



February 19, 2026

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**ENGROSSED**  
**SENATE BILL No. 250**

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DIGEST OF SB 250 (Updated February 18, 2026 3:04 pm - DI 106)

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

**Synopsis:** Regulation of hemp. Defines "hemp" and "hemp derived cannabinoid product" in a manner consistent with the federal law that becomes effective in November 2026, and establishes a regulatory framework for the production and sale of these products. Prohibits the sale of a product containing THC to a minor. Allows the continued sale of certain hemp products exclusively to out of state manufacturers, processors, distributors, and retailers, if certain conditions are met.

**Effective:** July 1, 2026; November 12, 2026.

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**Freeman, Carrasco, Doriot, Koch,  
Byrne, Baldwin, Young M, Clark,  
Leising**

(HOUSE SPONSORS — BASCOM, ZIMMERMAN)

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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.

January 22, 2026, amended, reported favorably — Do Pass.  
January 26, 2026, read second time, ordered engrossed. Engrossed.  
January 28, 2026, read third time, passed. Yeas 35, nays 13.

HOUSE ACTION

February 2, 2026, read first time and referred to Committee on Courts and Criminal Code.  
February 19, 2026, amended, reported — Do Pass.

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ES 250—LS 7117/DI 107





February 19, 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.

## ENGROSSED SENATE BILL No. 250

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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 7.1-5-7-0.5 IS ADDED TO THE INDIANA CODE  
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
11 1, 2026]: **Sec. 0.5. This chapter does not apply to a substance that**  
12 **meets all of the following requirements:**  
13 (1) **The substance contains cannabidiol or cannabigerol.**  
14 (2) **The substance does not contain THC or any other**  
15 **cannabinoids.**

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1           **(3) The substance does not contain alcohol or any other**  
 2           **controlled substances.**

3           SECTION 3. IC 7.1-5-7-7, AS AMENDED BY P.L.159-2014,  
 4           SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5           JULY 1, 2026]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C  
 6           misdemeanor for a minor to knowingly:

- 7           (1) possess an alcoholic beverage **or a product containing THC**;  
 8           (2) consume an alcoholic beverage **or a product containing**  
 9           **THC**; or  
 10          (3) transport an alcoholic beverage **or a product containing**  
 11          **THC** on a public highway when not accompanied by at least one  
 12          (1) of the minor's parents or guardians.

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

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

22          SECTION 4. IC 7.1-5-7-8, AS AMENDED BY P.L.32-2019,  
 23          SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24          JULY 1, 2026]: Sec. 8. (a) It is a Class B misdemeanor for a person to  
 25          recklessly, knowingly, or intentionally sell, barter, exchange, provide,  
 26          or furnish an alcoholic beverage **or a product containing THC** to a  
 27          minor.

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

- 29          (1) a Class A misdemeanor if the person has a prior unrelated  
 30          conviction under this section; and  
 31          (2) a Level 6 felony if the consumption, ingestion, or use of the  
 32          alcoholic beverage **or product containing THC** is the proximate  
 33          cause of the serious bodily injury or death of any person.

34          (c) A person who knowingly or intentionally:

- 35          (1) rents property; or  
 36          (2) provides or arranges for the use of property;  
 37          for the purpose of allowing or enabling a minor to consume an  
 38          alcoholic beverage **or a product containing THC** on the property  
 39          commits a Class C infraction. However, the violation is a Class B  
 40          misdemeanor if the person has a prior unrelated adjudication or  
 41          conviction for a violation of this section within the previous five (5)  
 42          years.



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

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

9 (2) either:

10 (A) rents property; or

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

12 for the purpose of allowing or enabling a minor to consume an  
 13 alcoholic beverage **or a product containing THC** on the  
 14 property.

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

20 SECTION 6. IC 7.1-5-7-16, AS AMENDED BY P.L.216-2011,  
 21 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2026]: Sec. 16. The commission shall conduct random  
 23 unannounced inspections at locations where alcoholic beverages **or**  
 24 **products containing THC** are sold or distributed to ensure compliance  
 25 with this title. Only the commission may conduct the random  
 26 unannounced inspections. The commission may use retired or off duty  
 27 law enforcement officers to conduct inspections under this section.

