana (as
- 16 defined in IC 35-48-1.1-29).
- 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 state budget
- 25 agency.
- 26 (b) All money received by the commission for deposit in the
- 27 hemp derived cannabinoid products fund shall be deposited in the
- 28 fund.
- 29 (c) The commission shall deposit in the fund all:
- 30 (1) fees for permits received under this article; and
- 31 (2) 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. In each state fiscal year, the prior state fiscal year
- 38 collections accrued to the fund shall be used by the commission as
- 39 follows:
- 40 (1) Seventy percent (70%) by the commission for the
- 41 administration of the purposes of this article.
- 42 (2) Twenty percent (20%) pursuant to the hemp derived



products law enforcement program as described in section 3 of this chapter.

(3) Five percent (5%) to the division of mental health and addiction to provide funding for the 988 suicide and crisis hotline.

(4) Five percent (5%) 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 state budget agency 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.

(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.

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) uses 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; or

(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. The commission may do spot testing of hemp derived cannabinoid products to ensure compliance with this article.

Sec. 2. (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) The commission shall adopt rules under IC 4-22-2 concerning the recall of hemp derived cannabinoid products due to:



(1) improper or false labeling; or

(2) health and safety concerns.

(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 (as defined in IC 35-48-1.1-29). 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 carrier permit for violating this section.

Sec. 2. A law enforcement agency may seize hemp or hemp derived cannabinoid products that are being transported in violation of this article.

Sec. 3. (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



1 a Level 6 felony after the first offense.

2 Sec. 4. A person who knowingly or intentionally sells or offers
3 to sell a hemp derived cannabinoid product over the Internet or by
4 delivery commits a Class A misdemeanor.

5 Sec. 5. A person who knowingly or intentionally sells a hemp
6 derived cannabinoid product that has been recalled under
7 IC 7.1-8-18 commits a Class B misdemeanor.

8 Sec. 6. A person who knowingly or intentionally violates this
9 article commits a deceptive act that is actionable by the attorney
10 general under IC 24-5-0.5 and is subject to the penalties listed in
11 IC 24-5-0.5.

12 SECTION 11. IC 9-13-2-86, AS AMENDED BY P.L.186-2025,
13 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2026]: Sec. 86. "Intoxicated" means under the influence of:

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

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

29 SECTION 12. IC 9-13-2-160.5 IS ADDED TO THE INDIANA
30 CODE AS A NEW SECTION TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2026]: **Sec. 160.5. "Schedule I drug", for**
32 **purposes of this title, includes marijuana (as defined in**
33 **IC 35-48-1.1-29), hemp (as defined in IC 35-48-8-3), and**
34 **tetrahydrocannabinol (as defined in IC 7.1-1-3-46.5).**

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

39 (b) The state seed commissioner shall share information
40 regarding the hemp program established under this chapter with
41 the state police department.

42 (c) The state seed commissioner shall report and provide to the



1 **United States Secretary of Agriculture required information under**
 2 **7 CFR 990.7 within thirty (30) days of the information being**
 3 **received.**

4 SECTION 14. IC 15-15-13-1, AS AMENDED BY P.L.190-2019,
 5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 1. (a) Nothing in this chapter authorizes any
 7 person to violate any federal law or regulation.

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

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

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

18 SECTION 16. IC 15-15-13-3.5 IS ADDED TO THE INDIANA
 19 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. "Grow site" means any place**
 21 **or location, either indoors or outdoors, where a hemp crop is**
 22 **legally grown.**

23 SECTION 17. IC 15-15-13-4, AS AMENDED BY P.L.190-2019,
 24 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2026]: Sec. 4. As used in this chapter, "grower" means:

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

30 SECTION 18. IC 15-15-13-5, AS AMENDED BY P.L.190-2019,
 31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 5. (a) As used in this chapter, "handler" means an
 33 individual, a partnership, a company, or a corporation that receives
 34 **industrial** hemp for scientific research, or for processing ~~into~~
 35 **agricultural** commodities, **industrial** hemp, ~~products;~~
 36 hemp seed.

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

39 SECTION 19. IC 15-15-13-6, AS AMENDED BY P.L.190-2019,
 40 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2026]: Sec. 6. As used in this chapter, "hemp" ~~means the plant~~
 42 **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 20. 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 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 21. 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 35-48-8-4.

SECTION 22. 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. (a) As used in this chapter, "industrial hemp" has the meaning set forth in IC 35-48-8-5.**

(b) The term includes hemp as defined in IC 35-48-1.1-29.

SECTION 23. 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 24. 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 25. 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 structure containing the same variety or strain of cannabis throughout the area.**

SECTION 26. IC 15-15-13-7, AS AMENDED BY P.L.190-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to section 15 of this chapter, the production of, possession of, scientific study of, and commerce in hemp **and industrial hemp** is authorized in Indiana. Hemp is subject to regulation by the state seed commissioner. The state seed commissioner shall adopt rules to ~~oversee the licensing, production, and management of:~~

- (1) ~~hemp; and~~
- (2) ~~agricultural hemp seed; implement this chapter.~~

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

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

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

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

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

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

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

~~(c) (g) An application for a hemp license or agricultural hemp seed~~



production license **under this chapter** must include the following:

- (1) The name and address of the applicant.
- (2) The name and address of the ~~hemp operation~~ **business** of the applicant.
- (3) The global positioning system coordinates, **including the geospatial decimal format**, and legal description of the ~~property used for the hemp operation~~ **following:**
 - (A) **Site by field.**
 - (B) **Storage site.**
 - (C) **Receiving site.**
 - (D) **Staging site.**
 - (E) **Sites similar to the sites listed in clauses (A) through (D).**
- (4) If the ~~hemp license or agricultural hemp seed production license~~ application is made by a grower, the acreage size of the field where the hemp will be grown.
- (5) A statement signed by the applicant, under penalty of perjury, that the person applying for the ~~hemp license or agricultural hemp seed production license~~ has not been convicted, ~~of a drug related felony or misdemeanor in the previous ten (10) years~~ **within five (5) years of the application date, of:**
 - (A) **a federal crime having a sentence of at least one (1) year;**
 - (B) **a felony 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;****for which the applicant's conviction has not been expunged under IC 35-38-9.**
- (6) A written consent allowing the state police department to conduct a state or national criminal history background check.
- (7) A written consent **that the applicant expressly consents for a one (1) year duration and for an additional one (1) year after the applicant's permit expires** ~~allowing to allow~~ the state police department, the state seed commissioner, or the state seed commissioner's authorized representative, ~~if a license is issued to the applicant,~~ **upon the issuance of a license to the applicant,** to conduct aerial inspections and to enter the premises on which the hemp is grown to conduct physical inspections of hemp planted and grown by the applicant, and to ensure the plants meet the definition of hemp as set forth in section 6 of this chapter.
- (8) ~~A nonrefundable application fee; which must include the~~



amount necessary to conduct a state or national criminal history background check, in an amount determined by the state seed commissioner.

(8) An attestation and declaration that the applicant will use a Hemp Analytical Testing Laboratory registered with the United States Drug Enforcement Administration to conduct analytical testing for total THC.

(9) A crop testing plan that includes:

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

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

(10) The intended purpose of growing the crop, including for, but not limited to:

(A) CBD;

(B) fiber;

(C) grain;

(D) oil; or

(E) hemp derived cannabinoid products.

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

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

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

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

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

~~(16)~~ (16) Any other information required by the state seed commissioner.

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

(1) a sole proprietor;

(2) a partner in partnership; and

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



- (A) chief executive officer;
- (B) chief operating officer; or
- (C) a chief financial officer.

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

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

(k) If an applicant fails to provide a report under subsection (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 27. 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 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;
 and the conviction has not been expunged under IC 35-38-9; or
- (6) is non compos mentis.

SECTION 28. 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 any 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) Outdoor acreage or indoor square footage dedicated to the growing of hemp.
- (3) License number of the grower.
- (4) The purpose of the crop as fiber, grain, CBD, or another specified use.

(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 29. 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:~~

~~(1)~~ (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:

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

~~(ii)~~ (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.

~~(e)~~ (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 30. 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



1 **commissioner.**

2 **(2) The licensee falsified information.**

3 **(3) The licensee failed to follow labeling requirements.**

4 **(4) The licensee is convicted of violating any Indiana law.**

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

8 ~~(f)~~ **(h)** A failure to cooperate described in subsection (e) constitutes
 9 probable cause for the state seed commissioner, state police, federal
 10 law enforcement agency, or local law enforcement agency to search the
 11 premises of the licensee's hemp operation.

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

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

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

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

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

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

32 **SECTION 31. IC 15-15-13-9.5, AS ADDED BY P.L.190-2019,**
 33 **SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 34 **JULY 1, 2026]: Sec. 9.5. (a) A person who is a handler licensed under**
 35 **this section may distribute clones and other nonseed propagative**
 36 **materials of a hemp plant using the person's own labeling, if the**
 37 **distributor does the following:**

38 (1) Complies with the requirements of this chapter.

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

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

42 (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 period.

(8) Any other information or conditions stated in the application.

(b) The state seed commissioner may revoke a handler's license if the commissioner determines any of the following:

(1) That the licensee has not complied with the requirements under this chapter.

(2) The report required in subsection (a) has not been submitted and is more than ten (10) days late.

(3) The report required in subsection (a) contained false information.

(4) The labeling requirements under this chapter have not been met.

(c) If the inspection fee has not been paid and is more than ten (10) days late, the state seed commissioner shall assess a late fee.

(d) Each year the:

(1) report required under subsection (a)(7); and

(2) inspection fees required under this chapter;

for the period beginning on January 1 and ending on June 30 and for the period beginning on July 1 and ending on December 31 are due not more than thirty (30) days after the end of the semiannual period.

(e) A person holding a hemp handler's license must have in their immediate possession, while transporting industrial hemp, a physical document indicating that they have a handler license and must provide the following to law enforcement when asked:

(1) Evidence of a valid hemp handler license from the state seed commissioner.

(2) A valid driver's license that includes the driver's photo and current legal address.

(3) An invoice or delivery document identifying the person to whom the industrial hemp is to be delivered, including the person's the full address and telephone number, and the variety and quantity of the industrial hemp.



(4) A valid certificate of analysis issued by a state seed commissioner approved laboratory showing the total THC for the industrial hemp transported.

SECTION 32. IC 15-15-13-10 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 10. The amount of any fees charged growers and handlers by the state seed commissioner under this chapter must be sufficient to cover the cost of the administration of this chapter, including the cost of conducting audits and testing.

SECTION 33. IC 15-15-13-10.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.1. (a) A licensee shall pay an annual fee of ten thousand dollars (\$10,000) for a license issued under this chapter.

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

SECTION 34. IC 15-15-13-11, AS AMENDED BY P.L.190-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) Only a hemp handler licensee the licensee's designee, or the licensee's agents may be permitted to transport industrial hemp off a production site. When transporting industrial hemp off the production site, the hemp handler licensee designee, or agent shall have in the licensee's, designee's, or agent's their possession the licensing documents from the state seed commissioner evidencing that the industrial hemp is from certified seed produced by a licensed grower.