28 SECTION 7. IC 7.1-5-7-18 IS ADDED TO THE INDIANA CODE  
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 30 1, 2026]: Sec. 18. (a) **A law enforcement officer vested with full  
 31 police powers and duties may engage an individual who is:**

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

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

34 **to receive or purchase a product that contains any amount of THC**  
 35 **as part of an enforcement action.**

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

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

40 (2) **be a part of the enforcement action.**

41 SECTION 8. IC 15-15-13-6, AS AMENDED BY P.L.190-2019,  
 42 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 NOVEMBER 12, 2026]: Sec. 6. As used in this chapter, "hemp" means  
 2 the plant *Cannabis sativa* L. and any part of that plant, including the  
 3 seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids,  
 4 salts, and salts of isomers, whether growing or not, with a  
 5 delta-9-tetrahydrocannabinol concentration of not more than  
 6 three-tenths of one percent (0.3%) on a dry weight basis; for any part  
 7 of the *Cannabis sativa* L. plant. **has the meaning set forth in**  
 8 **IC 35-48-8-3.**

9 SECTION 9. IC 15-15-13-6.5, AS AMENDED BY P.L.186-2025,  
 10 SECTION 104, IS AMENDED TO READ AS FOLLOWS  
 11 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 6.5. As used in this  
 12 chapter, "hemp product" means a product derived from, or made by,  
 13 processing hemp plants or plant parts including derivatives, extracts,  
 14 cannabinoids, isomers, acids, salts, and salts of isomers. However, the  
 15 term does not include:

- 16 (1) smokable hemp (as defined by IC 35-48-1.1-38); or
- 17 (2) products that contain a total ~~delta-9-tetrahydrocannabinol~~  
 18 **tetrahydrocannabinol (THC)** concentration of more than  
 19 three-tenths of one percent (0.3%) by weight.

20 SECTION 10. IC 15-15-13-9, AS AMENDED BY P.L.190-2019,  
 21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 NOVEMBER 12, 2026]: Sec. 9. (a) An agricultural hemp seed  
 23 production license issued under this chapter authorizes a grower or  
 24 handler to produce and handle agricultural hemp seed for sale to  
 25 licensed hemp growers and handlers. A seller of agricultural hemp seed  
 26 shall ensure that the seed complies with any standards set by the state  
 27 seed commissioner. The state seed commissioner shall make available  
 28 to growers information that identifies sellers of agricultural hemp seed.

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

31 (c) All growers and handlers must keep records in accordance with  
 32 rules adopted by the state seed commissioner. Upon at least three (3)  
 33 days notice, the state seed commissioner may audit the required records  
 34 during normal business hours. The state seed commissioner may  
 35 conduct an audit for the purpose of ensuring compliance with:

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

40 (d) In addition to an audit conducted in accordance with subsection  
 41 (c), the state seed commissioner may inspect independently, or in  
 42 cooperation with the state police department, a federal law enforcement



1 agency, or a local law enforcement agency, any hemp crop during the  
 2 crop's growth phase and take a representative composite sample for  
 3 field analysis. If a crop contains an average  
 4 ~~delta-9-tetrahydrocannabinol~~ (THC) **total tetrahydrocannabinol**  
 5 (THC) concentration exceeding three-tenths of one percent (0.3%) on  
 6 a dry weight basis, the state seed commissioner may detain, seize, or  
 7 embargo the crop.

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

- 10 (1) the state seed commissioner;
- 11 (2) the state police;
- 12 (3) a federal law enforcement agency; or
- 13 (4) a local law enforcement agency;

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

15 (f) A failure to cooperate described in subsection (e) constitutes  
 16 probable cause for the state seed commissioner, state police, federal  
 17 law enforcement agency, or local law enforcement agency to search the  
 18 premises of the licensee's hemp operation.

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

- 23 (1) the state police department, federal law enforcement agency,  
 24 or local law enforcement agency; and
- 25 (2) any officer or employee of the state police department, federal  
 26 law enforcement agency, or local law enforcement agency who is  
 27 involved in the detention, seizure, or embargo;

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

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

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

39 SECTION 11. IC 15-15-13-12, AS AMENDED BY P.L.156-2020,  
 40 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 NOVEMBER 12, 2026]: Sec. 12. The state seed commissioner is  
 42 responsible for the following:

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- 1 (1) Monitoring the hemp grown by any license holder.
- 2 (2) Conducting random testing of the hemp for compliance with  
 3 tetrahydrocannabinol (THC) levels. The state seed commissioner  
 4 may enter into agreements with one (1) or more laboratories  
 5 selected by the Indiana state police department to perform testing  
 6 under this subdivision.
- 7 (3) Establishing necessary testing criteria and protocols, including  
 8 a procedure for testing, using post decarboxylation or other  
 9 similarly reliable methods, for ~~delta-9-tetrahydrocannabinol~~ **total**  
 10 **tetrahydrocannabinol (THC)** concentration levels of the hemp  
 11 produced.
- 12 (4) Establishing the minimum number of acres to be planted  
 13 under each license issued under this chapter.
- 14 (5) Regulating any propagative material of a hemp plant.
- 15 SECTION 12. IC 16-31-3-14, AS AMENDED BY P.L.186-2025,  
 16 SECTION 109, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 14. (a) A person holding  
 18 a certificate or license issued under this article must comply with the  
 19 applicable standards and rules established under this article. A  
 20 certificate holder or license holder is subject to disciplinary sanctions  
 21 under subsection (b) if the department of homeland security determines  
 22 that the certificate holder or license holder:
- 23 (1) engaged in or knowingly cooperated in fraud or material  
 24 deception in order to obtain a certificate or license, including  
 25 cheating on a certification or licensure examination;
- 26 (2) engaged in fraud or material deception in the course of  
 27 professional services or activities;
- 28 (3) advertised services or goods in a false or misleading manner;
- 29 (4) falsified or knowingly allowed another person to falsify  
 30 attendance records or certificates of completion of continuing  
 31 education courses required under this article or rules adopted  
 32 under this article;
- 33 (5) is convicted of a crime, if the act that resulted in the  
 34 conviction has a direct bearing on determining if the certificate  
 35 holder or license holder should be entrusted to provide emergency  
 36 medical services;
- 37 (6) is convicted of violating IC 9-19-14.5;
- 38 (7) fails to comply and maintain compliance with or violates any  
 39 applicable provision, standard, or other requirement of this article  
 40 or rules adopted under this article;
- 41 (8) continues to practice if the certificate holder or license holder  
 42 becomes unfit to practice due to:



- 1 (A) professional incompetence that includes the undertaking  
 2 of professional activities that the certificate holder or license  
 3 holder is not qualified by training or experience to undertake;  
 4 (B) failure to keep abreast of current professional theory or  
 5 practice;  
 6 (C) physical or mental disability; or  
 7 (D) addiction to, abuse of, or dependency on alcohol or other  
 8 drugs that endanger the public by impairing the certificate  
 9 holder's or license holder's ability to practice safely;
- 10 (9) engages in a course of lewd or immoral conduct in connection  
 11 with the delivery of services to the public;
- 12 (10) allows the certificate holder's or license holder's name or a  
 13 certificate or license issued under this article to be used in  
 14 connection with a person who renders services beyond the scope  
 15 of that person's training, experience, or competence;
- 16 (11) is subjected to disciplinary action in another state or  
 17 jurisdiction on grounds similar to those contained in this chapter.  
 18 For purposes of this subdivision, a certified copy of a record of  
 19 disciplinary action constitutes prima facie evidence of a  
 20 disciplinary action in another jurisdiction;
- 21 (12) assists another person in committing an act that would  
 22 constitute a ground for disciplinary sanction under this chapter;
- 23 (13) allows a certificate or license issued by the commission to  
 24 be:
- 25 (A) used by another person; or  
 26 (B) displayed to the public when the certificate or license is  
 27 expired, inactive, invalid, revoked, or suspended; or
- 28 (14) fails to notify the department in writing of any misdemeanor  
 29 or felony criminal conviction, except traffic related misdemeanors  
 30 other than operating a motor vehicle under the influence of a drug  
 31 or alcohol, within ninety (90) days after the entry of an order or  
 32 judgment. A certified copy of the order or judgment with a letter  
 33 of explanation must be submitted to the department along with the  
 34 written notice.
- 35 (b) The department of homeland security may issue an order under  
 36 IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if  
 37 the department of homeland security determines that a certificate  
 38 holder or license holder is subject to disciplinary sanctions under  
 39 subsection (a):
- 40 (1) Revocation of a certificate holder's certificate or license  
 41 holder's license for a period not to exceed seven (7) years.  
 42 (2) Suspension of a certificate holder's certificate or license