(b) The state seed commissioner shall include:

(1) the license number of the grower that produced the hemp; and

(2) the license number of the hemp handler; in the licensing documents described in subsection (a).

SECTION 35. IC 15-15-13-12, AS AMENDED BY P.L.156-2020, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. The state seed commissioner is responsible for the following:

(1) Monitoring the hemp grown by any hemp grower license holder.

(2) Conducting random testing of the hemp for compliance with tetrahydrocannabinol (THC) levels. The state seed commissioner may enter into agreements with one (1) or more laboratories selected by the Indiana state police department to perform testing under this subdivision.

(3) Establishing necessary testing criteria and protocols, including



a procedure for testing, using post decarboxylation or other similarly reliable methods, for ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol** concentration levels of the hemp produced.

(4) Establishing the minimum number of acres to be planted under each license issued under this chapter.

(5) Regulating any propagative material of a hemp plant.

SECTION 36. IC 15-15-13-13, AS AMENDED BY P.L.190-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) Subject to section 13.5 of this chapter, in addition to any other liability or penalty provided by law, the state seed 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 37. 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



1 commissioner may require the person who committed the violation to
 2 comply with a corrective action plan determined by the state seed
 3 commissioner and report to the state seed commissioner on compliance
 4 with the corrective action plan.

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

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

11 (1) the superintendent of the state police department; ~~and~~

12 **(2) the sheriff of the county in which the violation occurred;**
 13 **and**

14 ~~(2) (3)~~ (3) the prosecuting attorney of the county in which the
 15 violation occurred;

16 of the violation **within forty-eight (48) hours of making the**
 17 **determination.**

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

21 SECTION 38. IC 15-15-13-15, AS AMENDED BY P.L.190-2019,
 22 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2026]: Sec. 15. (a) Before ~~December 31, 2019;~~ **July 1, 2027**,
 24 the state seed commissioner, after consultation with the governor, the
 25 director of the state department of agriculture, and the superintendent
 26 of the state police department, shall submit ~~a~~ **an updated** plan that
 27 monitors and regulates the production of hemp to the United States
 28 Department of Agriculture. ~~If the United States Department of~~
 29 ~~Agriculture disapproves the plan, the state seed commissioner shall~~
 30 ~~submit an amended plan to the United States Department of~~
 31 ~~Agriculture.~~

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

35 SECTION 39. IC 15-15-13-16, AS AMENDED BY P.L.29-2024,
 36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2026]: Sec. 16. (a) The state seed commissioner shall pay all
 38 fees collected under this chapter to the treasurer of Purdue University.

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

42 (1) The employment of inspectors and seed analysts.



(2) Procuring samples.

(3) Printing bulletins giving the results of inspection.

(4) Any other expenses of the Purdue University agricultural programs authorized by law and for implementing this chapter.

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

(1) governor;

(2) legislative council; and

(3) budget committee;

in such form as the state board of accounts requires, showing the total 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 40. 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 41. 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 42. 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 as defined in IC 35-48-8-4, is subject to IC 7.1-8 and not this chapter.**

SECTION 43. 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 ~~(1) the growth, production, or processing of hemp; or~~

2 ~~(2) any subject regulated by this chapter.~~

3 SECTION 44. IC 16-31-3-14, AS AMENDED BY P.L.186-2025,
4 SECTION 109, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) A person holding a
6 certificate or license issued under this article must comply with the
7 applicable standards and rules established under this article. A
8 certificate holder or license holder is subject to disciplinary sanctions
9 under subsection (b) if the department of homeland security determines
10 that the certificate holder or license holder:

11 (1) engaged in or knowingly cooperated in fraud or material
12 deception in order to obtain a certificate or license, including
13 cheating on a certification or licensure 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 required under this article or rules adopted
20 under this article;

21 (5) is convicted of a crime, if the act that resulted in the
22 conviction has a direct bearing on determining if the certificate
23 holder or license holder should be entrusted to provide emergency
24 medical services;

25 (6) is convicted of violating IC 9-19-14.5;

26 (7) fails to comply and maintain compliance with or violates any
27 applicable provision, standard, or other requirement of this article
28 or rules adopted under this article;

29 (8) continues to practice if the certificate holder or license holder
30 becomes unfit to practice due to:

31 (A) professional incompetence that includes the undertaking
32 of professional activities that the certificate holder or license
33 holder is not qualified by training or experience to undertake;

34 (B) failure to keep abreast of current professional theory or
35 practice;

36 (C) physical or mental disability; or

37 (D) addiction to, abuse of, or dependency on alcohol or other
38 drugs that endanger the public by impairing the certificate
39 holder's or license holder's ability to practice safely;

40 (9) engages in a course of lewd or immoral conduct in connection
41 with the delivery of services to the public;

42 (10) allows the certificate holder's or license holder's name or a



1 certificate or license issued under this article to be used in
 2 connection with a person who renders services beyond the scope
 3 of that person's training, experience, or competence;

4 (11) is subjected to disciplinary action in another state or
 5 jurisdiction on grounds similar to those contained in this chapter.
 6 For purposes of this subdivision, a certified copy of a record of
 7 disciplinary action constitutes prima facie evidence of a
 8 disciplinary action in another jurisdiction;

9 (12) assists another person in committing an act that would
 10 constitute a ground for disciplinary sanction under this chapter;

11 (13) allows a certificate or license issued by the commission to
 12 be:

13 (A) used by another person; or

14 (B) displayed to the public when the certificate or license is
 15 expired, inactive, invalid, revoked, or suspended; or

16 (14) fails to notify the department in writing of any misdemeanor
 17 or felony criminal conviction, except traffic related misdemeanors
 18 other than operating a motor vehicle under the influence of a drug
 19 or alcohol, within ninety (90) days after the entry of an order or
 20 judgment. A certified copy of the order or judgment with a letter
 21 of explanation must be submitted to the department along with the
 22 written notice.

23 (b) The department of homeland security may issue an order under
 24 IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if
 25 the department of homeland security determines that a certificate
 26 holder or license holder is subject to disciplinary sanctions under
 27 subsection (a):

28 (1) Revocation of a certificate holder's certificate or license
 29 holder's license for a period not to exceed seven (7) years.

30 (2) Suspension of a certificate holder's certificate or license
 31 holder's license for a period not to exceed seven (7) years.

32 (3) Censure of a certificate holder or license holder.

33 (4) Issuance of a letter of reprimand.

34 (5) Assessment of a civil penalty against the certificate holder or
 35 license holder in accordance with the following:

36 (A) The civil penalty may not exceed five hundred dollars
 37 (\$500) per day per violation.

38 (B) If the certificate holder or license holder fails to pay the
 39 civil penalty within the time specified by the department of
 40 homeland security, the department of homeland security may
 41 suspend the certificate holder's certificate or license holder's
 42 license without additional proceedings.



1 (6) Placement of a certificate holder or license holder on
2 probation status and requirement of the certificate holder or
3 license holder to:

4 (A) report regularly to the department of homeland security
5 upon the matters that are the basis of probation;

6 (B) limit practice to those areas prescribed by the department
7 of homeland security;

8 (C) continue or renew professional education approved by the
9 department of homeland security until a satisfactory degree of
10 skill has been attained in those areas that are the basis of the
11 probation; or

12 (D) perform or refrain from performing any acts, including
13 community restitution or service without compensation, that
14 the department of homeland security considers appropriate to
15 the public interest or to the rehabilitation or treatment of the
16 certificate holder or license holder.

17 The department of homeland security may withdraw or modify
18 this probation if the department of homeland security finds after
19 a hearing that the deficiency that required disciplinary action is
20 remedied or that changed circumstances warrant a modification
21 of the order.

22 (c) If an applicant or a certificate holder or license holder has
23 engaged in or knowingly cooperated in fraud or material deception to
24 obtain a certificate or license, including cheating on the certification or
25 licensure examination, the department of homeland security may
26 rescind the certificate or license if it has been granted, void the
27 examination or other fraudulent or deceptive material, and prohibit the
28 applicant from reapplying for the certificate or license for a length of
29 time established by the department of homeland security.

30 (d) The department of homeland security may deny certification or
31 licensure to an applicant who would be subject to disciplinary sanctions
32 under subsection (b) if that person were a certificate holder or license
33 holder, has had disciplinary action taken against the applicant or the
34 applicant's certificate or license to practice in another state or
35 jurisdiction, or has practiced without a certificate or license in violation
36 of the law. A certified copy of the record of disciplinary action is
37 conclusive evidence of the other jurisdiction's disciplinary action.

38 (e) The department of homeland security may order a certificate
39 holder or license holder to submit to a reasonable physical or mental
40 examination if the certificate holder's or license holder's physical or
41 mental capacity to practice safely and competently is at issue in a
42 disciplinary proceeding. Failure to comply with a department of



homeland security order to submit to a physical or mental examination makes a certificate holder or license holder liable to temporary suspension under subsection (i).

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

(g) The department of homeland security may deny, suspend, or revoke a certificate or license issued under this article if the individual who holds or is applying for the certificate or 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(c)~~. **IC 35-48-4-7(d).**

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or 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 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 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 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:

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

(B) 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:

(i) Class D felony (for a crime committed before July 1,



- 1 2014); or
 2 (ii) Level 6 felony (for a crime committed after June 30,
 3 2014);
 4 under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or
 5 (C) possession of a controlled substance analog (as defined in
 6 IC 35-48-1.1-8).
 7 (10) Maintaining a common nuisance under IC 35-48-4-13
 8 (repealed) or IC 35-45-1-5, if the common nuisance involves a
 9 controlled substance.
 10 (11) An offense relating to registration, labeling, and prescription
 11 forms under IC 35-48-4-14.
 12 (h) A decision of the department of homeland security under
 13 subsections (b) through (g) may be appealed to the commission under
 14 IC 4-21.5-3-7.
 15 (i) The department of homeland security may temporarily suspend
 16 a certificate holder's certificate or license holder's license under
 17 IC 4-21.5-4 before a final adjudication or during the appeals process if
 18 the department of homeland security finds that a certificate holder or
 19 license holder would represent a clear and immediate danger to the
 20 public's health, safety, or property if the certificate holder or license
 21 holder were allowed to continue to practice.
 22 (j) On receipt of a complaint or information alleging that a person
 23 certified or licensed under this chapter or IC 16-31-3.5 has engaged in
 24 or is engaging in a practice that is subject to disciplinary sanctions
 25 under this chapter, the department of homeland security must initiate
 26 an investigation against the person.
 27 (k) The department of homeland security shall conduct a factfinding
 28 investigation as the department of homeland security considers proper
 29 in relation to the complaint.
 30 (l) The department of homeland security may reinstate a certificate
 31 or license that has been suspended under this section if the department
 32 of homeland security is satisfied that the applicant is able to practice
 33 with reasonable skill, competency, and safety to the public. As a
 34 condition of reinstatement, the department of homeland security may
 35 impose disciplinary or corrective measures authorized under this
 36 chapter.
 37 (m) The department of homeland security may not reinstate a
 38 certificate or license that has been revoked under this chapter.
 39 (n) The department of homeland security must be consistent in the
 40 application of sanctions authorized in this chapter. Significant
 41 departures from prior decisions involving similar conduct must be
 42 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 who holds:

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

SECTION 45. IC 22-15-5-16, AS AMENDED BY P.L.186-2025, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) A practitioner shall comply with the standards established under this licensing program. A practitioner is subject to the exercise of the disciplinary sanctions under IC 22-12-7-7 if the department finds that a practitioner has:

- (1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;
- (2) engaged in fraud or material deception in the course of professional services or activities;
- (3) advertised services or goods in a false or misleading manner;
- (4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses provided under this chapter;
- (5) been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;
- (6) knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;
- (7) continued to practice although the practitioner has become unfit to practice due to:
 - (A) professional incompetence;
 - (B) failure to keep abreast of current professional theory or practice;
 - (C) physical or mental disability; or



- 1 (D) addiction to, abuse of, or severe dependency on alcohol or
- 2 other drugs that endanger the public by impairing a
- 3 practitioner's ability to practice safely;
- 4 (8) engaged in a course of lewd or immoral conduct in connection
- 5 with the delivery of services to the public;
- 6 (9) allowed the practitioner's name or a license issued under this
- 7 chapter to be used in connection with an individual or business
- 8 who renders services beyond the scope of that individual's or
- 9 business's training, experience, or competence;
- 10 (10) had disciplinary action taken against the practitioner or the
- 11 practitioner's license to practice in another state or jurisdiction on
- 12 grounds similar to those under this chapter;
- 13 (11) assisted another person in committing an act that would
- 14 constitute a ground for disciplinary sanction under this chapter;
- 15 or
- 16 (12) allowed a license issued by the department to be:
- 17 (A) used by another person; or
- 18 (B) displayed to the public when the license has expired, is
- 19 inactive, is invalid, or has been revoked or suspended.
- 20 For purposes of subdivision (10), a certified copy of a record of
- 21 disciplinary action constitutes prima facie evidence of a disciplinary
- 22 action in another jurisdiction.
- 23 (b) If an applicant or a practitioner has engaged in or knowingly
- 24 cooperated in fraud or material deception to obtain a license to
- 25 practice, including cheating on the licensing examination, the
- 26 department may rescind the license if it has been granted, void the
- 27 examination or other fraudulent or deceptive material, and prohibit the
- 28 applicant from reapplying for the license for a length of time
- 29 established by the department.
- 30 (c) The department may deny licensure to an applicant who has had
- 31 disciplinary action taken against the applicant or the applicant's license
- 32 to practice in another state or jurisdiction or who has practiced without
- 33 a license in violation of the law. A certified copy of the record of
- 34 disciplinary action is conclusive evidence of the other jurisdiction's
- 35 disciplinary action.
- 36 (d) The department may order a practitioner to submit to a
- 37 reasonable physical or mental examination if the practitioner's physical
- 38 or mental capacity to practice safely and competently is at issue in a
- 39 disciplinary proceeding. Failure to comply with a department order to
- 40 submit to a physical or mental examination makes a practitioner liable
- 41 to temporary suspension under subsection (h).
- 42 (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.



- 1 (11) An offense relating to registration, labeling, and prescription
- 2 forms under IC 35-48-4-14.
- 3 (g) The department shall deny, revoke, or suspend a license issued
- 4 under this chapter if the individual who holds the license is convicted
- 5 of any of the following:
- 6 (1) Dealing in a controlled substance resulting in death under
- 7 IC 35-42-1-1.5.
- 8 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 9 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 10 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 11 (5) Dealing in a schedule I, II, or III controlled substance under
- 12 IC 35-48-4-2.
- 13 (6) Dealing in a schedule IV controlled substance under
- 14 IC 35-48-4-3.
- 15 (7) Dealing in a schedule V controlled substance under
- 16 IC 35-48-4-4.
- 17 (8) Dealing in a substance represented to be a controlled
- 18 substance under IC 35-48-4-4.5 (repealed).
- 19 (9) Knowingly or intentionally manufacturing, advertising,
- 20 distributing, or possessing with intent to manufacture, advertise,
- 21 or distribute a substance represented to be a controlled substance
- 22 under IC 35-48-4-4.6.
- 23 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 24 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 25 under IC 35-48-4-10.
- 26 (12) An offense under IC 35-48-4 involving the manufacture or
- 27 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 28 synthetic drug lookalike substance (as defined in
- 29 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 30 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 31 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 32 represented to be a controlled substance (as described in
- 33 IC 35-48-4-4.6).
- 34 (13) A violation of any federal or state drug law or rule related to
- 35 wholesale legend drug distributors licensed under IC 25-26-14.
- 36 (h) The department may temporarily suspend a practitioner's license
- 37 under IC 4-21.5-4 before a final adjudication or during the appeals
- 38 process if the department finds that a practitioner represents a clear and
- 39 immediate danger to the public's health, safety, or property if the
- 40 practitioner is allowed to continue to practice.
- 41 (i) On receipt of a complaint or an information alleging that a person
- 42 licensed under this chapter has engaged in or is engaging in a practice



1 that jeopardizes the public health, safety, or welfare, the department
2 shall initiate an investigation against the person.

3 (j) Any complaint filed with the office of the attorney general
4 alleging a violation of this licensing program shall be referred to the
5 department for summary review and for its general information and any
6 authorized action at the time of the filing.

7 (k) The department shall conduct a fact finding investigation as the
8 department considers proper in relation to the complaint.

9 (l) A practitioner may petition the department to accept the
10 surrender of the practitioner's license. The practitioner may not
11 surrender the practitioner's license without the written approval of the
12 department, and the department may impose any conditions appropriate
13 to the surrender or reinstatement of a surrendered license.

14 (m) A practitioner who has been subjected to disciplinary sanctions
15 may be required by the commission to pay the costs of the proceeding.
16 The practitioner's ability to pay shall be considered when costs are
17 assessed. If the practitioner fails to pay the costs, a suspension may not
18 be imposed solely upon the practitioner's inability to pay the amount
19 assessed. The costs are limited to costs for the following:

- 20 (1) Court reporters.
- 21 (2) Transcripts.
- 22 (3) Certification of documents.
- 23 (4) Photo duplication.
- 24 (5) Witness attendance and mileage fees.
- 25 (6) Postage.
- 26 (7) Expert witnesses.
- 27 (8) Depositions.
- 28 (9) Notarizations.

29 SECTION 46. IC 24-4-21 IS REPEALED [EFFECTIVE JULY 1,
30 2026]. (Distribution of Low THC Hemp Extract).

31 SECTION 47. IC 24-4-22 IS REPEALED [EFFECTIVE JULY 1,
32 2026]. (Low THC Hemp Extract Sales).

33 SECTION 48. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024,
34 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair,
36 abusive, or deceptive act, omission, or practice in connection with a
37 consumer transaction. Such an act, omission, or practice by a supplier
38 is a violation of this chapter whether it occurs before, during, or after
39 the transaction. An act, omission, or practice prohibited by this section
40 includes both implicit and explicit misrepresentations.

41 (b) Without limiting the scope of subsection (a), the following acts,
42 and the following representations as to the subject matter of a



1 consumer transaction, made orally, in writing, or by electronic
2 communication, by a supplier, are deceptive acts:

3 (1) That such subject of a consumer transaction has sponsorship,
4 approval, performance, characteristics, accessories, uses, or
5 benefits it does not have which the supplier knows or should
6 reasonably know it does not have.

7 (2) That such subject of a consumer transaction is of a particular
8 standard, quality, grade, style, or model, if it is not and if the
9 supplier knows or should reasonably know that it is not.

10 (3) That such subject of a consumer transaction is new or unused,
11 if it is not and if the supplier knows or should reasonably know
12 that it is not.

13 (4) That such subject of a consumer transaction will be supplied
14 to the public in greater quantity than the supplier intends or
15 reasonably expects.

16 (5) That replacement or repair constituting the subject of a
17 consumer transaction is needed, if it is not and if the supplier
18 knows or should reasonably know that it is not.

19 (6) That a specific price advantage exists as to such subject of a
20 consumer transaction, if it does not and if the supplier knows or
21 should reasonably know that it does not.

22 (7) That the supplier has a sponsorship, approval, or affiliation in
23 such consumer transaction the supplier does not have, and which
24 the supplier knows or should reasonably know that the supplier
25 does not have.

26 (8) That such consumer transaction involves or does not involve
27 a warranty, a disclaimer of warranties, or other rights, remedies,
28 or obligations, if the representation is false and if the supplier
29 knows or should reasonably know that the representation is false.

30 (9) That the consumer will receive a rebate, discount, or other
31 benefit as an inducement for entering into a sale or lease in return
32 for giving the supplier the names of prospective consumers or
33 otherwise helping the supplier to enter into other consumer
34 transactions, if earning the benefit, rebate, or discount is
35 contingent upon the occurrence of an event subsequent to the time
36 the consumer agrees to the purchase or lease.

37 (10) That the supplier is able to deliver or complete the subject of
38 the consumer transaction within a stated period of time, when the
39 supplier knows or should reasonably know the supplier could not.
40 If no time period has been stated by the supplier, there is a
41 presumption that the supplier has represented that the supplier
42 will deliver or complete the subject of the consumer transaction



1 within a reasonable time, according to the course of dealing or the
2 usage of the trade.

3 (11) That the consumer will be able to purchase the subject of the
4 consumer transaction as advertised by the supplier, if the supplier
5 does not intend to sell it.

6 (12) That the replacement or repair constituting the subject of a
7 consumer transaction can be made by the supplier for the estimate
8 the supplier gives a customer for the replacement or repair, if the
9 specified work is completed and:

10 (A) the cost exceeds the estimate by an amount equal to or
11 greater than ten percent (10%) of the estimate;

12 (B) the supplier did not obtain written permission from the
13 customer to authorize the supplier to complete the work even
14 if the cost would exceed the amounts specified in clause (A);

15 (C) the total cost for services and parts for a single transaction
16 is more than seven hundred fifty dollars (\$750); and

17 (D) the supplier knew or reasonably should have known that
18 the cost would exceed the estimate in the amounts specified in
19 clause (A).

20 (13) That the replacement or repair constituting the subject of a
21 consumer transaction is needed, and that the supplier disposes of
22 the part repaired or replaced earlier than seventy-two (72) hours
23 after both:

24 (A) the customer has been notified that the work has been
25 completed; and

26 (B) the part repaired or replaced has been made available for
27 examination upon the request of the customer.

28 (14) Engaging in the replacement or repair of the subject of a
29 consumer transaction if the consumer has not authorized the
30 replacement or repair, and if the supplier knows or should
31 reasonably know that it is not authorized.

32 (15) The act of misrepresenting the geographic location of the
33 supplier by listing an alternate business name or an assumed
34 business name (as described in IC 23-0.5-3-4) in a local telephone
35 directory if:

36 (A) the name misrepresents the supplier's geographic location;

37 (B) the listing fails to identify the locality and state of the
38 supplier's business;

39 (C) calls to the local telephone number are routinely forwarded
40 or otherwise transferred to a supplier's business location that
41 is outside the calling area covered by the local telephone
42 directory; and



- 1 (D) the supplier's business location is located in a county that
 2 is not contiguous to a county in the calling area covered by the
 3 local telephone directory.
- 4 (16) The act of listing an alternate business name or assumed
 5 business name (as described in IC 23-0.5-3-4) in a directory
 6 assistance data base if:
- 7 (A) the name misrepresents the supplier's geographic location;
 8 (B) calls to the local telephone number are routinely forwarded
 9 or otherwise transferred to a supplier's business location that
 10 is outside the local calling area; and
- 11 (C) the supplier's business location is located in a county that
 12 is not contiguous to a county in the local calling area.
- 13 (17) The violation by a supplier of IC 24-3-4 concerning
 14 cigarettes for import or export.
- 15 (18) The act of a supplier in knowingly selling or reselling a
 16 product to a consumer if the product has been recalled, whether
 17 by the order of a court or a regulatory body, or voluntarily by the
 18 manufacturer, distributor, or retailer, unless the product has been
 19 repaired or modified to correct the defect that was the subject of
 20 the recall.
- 21 (19) The violation by a supplier of 47 U.S.C. 227, including any
 22 rules or regulations issued under 47 U.S.C. 227.
- 23 (20) The violation by a supplier of the federal Fair Debt
 24 Collection Practices Act (15 U.S.C. 1692 et seq.), including any
 25 rules or regulations issued under the federal Fair Debt Collection
 26 Practices Act (15 U.S.C. 1692 et seq.).
- 27 **(21) A violation of IC 7.1-8 (concerning the manufacture,**
 28 **distribution, and sale of hemp derived cannabinoid products),**
 29 **as set forth in IC 7.1-8-20-5.**
- 30 ~~(21)~~ **(22)** A violation of IC 24-5-7 (concerning health spa
 31 services), as set forth in IC 24-5-7-17.
- 32 ~~(22)~~ **(23)** A violation of IC 24-5-8 (concerning business
 33 opportunity transactions), as set forth in IC 24-5-8-20.
- 34 ~~(23)~~ **(24)** A violation of IC 24-5-10 (concerning home consumer
 35 transactions), as set forth in IC 24-5-10-18.
- 36 ~~(24)~~ **(25)** A violation of IC 24-5-11 (concerning real property
 37 improvement contracts), as set forth in IC 24-5-11-14.
- 38 ~~(25)~~ **(26)** A violation of IC 24-5-12 (concerning telephone
 39 solicitations), as set forth in IC 24-5-12-23.
- 40 ~~(26)~~ **(27)** A violation of IC 24-5-13.5 (concerning buyback motor
 41 vehicles), as set forth in IC 24-5-13.5-14.
- 42 ~~(27)~~ **(28)** A violation of IC 24-5-14 (concerning automatic



dialing-announcing devices), as set forth in IC 24-5-14-13.

~~(28)~~ **(29)** A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.

~~(29)~~ **(30)** A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

~~(30)~~ **(31)** A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

~~(31)~~ **(32)** A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.

~~(32)~~ **(33)** A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.

~~(33)~~ **(34)** A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

~~(34)~~ **(35)** A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

~~(35)~~ **(36)** A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

~~(36)~~ **(37)** A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

~~(37)~~ **(38)** A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

~~(38)~~ **(39)** A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

~~(39)~~ **(40)** A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

~~(40)~~ **(41)** A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

~~(41)~~ **(42)** A violation of IC 24-5-27 (concerning intrastate inmate calling services), as set forth in IC 24-5-27-27.

~~(42)~~ **(43)** A violation of IC 15-21 (concerning sales of dogs by retail pet stores), as set forth in IC 15-21-7-4.

~~(43)~~ **(44)** A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason



1 to know that such representation was false.

2 (d) If a supplier shows by a preponderance of the evidence that an
3 act resulted from a bona fide error notwithstanding the maintenance of
4 procedures reasonably adopted to avoid the error, such act shall not be
5 deceptive within the meaning of this chapter.

6 (e) It shall be a defense to any action brought under this chapter that
7 the representation constituting an alleged deceptive act was one made
8 in good faith by the supplier without knowledge of its falsity and in
9 reliance upon the oral or written representations of the manufacturer,
10 the person from whom the supplier acquired the product, any testing
11 organization, or any other person provided that the source thereof is
12 disclosed to the consumer.

13 (f) For purposes of subsection (b)(12), a supplier that provides
14 estimates before performing repair or replacement work for a customer
15 shall give the customer a written estimate itemizing as closely as
16 possible the price for labor and parts necessary for the specific job
17 before commencing the work.

18 (g) For purposes of subsection (b)(15) and (b)(16), a telephone
19 company or other provider of a telephone directory or directory
20 assistance service or its officer or agent is immune from liability for
21 publishing the listing of an alternate business name or assumed
22 business name of a supplier in its directory or directory assistance data
23 base unless the telephone company or other provider of a telephone
24 directory or directory assistance service is the same person as the
25 supplier who has committed the deceptive act.

26 (h) For purposes of subsection (b)(18), it is an affirmative defense
27 to any action brought under this chapter that the product has been
28 altered by a person other than the defendant to render the product
29 completely incapable of serving its original purpose.

30 SECTION 49. IC 24-5-0.5-4, AS AMENDED BY P.L.186-2025,
31 SECTION 133, IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A person relying upon an
33 uncured or incurable deceptive act may bring an action for the damages
34 actually suffered as a consumer as a result of the deceptive act or five
35 hundred dollars (\$500), whichever is greater. The court may increase
36 damages for a willful deceptive act in an amount that does not exceed
37 the greater of:

38 (1) three (3) times the actual damages of the consumer suffering
39 the loss; or

40 (2) one thousand dollars (\$1,000).

41 Except as provided in subsection (k), the court may award reasonable
42 attorney's fees to the party that prevails in an action under this



subsection. This subsection does not apply to a consumer transaction in real property, including a claim or action involving a construction defect (as defined in IC 32-27-3-1(5)) brought against a construction professional (as defined in IC 32-27-3-1(4)), except for purchases of time shares and camping club memberships. This subsection does not apply with respect to a deceptive act described in section 3(b)(20) of this chapter. This subsection also does not apply to a violation of IC 24-4.7, IC 24-5-12, IC 24-5-14, or IC 24-5-14.5. Actual damages awarded to a person under this section have priority over any civil penalty imposed under this chapter.

(b) Any person who is entitled to bring an action under subsection (a) on the person's own behalf against a supplier for damages for a deceptive act may bring a class action against such supplier on behalf of any class of persons of which that person is a member and which has been damaged by such deceptive act, subject to and under the Indiana Rules of Trial Procedure governing class actions, except as herein expressly provided. Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in a class action under this subsection, provided that such fee shall be determined by the amount of time reasonably expended by the attorney and not by the amount of the judgment, although the contingency of the fee may be considered. Except in the case of an extension of time granted by the attorney general under IC 24-10-2-2(b) in an action subject to IC 24-10, any money or other property recovered in a class action under this subsection which cannot, with due diligence, be restored to consumers within one (1) year after the judgment becomes final shall be returned to the party depositing the same. This subsection does not apply to a consumer transaction in real property, except for purchases of time shares and camping club memberships. This subsection does not apply with respect to a deceptive act described in section 3(b)(20) of this chapter. Actual damages awarded to a class have priority over any civil penalty imposed under this chapter.

(c) The attorney general may bring an action to enjoin an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction, including a deceptive act described in section 3(b)(20) of this chapter, notwithstanding subsections (a) and (b). However, the attorney general may seek to enjoin patterns of incurable deceptive acts with respect to consumer transactions in real property. In addition, the court may:

- (1) issue an injunction;
- (2) order the supplier to make payment of the money unlawfully received from the aggrieved consumers to be held in escrow for



distribution to aggrieved consumers;

(3) for a knowing violation against a senior consumer, increase the amount of restitution ordered under subdivision (2) in any amount up to three (3) times the amount of damages incurred or value of property or assets lost;

(4) order the supplier to pay to the state the reasonable costs of the attorney general's investigation and prosecution, expert fees, and court fees related to the action;

(5) provide for the appointment of a receiver; and

(6) order the department of state revenue to suspend the supplier's registered retail merchant certificate, subject to the requirements and prohibitions contained in IC 6-2.5-8-7(a)(5), if the court finds that a violation of this chapter involved the sale or solicited sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (repealed)) (before July 1, 2019), a controlled substance analog (as defined in IC 35-48-1.1-8), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(d) In an action under subsection (a), (b), (c), or (n) the court may void or limit the application of contracts or clauses resulting from deceptive acts and order restitution to be paid to aggrieved consumers.

(e) In any action under subsection (a) or (b), upon the filing of the complaint or on the appearance of any defendant, claimant, or any other party, or at any later time, the trial court, the supreme court, or the court of appeals may require the plaintiff, defendant, claimant, or any other party or parties to give security, or additional security, in such sum as the court shall direct to pay all costs, expenses, and disbursements that shall be awarded against that party or which that party may be directed to pay by any interlocutory order by the final judgment or on appeal.

(f) Any person who violates the terms of an injunction issued under subsection (c) or (n) shall forfeit and pay to the state a civil penalty of not more than fifteen thousand dollars (\$15,000) per violation. For the purposes of this section, the court issuing an injunction shall retain jurisdiction, the cause shall be continued, and the attorney general acting in the name of the state may petition for recovery of civil penalties. Whenever the court determines that an injunction issued under subsection (c) or (n) has been violated, the court shall award reasonable costs to the state.

(g) If a court finds any person has knowingly violated section 3 or 10 of this chapter, other than section 3(b)(19), 3(b)(20), or ~~3(b)(40)~~ **3(b)(41)** of this chapter, the attorney general, in an action pursuant to



1 subsection (c), may recover from the person on behalf of the state a
 2 civil penalty of a fine not exceeding five thousand dollars (\$5,000) per
 3 violation.

4 (h) If a court finds that a person has violated section 3(b)(19) of this
 5 chapter, the attorney general, in an action under subsection (c), may
 6 recover from the person on behalf of the state a civil penalty as follows:

7 (1) For a knowing or intentional violation, one thousand five
 8 hundred dollars (\$1,500).

9 (2) For a violation other than a knowing or intentional violation,
 10 five hundred dollars (\$500).

11 A civil penalty recovered under this subsection shall be deposited in
 12 the consumer protection division telephone solicitation fund
 13 established by IC 24-4.7-3-6 to be used for the administration and
 14 enforcement of section 3(b)(19) of this chapter.

15 (i) A senior consumer relying upon an uncured or incurable
 16 deceptive act, including an act related to hypnotism, may bring an
 17 action to recover treble damages, if appropriate.