1 holder's license for a period not to exceed seven (7) years.

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

3 (4) Issuance of a letter of reprimand.

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

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

8 (B) If the certificate holder or license holder fails to pay the  
9 civil penalty within the time specified by the department of  
10 homeland security, the department of homeland security may  
11 suspend the certificate holder's certificate or license holder's  
12 license without additional proceedings.

13 (6) Placement of a certificate holder or license holder on  
14 probation status and requirement of the certificate holder or  
15 license holder to:

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

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

20 (C) continue or renew professional education approved by the  
21 department of homeland security until a satisfactory degree of  
22 skill has been attained in those areas that are the basis of the  
23 probation; or

24 (D) perform or refrain from performing any acts, including  
25 community restitution or service without compensation, that  
26 the department of homeland security considers appropriate to  
27 the public interest or to the rehabilitation or treatment of the  
28 certificate holder or license holder.

29 The department of homeland security may withdraw or modify  
30 this probation if the department of homeland security finds after  
31 a hearing that the deficiency that required disciplinary action is  
32 remedied or that changed circumstances warrant a modification  
33 of the order.

34 (c) If an applicant or a certificate holder or license holder has  
35 engaged in or knowingly cooperated in fraud or material deception to  
36 obtain a certificate or license, including cheating on the certification or  
37 licensure examination, the department of homeland security may  
38 rescind the certificate or license if it has been granted, void the  
39 examination or other fraudulent or deceptive material, and prohibit the  
40 applicant from reapplying for the certificate or license for a length of  
41 time established by the department of homeland security.

42 (d) The department of homeland security may deny certification or



1 licensure to an applicant who would be subject to disciplinary sanctions  
 2 under subsection (b) if that person were a certificate holder or license  
 3 holder, has had disciplinary action taken against the applicant or the  
 4 applicant's certificate or license to practice in another state or  
 5 jurisdiction, or has practiced without a certificate or license in violation  
 6 of the law. A certified copy of the record of disciplinary action is  
 7 conclusive evidence of the other jurisdiction's disciplinary action.

8 (e) The department of homeland security may order a certificate  
 9 holder or license holder to submit to a reasonable physical or mental  
 10 examination if the certificate holder's or license holder's physical or  
 11 mental capacity to practice safely and competently is at issue in a  
 12 disciplinary proceeding. Failure to comply with a department of  
 13 homeland security order to submit to a physical or mental examination  
 14 makes a certificate holder or license holder liable to temporary  
 15 suspension under subsection (i).

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

24 (g) The department of homeland security may deny, suspend, or  
 25 revoke a certificate or license issued under this article if the individual  
 26 who holds or is applying for the certificate or license is convicted of  
 27 any of the following:

- 28 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 29 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 30 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~;  
 31 **IC 35-48-4-7(b).**
- 32 (4) Fraudulently obtaining a controlled substance under  
 33 ~~IC 35-48-4-7(c)~~; **IC 35-48-4-7(d).**
- 34 (5) Manufacture of paraphernalia as a Class D felony (for a crime  
 35 committed before July 1, 2014) or Level 6 felony (for a crime  
 36 committed after June 30, 2014) under IC 35-48-4-8.1(c).
- 37 (6) Dealing in paraphernalia as a Class D felony (for a crime  
 38 committed before July 1, 2014) or Level 6 felony (for a crime  
 39 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 40 (7) Possession of paraphernalia as a Class D felony (for a crime  
 41 committed before July 1, 2014) or Level 6 felony (for a crime  
 42 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before