18 (j) An offer to cure is:

19 (1) not admissible as evidence in a proceeding initiated under this
 20 section unless the offer to cure is delivered by a supplier to the
 21 consumer or a representative of the consumer before the supplier
 22 files the supplier's initial response to a complaint; and

23 (2) only admissible as evidence in a proceeding initiated under
 24 this section to prove that a supplier is not liable for attorney's fees
 25 under subsection (k).

26 If the offer to cure is timely delivered by the supplier, the supplier may
 27 submit the offer to cure as evidence to prove in the proceeding in
 28 accordance with the Indiana Rules of Trial Procedure that the supplier
 29 made an offer to cure.

30 (k) A supplier may not be held liable for the attorney's fees and
 31 court costs of the consumer that are incurred following the timely
 32 delivery of an offer to cure as described in subsection (j) unless the
 33 actual damages awarded, not including attorney's fees and costs, exceed
 34 the value of the offer to cure.

35 (l) If a court finds that a person has knowingly violated section
 36 3(b)(20) of this chapter, the attorney general, in an action under
 37 subsection (c), may recover from the person on behalf of the state a
 38 civil penalty not exceeding one thousand dollars (\$1,000) per
 39 consumer. In determining the amount of the civil penalty in any action
 40 by the attorney general under this subsection, the court shall consider,
 41 among other relevant factors, the frequency and persistence of
 42 noncompliance by the debt collector, the nature of the noncompliance,



and the extent to which the noncompliance was intentional. A person may not be held liable in any action by the attorney general for a violation of section 3(b)(20) of this chapter if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error, notwithstanding the maintenance of procedures reasonably adapted to avoid the error. A person may not be held liable in any action for a violation of this chapter for contacting a person other than the debtor, if the contact is made in compliance with the Fair Debt Collection Practices Act.

(m) If a court finds that a person has knowingly or intentionally violated section ~~3(b)(40)~~ **3(b)(41)** of this chapter, the attorney general, in an action under subsection (c), may recover from the person on behalf of the state a civil penalty in accordance with IC 24-5-14.5-12(b). As specified in IC 24-5-14.5-12(b), a civil penalty recovered under IC 24-5-14.5-12(b) shall be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6 to be used for the administration and enforcement of IC 24-5-14.5. In addition to the recovery of a civil penalty in accordance with IC 24-5-14.5-12(b), the attorney general may also recover reasonable attorney fees and court costs from the person on behalf of the state. Those funds shall also be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6.

(n) An action that arises from, or otherwise involves, an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction described in section 2(a)(1)(D)(i) of this chapter may be brought and enforced only by the attorney general under this subsection. An action that arises from, or otherwise involves, an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction described in section 2(a)(1)(D)(ii) of this chapter may be brought and enforced only by an attorney acting on behalf of the local law enforcement agency involved in the transaction, unless the local unit of government served by the local law enforcement agency requests the attorney general to bring and enforce an action under this subsection on behalf of the local unit. In addition, the court may:

- (1) issue an injunction;
- (2) order the supplier to make payment of the money unlawfully received from the aggrieved consumers to be held in escrow for distribution to aggrieved consumers; or
- (3) order the supplier to pay to:
 - (A) the attorney acting on behalf of the local law enforcement



1 agency; or
 2 (B) the attorney general for the state;
 3 as applicable, the reasonable costs of the attorney's or the attorney
 4 general's investigation and prosecution, expert fees, and court fees
 5 related to the action.

6 The time for bringing an action under subsection (c), as set forth in
 7 section 5(b) of this chapter, applies to an action brought under this
 8 subsection.

9 SECTION 50. IC 25-1-1.1-2, AS AMENDED BY P.L.186-2025,
 10 SECTION 134, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2026]: Sec. 2. Notwithstanding IC 25-1-7, a
 12 board, a commission, or a committee may suspend, deny, or revoke a
 13 license or certificate issued under this title by the board, the
 14 commission, or the committee without an investigation by the office of
 15 the attorney general if the individual who holds the license or
 16 certificate is convicted of any of the following and the board,
 17 commission, or committee determines, after the individual has
 18 appeared in person, that the offense affects the individual's ability to
 19 perform the duties of the profession:

- 20 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 21 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 22 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~
- 23 **IC 35-48-4-7(b).**
- 24 (4) Fraudulently obtaining a controlled substance under
- 25 ~~IC 35-48-4-7(c).~~ **IC 35-48-4-7(d).**
- 26 (5) Manufacture of paraphernalia as a Class D felony (for a crime
- 27 committed before July 1, 2014) or a Level 6 felony (for a crime
- 28 committed after June 30, 2014) under IC 35-48-4-8.1(c).
- 29 (6) Dealing in paraphernalia as a Class D felony (for a crime
- 30 committed before July 1, 2014) or a Level 6 felony (for a crime
- 31 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 32 (7) Possession of paraphernalia as a Class D felony (for a crime
- 33 committed before July 1, 2014) or a Level 6 felony (for a crime
- 34 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
- 35 its amendment on July 1, 2015).
- 36 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class
- 37 D felony (for a crime committed before July 1, 2014) or a Level
- 38 6 felony (for a crime committed after June 30, 2014) under
- 39 IC 35-48-4-11.
- 40 (9) A felony offense under IC 35-48-4 involving possession of a
- 41 synthetic drug (as defined in IC 35-31.5-2-321), possession of a
- 42 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 51. 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 52. 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 53. 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 54. 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 this title, has the meaning set forth in IC 35-48-8-3.**

SECTION 55. 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 this title, has the meaning set forth in IC 35-48-8-4.**

SECTION 56. 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 this title, has the meaning set forth in IC 35-48-8-5.**

SECTION 57. 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 58. 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 59. 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



1 this section must be deposited in the Richard D. Doyle tobacco
2 education and enforcement fund established under IC 7.1-6-2-6.

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

6 SECTION 60. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025,
7 SECTION 249, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2026]: Sec. 7. "Controlled substance" means a
9 drug, substance, or immediate precursor in schedule I, II, III, IV, or V
10 under:

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

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

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

15 SECTION 61. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025,
16 SECTION 249, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) "Controlled substance analog"
18 means a substance that, due to its chemical structure and potential for
19 abuse or misuse, meets the following criteria:

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

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

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

29 (1) a controlled substance;

30 (2) a legend drug;

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

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

38 **or**

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



1 exemption. ~~or~~

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

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

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

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

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

11 (4) an alkyl group added or deleted:

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

13 (B) from a side chain of a molecule.

14 SECTION 62. IC 35-48-1.1-27 IS REPEALED [EFFECTIVE JULY
15 1, 2026]. Sec. 27: (a) "Low THC hemp extract" means a substance or
16 compound that:

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

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

22 (3) contains no other controlled substances.

23 (b) The term does not include:

24 (1) the harvested reproductive organ; whether immature or
25 mature; of the female hemp plant; or

26 (2) smokable hemp.

27 SECTION 63. IC 35-48-1.1-29, AS ADDED BY P.L.186-2025,
28 SECTION 249, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2026]: Sec. 29. (a) "Marijuana" means any part
30 of the plant genus *Cannabis* whether growing or not; the seeds thereof;
31 the resin extracted from any part of the plant, including hashish and
32 hash oil; any compound, manufacture, salt, derivative, mixture, or
33 preparation of the plant, its seeds or resin.

34 (b) The term does not include:

35 (1) the mature stalks of the plant;

36 (2) fiber produced from the stalks;

37 (3) oil or cake made from the seeds of the plant;

38 (4) any other compound; manufacture; salt; derivative; mixture;
39 or preparation of the mature stalks (except the resin extracted
40 therefrom);

41 (5) the sterilized seed of the plant which is incapable of
42 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 35-48-8-4); or

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

SECTION 64. 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 product under IC 7.1-8.**

SECTION 65. IC 35-48-2-1, AS AMENDED BY P.L.84-2010, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The board shall administer this article and may recommend to the general assembly the addition, deletion, or rescheduling of all substances listed in the schedules in sections 4, 6, 8, 10, and 12 of this chapter by submitting in an electronic format under IC 5-14-6 a report of such recommendations to the legislative council. In making a determination regarding a substance, the board shall consider the following:

(1) The actual or relative potential for abuse.

(2) The scientific evidence of its pharmacological effect, if known.

(3) The state of current scientific knowledge regarding the substance.

(4) The history and current pattern of abuse.

(5) The scope, duration, and significance of abuse.

(6) The risk to public health.

(7) The potential of the substance to produce psychic or physiological dependence liability.



1 (8) Whether the substance is an immediate precursor of a
2 substance already controlled under this article.

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

6 (c) If the board finds that a substance is an immediate precursor,
7 substances which are precursors of the controlled precursor shall not
8 be subject to control solely because they are precursors of the
9 controlled precursor.

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

18 (e) **This subsection does not include marijuana.** If a substance is
19 rescheduled to a less restrictive schedule or deleted as a controlled
20 substance under federal law, the substance is rescheduled or deleted
21 under this article. If the board objects to inclusion, rescheduling, or
22 deletion of the substance, the board shall notify the chairman of the
23 legislative council not more than thirty (30) days after the federal law
24 is changed and the substance may not be rescheduled or deleted until
25 the conclusion of the next complete session of the general assembly.
26 The notice from the board to the chairman of the legislative council
27 must be published.

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

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

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

39 SECTION 66. IC 35-48-4-2, AS AMENDED BY P.L.61-2020,
40 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 2. (a) **This section does not apply to a hemp
42 derived cannabinoid product as defined in IC 35-48-8-4.**



~~(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.
 (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 67. 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 35-48-8-4.**

(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).

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

(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 68. 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:



- 1 (A) manufactures;
- 2 (B) finances the manufacture of;
- 3 (C) delivers; or
- 4 (D) finances the delivery of;
- 5 marijuana, hash oil, hashish, or salvia, pure or adulterated; or
- 6 (2) possesses, with intent to:
- 7 (A) manufacture;
- 8 (B) finance the manufacture of;
- 9 (C) deliver; or
- 10 (D) finance the delivery of;
- 11 marijuana, hash oil, hashish, or salvia, pure or adulterated;
- 12 commits dealing in marijuana, hash oil, hashish, or salvia, a Class A
- 13 misdemeanor, except as provided in subsections (b) through (d).
- 14 (b) A person may be convicted of an offense under subsection (a)(2)
- 15 only if:
- 16 (1) there is evidence in addition to the weight of the drug that the
- 17 person intended to manufacture, finance the manufacture of,
- 18 deliver, or finance the delivery of the drug; or
- 19 (2) the amount of the drug involved is at least:
- 20 (A) ten (10) pounds, if the drug is marijuana; or
- 21 (B) three hundred (300) grams, if the drug is hash oil, hashish,
- 22 or salvia.
- 23 (c) The offense is a Level 6 felony if:
- 24 (1) the person has a prior conviction for a drug offense and the
- 25 amount of the drug involved is:
- 26 (A) less than thirty (30) grams of marijuana; or
- 27 (B) less than five (5) grams of hash oil, hashish, or salvia; or
- 28 (2) the amount of the drug involved is:
- 29 (A) at least thirty (30) grams but less than ten (10) pounds of
- 30 marijuana; or
- 31 (B) at least five (5) grams but less than three hundred (300)
- 32 grams of hash oil, hashish, or salvia.
- 33 (d) The offense is a Level 5 felony if:
- 34 (1) the person has a prior conviction for a drug dealing offense
- 35 and the amount of the drug involved is:
- 36 (A) at least thirty (30) grams but less than ten (10) pounds of
- 37 marijuana; or
- 38 (B) at least five (5) grams but less than three hundred (300)
- 39 grams of hash oil, hashish, or salvia;
- 40 (2) the:
- 41 (A) amount of the drug involved is:
- 42 (i) at least ten (10) pounds of marijuana; or



- 1 (ii) at least three hundred (300) grams of hash oil, hashish,
 2 or salvia; or
 3 (B) offense involved a sale to a minor; or
 4 (3) the:
 5 (A) person is a retailer;
 6 (B) marijuana, hash oil, hashish, or salvia is packaged in a
 7 manner that appears to be ~~low THC hemp extract~~; **a hemp**
 8 **derived cannabinoid product**; and
 9 (C) person knew or reasonably should have known that the
 10 product was marijuana, hash oil, hashish, or salvia.

11 SECTION 69. IC 35-48-4-11, AS AMENDED BY P.L.153-2018,
 12 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2026]: Sec. 11. (a) A person who:

- 14 (1) knowingly or intentionally possesses (pure or adulterated)
 15 marijuana, hash oil, hashish, or salvia;
 16 (2) knowingly or intentionally grows or cultivates marijuana; or
 17 (3) knowing that marijuana is growing on the person's premises,
 18 fails to destroy the marijuana plants;
 19 commits possession of marijuana, hash oil, hashish, or salvia, a Class
 20 B misdemeanor, except as provided in subsections (b) through (c).

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

- 23 (1) the person has a prior conviction for a drug offense; or
 24 (2) the:
 25 (A) marijuana, hash oil, hashish, or salvia is packaged in a
 26 manner that appears to be ~~low THC hemp extract~~; **a hemp**
 27 **derived cannabinoid product**; and
 28 (B) person knew or reasonably should have known that the
 29 product was marijuana, hash oil, hashish, or salvia.

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

- 31 (1) the person has a prior conviction for a drug offense; and
 32 (2) the person possesses:
 33 (A) at least thirty (30) grams of marijuana; or
 34 (B) at least five (5) grams of hash oil, hashish, or salvia.

35 SECTION 70. IC 35-48-8 IS ADDED TO THE INDIANA CODE
 36 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2026]:

38 Chapter 8. Offenses Relating to Hemp

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

42 Sec. 1. The terms defined in sections 2 through 6 of this chapter



1 apply only to this chapter and if cited in another statute concerning
2 hemp.

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

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

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

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

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

21 (c) The term does not include:

22 (1) any viable seeds from a *Cannabis sativa* L. plant that
23 exceeds a total tetrahydrocannabinols concentration
24 (including tetrahydrocannabinolic acid) of three-tenths of one
25 percent (0.3%) in the plant on a dry weight basis;

26 (2) any intermediate hemp derived cannabinoid products
27 containing:

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

30 (B) cannabinoids that:

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

33 (ii) were synthesized or manufactured outside the plant;
34 or

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

37 (i) total tetrahydrocannabinols (including
38 tetrahydrocannabinolic acid); and

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



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

(4) any final hemp derived cannabinoid products containing:

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

(B) cannabinoids that:

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

(ii) were synthesized or manufactured outside the plant;

or

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

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

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

or

(5) smokable hemp.

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

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

(1) contains cannabinoids in any form; and

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

(A) inhalation;

(B) ingestion; or

(C) topical application.

(c) The term includes cannabidiol, a CBD product, or a product that contains a cannabidiol.

(d) The term does not include:

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

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

(3) a drug that is the subject of an application approved under subsection (c) or (j) of Section 505 of the federal Food, Drug,



and Cosmetic Act (21 U.S.C. 355).

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.

Sec. 8. (a) A person who does not hold a valid permit under IC 7.1-8 who:

- (1) knowingly or intentionally:
 - (A) manufactures;
 - (B) finances the manufacture of;



1 (C) delivers;
 2 (D) finances the delivery of; or
 3 (E) sells;
 4 **hemp derived cannabinoid product; or**
 5 **(2) possesses, with intent to:**
 6 (A) manufacture;
 7 (B) finance the manufacture of;
 8 (C) deliver;
 9 (D) finance the delivery of; or
 10 (E) sell;
 11 **hemp derived cannabinoid product;**
 12 **commits unlicensed dealing in hemp derived cannabinoid product,**
 13 **a Class A misdemeanor, except as provided in subsections (b)**
 14 **through (d).**

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

17 (1) there is evidence in addition to the weight of the drug that
 18 the person intended to manufacture, finance the manufacture
 19 of, deliver, finance the delivery of, or sell, the hemp derived
 20 cannabinoid product; or

21 (2) the amount of the hemp derived cannabinoid product
 22 involved is at least ten (10) pounds.

23 (c) The offense is a Level 6 felony if the person has a prior
 24 conviction for an offense under this section and the amount of the
 25 hemp derived cannabinoid product involved is less than ten (10)
 26 pounds.

27 (d) The offense is a Level 5 felony if the person has a prior
 28 conviction for a dealing offense under this section and either:

29 (1) the amount of the hemp derived cannabinoid product
 30 involved is less than ten (10) pounds; or

31 (2) the offense involved a sale to a minor.

32 SECTION 71. IC 35-52-7-39, AS ADDED BY P.L.169-2014,
 33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime concerning
 35 alcohol **and products containing THC.**

36 SECTION 72. IC 35-52-7-40, AS ADDED BY P.L.169-2014,
 37 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning
 39 alcohol **and products containing THC.**

40 SECTION 73. IC 35-52-7-98 IS ADDED TO THE INDIANA
 41 CODE AS A NEW SECTION TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2026]: **Sec. 98. IC 7.1-8-15-5 defines a crime**



1 concerning hemp derived cannabinoid product certificate of
2 analyses.

3 SECTION 74. IC 35-52-7-99 IS ADDED TO THE INDIANA
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: **Sec. 99. IC 7.1-8-20-1 defines crimes**
6 **concerning the transportation of hemp derived cannabinoid**
7 **products.**

8 SECTION 75. IC 35-52-7-100 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: **Sec. 100. IC 7.1-8-20-2 defines crimes**
11 **regarding hemp derived cannabinoid products permits.**

12 SECTION 76. IC 35-52-7-101 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2026]: **Sec. 101. IC 7.1-8-20-3 defines a crime**
15 **concerning the sale of hemp derived cannabinoid products over the**
16 **Internet.**

17 SECTION 77. IC 35-52-7-102 IS ADDED TO THE INDIANA
18 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2026]: **Sec. 102. IC 7.1-8-20-4 defines a crime**
20 **concerning recalled hemp derived cannabinoid products.**

21 SECTION 78. [EFFECTIVE JULY 1, 2026] (a) The state seed
22 commissioner shall adopt rules under IC 4-22-2, to comply with
23 this act by July 1, 2027.

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

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



COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill No. 250, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 4, delete "tetrahydrocannabinol." and insert **"tetrahydrocannabinol, including hemp derived cannabinoid products, synthetic equivalents of the substances contained in the plant or in the resinous extractives of Cannabis, and synthetic substances, derivatives, and their isomers with a similar chemical structure and pharmacological activity."**

Page 3, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 4. IC 7.1-5-7-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. A person twenty-one (21) years of age or older who knowingly or intentionally encourages, aids, or induces a minor to unlawfully possess an alcoholic beverage **or a product containing THC** commits a Class C infraction.

SECTION 5. IC 7.1-5-7-16, AS AMENDED BY P.L.216-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. The commission shall conduct random unannounced inspections at locations where alcoholic beverages **or products containing THC** are sold or distributed to ensure compliance with this title. Only the commission may conduct the random unannounced inspections. The commission may use retired or off duty law enforcement officers to conduct inspections under this section."

Page 4, between lines 39 and 40, begin a new paragraph and insert:

"Sec. 4. The definitions in IC 35-48-8 apply throughout this chapter.

Sec. 5. A product that purports to be a hemp derived cannabinoid product, but is in violation of this article, is to be treated as marijuana (as defined in IC 35-48-1.1-29)."

Page 5, line 15, delete "cannabinol" and insert **"cannabidiol"**.

Page 5, line 16, delete "." and insert **", any other cannabinoids, or any other controlled substances.**

Sec. 3.5. "Container" has the meaning set forth in IC 35-48-8-2."

Page 5, line 17, delete "or "hemp" and insert **"has the meaning set forth in IC 35-48-8-4."**

Page 5, delete lines 18 through 38.

Page 6, delete lines 3 through 4.



Page 6, line 5, delete "8." and insert "7."

Page 6, between lines 7 and 8, begin a new paragraph and insert:

"Sec. 8. "Law enforcement officer" has the meaning set forth in IC 35-31.5-2-185."

Page 6, line 20, after "hemp" insert **"derived cannabinoid products"**.

Page 6, line 23, after "manufactured" insert **", distributed, and retailed"**.

Page 6, line 28, delete "IC 7.1-8-6-2(a)." and insert **"IC 7.1-8-6-1(a)."**

Page 7, line 35, after "search" insert **"and seizure"**.

Page 8, between lines 37 and 38, begin a new paragraph and insert:

"(c) The commission may assess a fee of one hundred dollars (\$100) on behalf of the state police department to conduct criminal background checks."

Page 8, line 38, delete "(c)" and insert **"(d)"**.

Page 8, line 41, delete "(d)" and insert **"(e)"**.

Page 9, line 9, delete "permit" and insert **"sales certificate"**.

Page 9, line 26, delete "article" and insert **"title"**.

Page 9, line 37, delete "The permanent location of the business for which the" and insert **"The name and address of the business for which the permit is issued."**

Page 9, delete line 38.

Page 10, delete lines 6 through 7.

Page 10, line 8, delete "2." and insert **"1."**

Page 10, between lines 22 and 23, begin a new paragraph and insert:

"(c) The commission may choose to not issue a permit to the new owner if the new owner does not comply with the application requirements of this article."

Page 10, line 23, delete "3." and insert **"2."**

Page 10, line 32, delete "4." and insert **"3."**

Page 10, line 37, delete "5." and insert **"4."**

Page 12, delete lines 34 through 42.

Page 13, delete lines 1 through 6.

Page 13, line 22, after "permit" insert **"for ninety (90) days"**.

Page 14, line 6, after "1." insert **"(a)"**.

Page 14, between lines 8 and 9, begin a new paragraph and insert:

"(b) A hemp manufacturer shall only purchase hemp from a person licensed to grow hemp under IC 15-15-13."

Page 14, line 20, after "annually." insert **"The commission shall deposit this fee in the hemp derived cannabinoid products fund established by IC 7.1-8-16."**



Page 14, between lines 22 and 23, begin a new paragraph and insert:
"(d) A hemp manufacturer may only manufacture hemp derived cannabinoid products in Indiana."