- 1 its amendment on July 1, 2015).
- 2 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class
- 3 D felony (for a crime committed before July 1, 2014) or Level 6
- 4 felony (for a crime committed after June 30, 2014) under
- 5 IC 35-48-4-11.
- 6 (9) A felony offense under IC 35-48-4 involving:
- 7 (A) possession of a synthetic drug (as defined in
- 8 IC 35-31.5-2-321);
- 9 (B) possession of a synthetic drug lookalike substance (as
- 10 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,
- 11 2019)) as a:
- 12 (i) Class D felony (for a crime committed before July 1,
- 13 2014); or
- 14 (ii) Level 6 felony (for a crime committed after June 30,
- 15 2014);
- 16 under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or
- 17 (C) possession of a controlled substance analog (as defined in
- 18 IC 35-48-1.1-8).
- 19 (10) Maintaining a common nuisance under IC 35-48-4-13
- 20 (repealed) or IC 35-45-1-5, if the common nuisance involves a
- 21 controlled substance.
- 22 (11) An offense relating to registration, labeling, and prescription
- 23 forms under IC 35-48-4-14.
- 24 (h) A decision of the department of homeland security under
- 25 subsections (b) through (g) may be appealed to the commission under
- 26 IC 4-21.5-3-7.
- 27 (i) The department of homeland security may temporarily suspend
- 28 a certificate holder's certificate or license holder's license under
- 29 IC 4-21.5-4 before a final adjudication or during the appeals process if
- 30 the department of homeland security finds that a certificate holder or
- 31 license holder would represent a clear and immediate danger to the
- 32 public's health, safety, or property if the certificate holder or license
- 33 holder were allowed to continue to practice.
- 34 (j) On receipt of a complaint or information alleging that a person
- 35 certified or licensed under this chapter or IC 16-31-3.5 has engaged in
- 36 or is engaging in a practice that is subject to disciplinary sanctions
- 37 under this chapter, the department of homeland security must initiate
- 38 an investigation against the person.
- 39 (k) The department of homeland security shall conduct a factfinding
- 40 investigation as the department of homeland security considers proper
- 41 in relation to the complaint.
- 42 (l) The department of homeland security may reinstate a certificate



1 or license that has been suspended under this section if the department  
 2 of homeland security is satisfied that the applicant is able to practice  
 3 with reasonable skill, competency, and safety to the public. As a  
 4 condition of reinstatement, the department of homeland security may  
 5 impose disciplinary or corrective measures authorized under this  
 6 chapter.

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

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

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

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

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

24 (q) For purposes of this section, "license holder" means a person  
 25 who holds:

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

29 SECTION 13. IC 22-15-5-16, AS AMENDED BY P.L.186-2025,  
 30 SECTION 123, IS AMENDED TO READ AS FOLLOWS  
 31 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 16. (a) A practitioner shall  
 32 comply with the standards established under this licensing program. A  
 33 practitioner is subject to the exercise of the disciplinary sanctions under  
 34 IC 22-12-7-7 if the department finds that a practitioner has:

- 35 (1) engaged in or knowingly cooperated in fraud or material  
 36 deception in order to obtain a license to practice, including  
 37 cheating on a licensing examination;
- 38 (2) engaged in fraud or material deception in the course of  
 39 professional services or activities;
- 40 (3) advertised services or goods in a false or misleading manner;
- 41 (4) falsified or knowingly allowed another person to falsify  
 42 attendance records or certificates of completion of continuing