Page 15, delete lines 1 through 8.

Page 15, line 11, after "purchase hemp" insert **"derived cannabinoid products"**.

Page 15, line 28, after "annually." insert **"The commission shall deposit this fee in the hemp derived cannabinoid products fund established by IC 7.1-8-16."**

Page 15, line 34, delete "for consumption off the licensed premises".

Page 16, line 2, delete "." and insert ", as defined in IC 7.1-8-2-3."

Page 16, line 23, after "1." insert **"(a)"**.

Page 16, line 23, delete "derived cannabinoid".

Page 16, line 24, delete "products".

Page 16, line 25, after "transport" insert **"hemp or"**.

Page 16, between lines 25 and 26, begin a new line double block indented and insert:

"(A) between a hemp grower, licensed under IC 15-15-13-7 and a hemp manufacturer;".

Page 16, line 26, delete "(A)" and insert **"(B)"**.

Page 16, line 27, delete "(B)" and insert **"(C)"**.

Page 16, line 28, delete "(C)" and insert **"(D)"**.

Page 16, line 29, delete "derived".

Page 16, line 30, delete "cannabinoid products".

Page 16, between lines 30 and 31, begin a new paragraph and insert:
"(b) A person transporting industrial hemp, as defined in IC 35-48-8-5, is exempt under this article but must obtain a hemp handler permit under IC 15-15-13-7 to transport industrial hemp."

Page 17, line 10, after "transporting" insert **"hemp or"**.

Page 17, line 17, delete "derived cannabinoid products".

Page 17, line 34, delete "may" and insert **"shall"**.

Page 17, line 38, delete "(d)" and insert **"(d)(1)"**.

Page 17, line 40, after "2." insert **"(a)"**.

Page 17, line 40, after "must" insert **"be conspicuous and"**.

Page 18, line 22, delete "That" and insert **"Except as provided in subsection (b), that"**.

Page 18, between lines 31 and 32, begin a new paragraph and insert:
"(b) Subsection (a)(9) does not apply to CBD products, as defined in IC 7.1-8-2-3."

Page 18, delete lines 32 through 34.

Page 20, between lines 16 and 17, begin a new paragraph and insert:
"(c) A hemp derived cannabinoid product with a falsified or



altered certificate of analysis is to be considered marijuana (as defined in IC 35-48-1.1-29).".

Page 20, line 24, delete "commission." and insert "state budget agency.".

Page 20, line 29, after "article;" insert "and".

Page 20, delete line 30.

Page 20, line 31, delete "(3)" and insert "(2)".

Page 20, delete lines 37 through 42, begin a new paragraph and insert:

"Sec. 2. In each state fiscal year, the prior state fiscal year collections accrued to the fund shall be used by the commission as follows:

(1) Seventy percent (70%) by the commission for the administration of the purposes of this article.

(2) Twenty percent (20%) pursuant to the hemp derived products law enforcement program as described in section 3 of this chapter.

(3) Five percent (5%) to the division of mental health and addiction to provide funding for the 988 suicide and crisis hotline.

(4) Five percent (5%) to the state general fund."

Page 21, delete lines 1 through 10.

Page 21, line 14, delete "commission" and insert "state budget agency".

Page 21, line 24, delete "article as" and insert "article.".

Page 21, delete line 25.

Page 21, line 33, delete "article as" and insert "article.".

Page 21, delete line 34.

Page 22, line 7, delete "use" and insert "uses".

Page 22, line 12, delete "and" and insert "or".

Page 22, between lines 36 and 37, begin a new paragraph and insert:

"Sec. 1. The commission may do spot testing of hemp derived cannabinoid products to ensure compliance with this article."

Page 22, line 37, delete "1." and insert "2.".

Page 23, line 2, delete "A product that purports to be a hemp derived cannabinoid" and insert "The commission shall adopt rules under IC 4-22-2 concerning the recall of hemp derived cannabinoid products due to:

(1) improper or false labeling; or

(2) health and safety concerns."

Page 23, delete lines 3 through 4.

Page 23, line 14, delete "marijuana." and insert "marijuana (as



defined in IC 35-48-1.1-29).".

Page 23, line 29, delete "derived".

Page 23, line 30, delete "cannabinoid products".

Page 23, line 31, delete "(d)" and insert "Sec. 2.".

Page 23, line 31, after "seize" insert "hemp or".

Page 23, line 32, after "of" insert "this article.".

Page 23, delete line 33.

Page 23, line 34, delete "2." and insert "3.".

Page 24, line 3, delete "3." and insert "4.".

Page 24, line 4, after "Internet" insert "or by delivery".

Page 24, line 6, delete "4." and insert "5.".

Page 24, line 7, after "recalled" insert "under IC 7.1-8-18".

Page 24, between lines 8 and 9, begin a new paragraph and insert:

"Sec. 6. A person who knowingly or intentionally violates this article commits a deceptive act that is actionable by the attorney general under IC 24-5-0.5 and is subject to the penalties listed in IC 24-5-0.5."

Page 24, line 17, strike "or".

Page 24, line 21, after "IC 6-2.5-1-16);" insert "or

(7) any combination of substances listed in subdivisions (1) through (6);"

Page 24, line 27, delete "marijuana, hemp, and" and insert **"marijuana (as defined in IC 35-48-1.1-29), hemp (as defined in IC 35-48-8-3), and tetrahydrocannabinol (as defined in IC 7.1-1-3-46.5)."**

Page 24, delete line 28.

Page 24, line 33, delete "develop a portal to share" and insert **"share information regarding the hemp program established under this chapter with the state police department."**

Page 24, delete lines 34 through 35.

Page 25, line 2, delete "industrial".

Page 25, line 10, delete "or industrial hemp".

Page 25, line 15, delete "or industrial".

Page 25, line 16, delete "hemp".

Page 25, line 29, after "hemp" insert ",."

Page 25, line 29, strike "products,".

Page 26, line 5, delete "or industrial hemp".

Page 26, line 20, delete "IC 7.1-8-2-4." and insert **"IC 35-48-8-4."**

Page 26, line 23, after "6.6." insert **"(a)"**.

Page 26, between lines 24 and 25, begin a new paragraph and insert: **"(b) The term includes hemp as defined in IC 35-48-1.1-29."**

Page 27, line 7, delete "Indiana. Industrial hemp" and insert



"Indiana. Hemp".

Page 27, line 18, delete "and industrial".

Page 27, line 19, delete "hemp or" and insert "**or**".

Page 27, line 24, delete "and industrial hemp." and insert ".".

Page 27, line 32, after "grower's" insert "**or hemp handler's**".

Page 27, line 40, after "coordinates" insert ", **including the geospatial decimal format,**".

Page 27, line 41, strike "property used".

Page 27, line 41, delete "including" and insert "**following:**

(A) **Site by field.**

(B) **Storage site.**

(C) **Receiving site.**

(D) **Staging site.**

(E) **Sites similar to the sites listed in clauses (A) through (D).**".

Page 27, delete line 42.

Page 28, delete lines 1 through 6.

Page 28, line 12, after "convicted" insert ", ".

Page 28, line 12, strike "of".

Page 28, line 13, delete "any of the".

Page 28, line 14, delete "following".

Page 28, line 14, delete "and the" and insert "**of:**".

Page 28, delete lines 15 through 16.

Page 28, line 22, delete "felony." and insert "**felony;**

for which the applicant's conviction has not been expunged under IC 35-38-9.".

Page 29, line 6, delete "for:" and insert "**for, but not limited to:**".

Page 29, line 9, delete "or".

Page 29, line 10, delete "oil." and insert "**oil; or**

(E) hemp derived cannabinoid products.".

Page 29, line 21, after "growing" insert "**industrial**".

Page 30, delete lines 17 through 25, begin a new line block indented and insert:

"(5) has been convicted within five (5) years of the application date 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;

and the conviction has not been expunged under IC 35-38-9;



or".

Page 30, line 33, delete "a hemp" and insert **"any hemp"**.

Page 31, delete lines 5 through 7, begin a new line block indented and insert:

"(2) Outdoor acreage or indoor square footage dedicated to the growing of hemp."

Page 31, line 9, delete "other." and insert **"another specified use."**

Page 35, line 27, delete "The driver must hold a" and insert **"A"**.

Page 35, line 29, delete "showing" and insert **"identifying the person"**.

Page 35, line 30, after "delivered," insert **"including the person's"**.

Page 35, line 30, delete "address," and insert **"address and"**.

Page 35, line 31, delete "variety of hemp, and quantity of hemp." and insert **"and the variety and quantity of the industrial hemp."**

Page 36, delete lines 15 through 18, begin a new paragraph and insert:

"(b) The state seed commissioner shall include:

**(1) the license number of the grower that produced the hemp;
and**

(2) the license number of the hemp handler;

in the licensing documents described in subsection (a)."

Page 39, line 27, delete "under IC 7.1-8" and insert **"as defined in IC 35-48-8-4,"**.

Page 49, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 46. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic communication, by a supplier, are deceptive acts:

(1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.

(2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the



supplier knows or should reasonably know that it is not.

(3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.

(4) That such subject of a consumer transaction will be supplied to the public in greater quantity than the supplier intends or reasonably expects.

(5) That replacement or repair constituting the subject of a consumer transaction is needed, if it is not and if the supplier knows or should reasonably know that it is not.

(6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.

(7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.

(8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.

(9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.

(10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the



specified work is completed and:

- (A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;
- (B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);
- (C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and
- (D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

- (A) the customer has been notified that the work has been completed; and
- (B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

- (A) the name misrepresents the supplier's geographic location;
- (B) the listing fails to identify the locality and state of the supplier's business;
- (C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and
- (D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

- (A) the name misrepresents the supplier's geographic location;
- (B) calls to the local telephone number are routinely forwarded



or otherwise transferred to a supplier's business location that is outside the local calling area; and

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 7.1-8 (concerning the manufacture, distribution, and sale of hemp derived cannabinoid products), as set forth in IC 7.1-8-20-5.

~~(21)~~ **(22)** A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.

~~(22)~~ **(23)** A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.

~~(23)~~ **(24)** A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.

~~(24)~~ **(25)** A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.

~~(25)~~ **(26)** A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.

~~(26)~~ **(27)** A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.

~~(27)~~ **(28)** A violation of IC 24-5-14 (concerning automatic dialing-announcing devices), as set forth in IC 24-5-14-13.

~~(28)~~ **(29)** A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.

~~(29)~~ **(30)** A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

~~(30)~~ **(31)** A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

~~(31)~~ **(32)** A violation of IC 24-5-19 (concerning deceptive



commercial solicitation), as set forth in IC 24-5-19-11.

~~(32)~~ **(33)** A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.

~~(33)~~ **(34)** A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

~~(34)~~ **(35)** A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

~~(35)~~ **(36)** A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

~~(36)~~ **(37)** A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

~~(37)~~ **(38)** A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

~~(38)~~ **(39)** A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

~~(39)~~ **(40)** A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

~~(40)~~ **(41)** A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

~~(41)~~ **(42)** A violation of IC 24-5-27 (concerning intrastate inmate calling services), as set forth in IC 24-5-27-27.

~~(42)~~ **(43)** A violation of IC 15-21 (concerning sales of dogs by retail pet stores), as set forth in IC 15-21-7-4.

~~(43)~~ **(44)** A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.

(d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning of this chapter.

(e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in



reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is disclosed to the consumer.

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.

(g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.

(h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product completely incapable of serving its original purpose.

SECTION 47. IC 24-5-0.5-4, AS AMENDED BY P.L.186-2025, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A person relying upon an uncured or incurable deceptive act may bring an action for the damages actually suffered as a consumer as a result of the deceptive act or five hundred dollars (\$500), whichever is greater. The court may increase damages for a willful deceptive act in an amount that does not exceed the greater of:

- (1) three (3) times the actual damages of the consumer suffering the loss; or
- (2) one thousand dollars (\$1,000).

Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in an action under this subsection. This subsection does not apply to a consumer transaction in real property, including a claim or action involving a construction defect (as defined in IC 32-27-3-1(5)) brought against a construction professional (as defined in IC 32-27-3-1(4)), except for purchases of time shares and camping club memberships. This subsection does not apply with respect to a deceptive act described in section 3(b)(20) of this chapter. This subsection also does not apply to a violation of IC 24-4.7, IC 24-5-12, IC 24-5-14, or IC 24-5-14.5. Actual damages



awarded to a person under this section have priority over any civil penalty imposed under this chapter.

(b) Any person who is entitled to bring an action under subsection (a) on the person's own behalf against a supplier for damages for a deceptive act may bring a class action against such supplier on behalf of any class of persons of which that person is a member and which has been damaged by such deceptive act, subject to and under the Indiana Rules of Trial Procedure governing class actions, except as herein expressly provided. Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in a class action under this subsection, provided that such fee shall be determined by the amount of time reasonably expended by the attorney and not by the amount of the judgment, although the contingency of the fee may be considered. Except in the case of an extension of time granted by the attorney general under IC 24-10-2-2(b) in an action subject to IC 24-10, any money or other property recovered in a class action under this subsection which cannot, with due diligence, be restored to consumers within one (1) year after the judgment becomes final shall be returned to the party depositing the same. This subsection does not apply to a consumer transaction in real property, except for purchases of time shares and camping club memberships. This subsection does not apply with respect to a deceptive act described in section 3(b)(20) of this chapter. Actual damages awarded to a class have priority over any civil penalty imposed under this chapter.

(c) The attorney general may bring an action to enjoin an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction, including a deceptive act described in section 3(b)(20) of this chapter, notwithstanding subsections (a) and (b). However, the attorney general may seek to enjoin patterns of incurable deceptive acts with respect to consumer transactions in real property. In addition, the court may:

- (1) issue an injunction;
- (2) order the supplier to make payment of the money unlawfully received from the aggrieved consumers to be held in escrow for distribution to aggrieved consumers;
- (3) for a knowing violation against a senior consumer, increase the amount of restitution ordered under subdivision (2) in any amount up to three (3) times the amount of damages incurred or value of property or assets lost;
- (4) order the supplier to pay to the state the reasonable costs of the attorney general's investigation and prosecution, expert fees, and court fees related to the action;



(5) provide for the appointment of a receiver; and
 (6) order the department of state revenue to suspend the supplier's registered retail merchant certificate, subject to the requirements and prohibitions contained in IC 6-2.5-8-7(a)(5), if the court finds that a violation of this chapter involved the sale or solicited sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (repealed)) (before July 1, 2019), a controlled substance analog (as defined in IC 35-48-1.1-8), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(d) In an action under subsection (a), (b), (c), or (n) the court may void or limit the application of contracts or clauses resulting from deceptive acts and order restitution to be paid to aggrieved consumers.

(e) In any action under subsection (a) or (b), upon the filing of the complaint or on the appearance of any defendant, claimant, or any other party, or at any later time, the trial court, the supreme court, or the court of appeals may require the plaintiff, defendant, claimant, or any other party or parties to give security, or additional security, in such sum as the court shall direct to pay all costs, expenses, and disbursements that shall be awarded against that party or which that party may be directed to pay by any interlocutory order by the final judgment or on appeal.

(f) Any person who violates the terms of an injunction issued under subsection (c) or (n) shall forfeit and pay to the state a civil penalty of not more than fifteen thousand dollars (\$15,000) per violation. For the purposes of this section, the court issuing an injunction shall retain jurisdiction, the cause shall be continued, and the attorney general acting in the name of the state may petition for recovery of civil penalties. Whenever the court determines that an injunction issued under subsection (c) or (n) has been violated, the court shall award reasonable costs to the state.

(g) If a court finds any person has knowingly violated section 3 or 10 of this chapter, other than section 3(b)(19), 3(b)(20), or ~~3(b)(40)~~ **3(b)(41)** of this chapter, the attorney general, in an action pursuant to subsection (c), may recover from the person on behalf of the state a civil penalty of a fine not exceeding five thousand dollars (\$5,000) per violation.

(h) If a court finds that a person has violated section 3(b)(19) of this chapter, the attorney general, in an action under subsection (c), may recover from the person on behalf of the state a civil penalty as follows:

(1) For a knowing or intentional violation, one thousand five hundred dollars (\$1,500).



- (2) For a violation other than a knowing or intentional violation, five hundred dollars (\$500).

A civil penalty recovered under this subsection shall be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6 to be used for the administration and enforcement of section 3(b)(19) of this chapter.

(i) A senior consumer relying upon an uncured or incurable deceptive act, including an act related to hypnotism, may bring an action to recover treble damages, if appropriate.

(j) An offer to cure is:

- (1) not admissible as evidence in a proceeding initiated under this section unless the offer to cure is delivered by a supplier to the consumer or a representative of the consumer before the supplier files the supplier's initial response to a complaint; and
- (2) only admissible as evidence in a proceeding initiated under this section to prove that a supplier is not liable for attorney's fees under subsection (k).

If the offer to cure is timely delivered by the supplier, the supplier may submit the offer to cure as evidence to prove in the proceeding in accordance with the Indiana Rules of Trial Procedure that the supplier made an offer to cure.

(k) A supplier may not be held liable for the attorney's fees and court costs of the consumer that are incurred following the timely delivery of an offer to cure as described in subsection (j) unless the actual damages awarded, not including attorney's fees and costs, exceed the value of the offer to cure.

(l) If a court finds that a person has knowingly violated section 3(b)(20) of this chapter, the attorney general, in an action under subsection (c), may recover from the person on behalf of the state a civil penalty not exceeding one thousand dollars (\$1,000) per consumer. In determining the amount of the civil penalty in any action by the attorney general under this subsection, the court shall consider, among other relevant factors, the frequency and persistence of noncompliance by the debt collector, the nature of the noncompliance, and the extent to which the noncompliance was intentional. A person may not be held liable in any action by the attorney general for a violation of section 3(b)(20) of this chapter if the person shows by a preponderance of evidence that the violation was not intentional and resulted from a bona fide error, notwithstanding the maintenance of procedures reasonably adapted to avoid the error. A person may not be held liable in any action for a violation of this chapter for contacting a person other than the debtor, if the contact is made in compliance with



the Fair Debt Collection Practices Act.

(m) If a court finds that a person has knowingly or intentionally violated section ~~3(b)(40)~~ **3(b)(41)** of this chapter, the attorney general, in an action under subsection (c), may recover from the person on behalf of the state a civil penalty in accordance with IC 24-5-14.5-12(b). As specified in IC 24-5-14.5-12(b), a civil penalty recovered under IC 24-5-14.5-12(b) shall be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6 to be used for the administration and enforcement of IC 24-5-14.5. In addition to the recovery of a civil penalty in accordance with IC 24-5-14.5-12(b), the attorney general may also recover reasonable attorney fees and court costs from the person on behalf of the state. Those funds shall also be deposited in the consumer protection division telephone solicitation fund established by IC 24-4.7-3-6.

(n) An action that arises from, or otherwise involves, an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction described in section 2(a)(1)(D)(i) of this chapter may be brought and enforced only by the attorney general under this subsection. An action that arises from, or otherwise involves, an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction described in section 2(a)(1)(D)(ii) of this chapter may be brought and enforced only by an attorney acting on behalf of the local law enforcement agency involved in the transaction, unless the local unit of government served by the local law enforcement agency requests the attorney general to bring and enforce an action under this subsection on behalf of the local unit. In addition, the court may:

- (1) issue an injunction;
- (2) order the supplier to make payment of the money unlawfully received from the aggrieved consumers to be held in escrow for distribution to aggrieved consumers; or
- (3) order the supplier to pay to:
 - (A) the attorney acting on behalf of the local law enforcement agency; or
 - (B) the attorney general for the state;
 as applicable, the reasonable costs of the attorney's or the attorney general's investigation and prosecution, expert fees, and court fees related to the action.

The time for bringing an action under subsection (c), as set forth in section 5(b) of this chapter, applies to an action brought under this subsection."



Page 51, line 2, delete "IC 35-48-8," and insert "**this title**,".
 Page 51, line 6, delete "IC 35-48-8," and insert "**this title**,".
 Page 51, line 11, delete "IC 35-48-8," and insert "**this title**,".
 Page 53, delete lines 26 through 33.
 Page 54, line 25, delete "IC 7.1-8-2-4);" and insert "**IC 35-48-8-4**);".
 Page 56, line 20, delete "IC 7.1-8-2-4." and insert "**IC 35-48-8-4**,".
 Page 57, line 33, delete "IC 7.1-8-2-4." and insert "**IC 35-48-8-4**,".
 Page 60, line 18, delete "extension" and insert "**exclusio**".
 Page 60, line 36, delete "grown" and insert "**growing**".
 Page 61, line 23, delete "or".
 Page 61, line 39, delete "." and insert "; **or**

(5) smokable hemp."

Page 61, line 40, delete "any" and insert "**a product derived from, or made by, processing hemp plants or hemp plant parts including derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers.**

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

- (1) contains cannabinoids in any form; and**
- (2) is intended for human or animal use through any means of application or administration including:**
 - (A) inhalation;**
 - (B) ingestion; or**
 - (C) topical application.**

(c) The term includes cannabidiol, a CBD product, or a product that contains a cannabidiol.

(d) The term does not include:

- (1) smokable hemp (as defined in IC 35-48-1.1-38);**
- (2) products that contain a total tetrahydrocannabinol concentration of more than three-tenths of one percent (0.3%) on a dry weight basis; or**
- (3) a drug that is the subject of an application approved under subsection (c) or (j) of Section 505 of the federal Food, Drug, and Cosmetic Act (21 U.S.C. 355)."**

Page 61, delete lines 41 through 42.

Page 62, delete lines 1 through 6.

Page 63, line 2, delete ";" and insert ":".

Page 63, line 33, after "and" insert "**either:**

(1)".



Page 63, line 35, delete "pounds or" and insert "**pounds; or (2)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 250 as introduced.)

BUCHANAN, Chairperson

Committee Vote: Yeas 7, Nays 2.