- 1 education courses provided under this chapter;
- 2 (5) been convicted of a crime that has a direct bearing on the
- 3 practitioner's ability to continue to practice competently;
- 4 (6) knowingly violated a state statute or rule or federal statute or
- 5 regulation regulating the profession for which the practitioner is
- 6 licensed;
- 7 (7) continued to practice although the practitioner has become
- 8 unfit to practice due to:
- 9 (A) professional incompetence;
- 10 (B) failure to keep abreast of current professional theory or
- 11 practice;
- 12 (C) physical or mental disability; or
- 13 (D) addiction to, abuse of, or severe dependency on alcohol or
- 14 other drugs that endanger the public by impairing a
- 15 practitioner's ability to practice safely;
- 16 (8) engaged in a course of lewd or immoral conduct in connection
- 17 with the delivery of services to the public;
- 18 (9) allowed the practitioner's name or a license issued under this
- 19 chapter to be used in connection with an individual or business
- 20 who renders services beyond the scope of that individual's or
- 21 business's training, experience, or competence;
- 22 (10) had disciplinary action taken against the practitioner or the
- 23 practitioner's license to practice in another state or jurisdiction on
- 24 grounds similar to those under this chapter;
- 25 (11) assisted another person in committing an act that would
- 26 constitute a ground for disciplinary sanction under this chapter;
- 27 or
- 28 (12) allowed a license issued by the department to be:
- 29 (A) used by another person; or
- 30 (B) displayed to the public when the license has expired, is
- 31 inactive, is invalid, or has been revoked or suspended.
- 32 For purposes of subdivision (10), a certified copy of a record of
- 33 disciplinary action constitutes prima facie evidence of a disciplinary
- 34 action in another jurisdiction.
- 35 (b) If an applicant or a practitioner has engaged in or knowingly
- 36 cooperated in fraud or material deception to obtain a license to
- 37 practice, including cheating on the licensing examination, the
- 38 department may rescind the license if it has been granted, void the
- 39 examination or other fraudulent or deceptive material, and prohibit the
- 40 applicant from reapplying for the license for a length of time
- 41 established by the department.
- 42 (c) The department may deny licensure to an applicant who has had



1 disciplinary action taken against the applicant or the applicant's license  
 2 to practice in another state or jurisdiction or who has practiced without  
 3 a license in violation of the law. A certified copy of the record of  
 4 disciplinary action is conclusive evidence of the other jurisdiction's  
 5 disciplinary action.

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

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

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

- 21 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.  
 22 (2) Possession of methamphetamine under IC 35-48-4-6.1.  
 23 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~  
 24 **IC 35-48-4-7(b)**.  
 25 (4) Fraudulently obtaining a controlled substance under  
 26 ~~IC 35-48-4-7(b)~~ **IC 35-48-4-7(c)** (for a crime committed before  
 27 July 1, 2014) or ~~IC 35-48-4-7(c)~~ **IC 35-48-4-7(d)** (for a crime  
 28 committed after June 30, 2014).  
 29 (5) Manufacture of 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 35-48-4-8.1(c).  
 32 (6) Dealing in 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 35-48-4-8.5(b).  
 35 (7) Possession of paraphernalia as a Class D felony (for a crime  
 36 committed before July 1, 2014) or a Level 6 felony (for a crime  
 37 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
 38 its amendment on July 1, 2015).  
 39 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class  
 40 D felony (for a crime committed before July 1, 2014) or a Level  
 41 6 felony (for a crime committed after June 30, 2014) under  
 42 IC 35-48-4-11.



- 1 (9) A felony offense under IC 35-48-4 involving possession of a  
 2 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
 3 controlled substance analog (as defined in IC 35-48-1.1-8), or  
 4 possession of a synthetic drug lookalike substance (as defined in  
 5 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:  
 6 (A) Class D felony for a crime committed before July 1, 2014;  
 7 or  
 8 (B) Level 6 felony for a crime committed after June 30, 2014;  
 9 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).  
 10 (10) Maintaining a common nuisance under IC 35-48-4-13  
 11 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
 12 controlled substance.  
 13 (11) An offense relating to registration, labeling, and prescription  
 14 forms under IC 35-48-4-14.  
 15 (g) The department shall deny, revoke, or suspend a license issued  
 16 under this chapter if the individual who holds the license is convicted  
 17 of any of the following:  
 18 (1) Dealing in a controlled substance resulting in death under  
 19 IC 35-42-1-1.5.  
 20 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.  
 21 (3) Dealing in methamphetamine under IC 35-48-4-1.1.  
 22 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.  
 23 (5) Dealing in a schedule I, II, or III controlled substance under  
 24 IC 35-48-4-2.  
 25 (6) Dealing in a schedule IV controlled substance under  
 26 IC 35-48-4-3.  
 27 (7) Dealing in a schedule V controlled substance under  
 28 IC 35-48-4-4.  
 29 (8) Dealing in a substance represented to be a controlled  
 30 substance under IC 35-48-4-4.5 (repealed).  
 31 (9) Knowingly or intentionally manufacturing, advertising,  
 32 distributing, or possessing with intent to manufacture, advertise,  
 33 or distribute a substance represented to be a controlled substance  
 34 under IC 35-48-4-4.6.  
 35 (10) Dealing in a counterfeit substance under IC 35-48-4-5.  
 36 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony  
 37 under IC 35-48-4-10.  
 38 (12) An offense under IC 35-48-4 involving the manufacture or  
 39 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a  
 40 synthetic drug lookalike substance (as defined in  
 41 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under  
 42 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled



1 substance analog (as defined in IC 35-48-1.1-8), or a substance  
 2 represented to be a controlled substance (as described in  
 3 IC 35-48-4-4.6).

4 (13) A violation of any federal or state drug law or rule related to  
 5 wholesale legend drug distributors licensed under IC 25-26-14.

6 (h) The department may temporarily suspend a practitioner's license  
 7 under IC 4-21.5-4 before a final adjudication or during the appeals  
 8 process if the department finds that a practitioner represents a clear and  
 9 immediate danger to the public's health, safety, or property if the  
 10 practitioner is allowed to continue to practice.

11 (i) On receipt of a complaint or an information alleging that a person  
 12 licensed under this chapter has engaged in or is engaging in a practice  
 13 that jeopardizes the public health, safety, or welfare, the department  
 14 shall initiate an investigation against the person.

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

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

21 (l) A practitioner may petition the department to accept the  
 22 surrender of the practitioner's license. The practitioner may not  
 23 surrender the practitioner's license without the written approval of the  
 24 department, and the department may impose any conditions appropriate  
 25 to the surrender or reinstatement of a surrendered license.

26 (m) A practitioner who has been subjected to disciplinary sanctions  
 27 may be required by the commission to pay the costs of the proceeding.  
 28 The practitioner's ability to pay shall be considered when costs are  
 29 assessed. If the practitioner fails to pay the costs, a suspension may not  
 30 be imposed solely upon the practitioner's inability to pay the amount  
 31 assessed. The costs are limited to costs for the following:

- 32 (1) Court reporters.
- 33 (2) Transcripts.
- 34 (3) Certification of documents.
- 35 (4) Photo duplication.
- 36 (5) Witness attendance and mileage fees.
- 37 (6) Postage.
- 38 (7) Expert witnesses.
- 39 (8) Depositions.
- 40 (9) Notarizations.

41 SECTION 14. IC 24-4-21-1, AS AMENDED BY P.L.186-2025,  
 42 SECTION 131, IS AMENDED TO READ AS FOLLOWS

**ES 250—LS 7117/DI 107**



1 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 1. The following  
2 definitions apply throughout this chapter:

3 (1) "Certificate of analysis" means a certificate from an  
4 independent testing laboratory describing the results of the  
5 laboratory's testing of a sample.

6 (2) "Independent testing laboratory" means a laboratory:

7 (A) with respect to which no person having a direct or indirect  
8 interest in the laboratory also has a direct or indirect interest  
9 in a facility that:

10 (i) processes, distributes, or sells ~~low THC hemp extract; or~~  
11 ~~a substantially similar substance in another jurisdiction;~~  
12 **hemp derived cannabinoid products;**

13 (ii) cultivates, processes, distributes, dispenses, or sells  
14 **hemp (as defined in IC 35-48-8-3) or marijuana;** or

15 (iii) cultivates, processes, or distributes hemp; and

16 (B) that is accredited as a testing laboratory to International  
17 Organization for Standardization (ISO) 17025 by a third party  
18 accrediting body such as the American Association for  
19 Laboratory Accreditation (A2LA) or Assured Calibration and  
20 Laboratory Accreditation Select Services (ACLASS).

21 (3) ~~"Low THC hemp extract" has the meaning set forth in~~  
22 ~~IC 35-48-1.1-27. "Hemp derived cannabinoid product" has the~~  
23 ~~meaning set forth in IC 35-38-8-4.~~

24 SECTION 15. IC 24-4-21-2, AS ADDED BY P.L.153-2018,  
25 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 NOVEMBER 12, 2026]: Sec. 2. A person may distribute ~~low THC~~  
27 ~~hemp extract~~ **a hemp derived cannabinoid product** in Indiana only  
28 if the product:

29 (1) has been approved by the federal Food and Drug  
30 Administration or the federal Drug Enforcement Agency as a  
31 prescription or over the counter drug; or

32 (2) meets the requirements of this chapter.

33 SECTION 16. IC 24-4-21-3, AS AMENDED BY P.L.190-2019,  
34 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
35 NOVEMBER 12, 2026]: Sec. 3. A person may distribute ~~low THC~~  
36 ~~hemp extract~~ **a hemp derived cannabinoid product** in Indiana only  
37 if the distributor has a certificate of analysis prepared by an  
38 independent testing laboratory showing:

39 (1) that the ~~low THC hemp extract~~ **hemp derived cannabinoid**  
40 **product** is the product of a batch tested by the independent  
41 testing laboratory;

42 (2) that the independent testing laboratory determined that the



1 batch contained not more than three-tenths percent (0.3%) total  
 2 ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol** (THC),  
 3 including precursors, by weight, based on the testing of a random  
 4 sample of the batch; and

5 (3) the cannabidiol percent present of the ~~low THC hemp extract~~.  
 6 **hemp derived cannabinoid product.**

7 SECTION 17. IC 24-4-21-4, AS AMENDED BY THE  
 8 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL  
 9 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 NOVEMBER 12, 2026]: Sec. 4. (a) Except as provided in subsection  
 11 ~~(b)~~, ~~low THC hemp extract~~ **A hemp derived cannabinoid product**  
 12 must be distributed in packaging that contains the following  
 13 information:

14 (1) A scannable bar code or QR code linked to a document that  
 15 contains information with respect to the manufacture of the ~~low~~  
 16 ~~THC hemp extract~~, **hemp derived cannabinoid product**,  
 17 including the:

18 (A) batch identification number;

19 (B) product name;

20 (C) batch date;

21 (D) expiration date, which must be not more than two (2) years  
 22 from the date of manufacture;

23 (E) batch size;

24 (F) total quantity produced;

25 (G) ingredients used, including the:

26 (i) ingredient name;

27 (ii) name of the company that manufactured the ingredient;

28 (iii) company or product identification number or code, if  
 29 applicable; and

30 (iv) ingredient lot number; and

31 (H) download link for a certificate of analysis for the ~~low THC~~  
 32 ~~hemp extract~~. **hemp derived cannabinoid product.**

33 (2) The batch number.

34 (3) The Internet address of a ~~web site~~ **website** to obtain batch  
 35 information.

36 (4) The expiration date.

37 (5) The number of milligrams of ~~low THC hemp extract~~. **hemp**  
 38 **derived cannabinoid product.**

39 (6) The manufacturer.

40 (7) The fact that the product contains not more than three-tenths  
 41 percent (0.3%) total ~~delta-9-tetrahydrocannabinol~~  
 42 **tetrahydrocannabinol** (THC), including precursors, by weight.



1 (b) Before July 1, 2018, low THC hemp extract may be distributed  
 2 in Indiana without having met the requirements described in subsection  
 3 (a).

4 SECTION 18. IC 24-4-21-5, AS ADDED BY P.L.153-2018,  
 5 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 NOVEMBER 12, 2026]: Sec. 5. ~~This section applies after June 30,~~  
 7 ~~2018.~~ A person who distributes ~~low THC hemp extract~~ **a hemp**  
 8 **derived cannabinoid product** in violation of this chapter commits a  
 9 Class B infraction. However, the offense is a Class A infraction if the  
 10 person has a prior unrelated judgment for a violation of this chapter.  
 11 These penalties are in addition to any criminal penalties that may be  
 12 imposed for unlawful possession or distribution of a controlled  
 13 substance.

14 SECTION 19. IC 24-4-22-1, AS AMENDED BY P.L.186-2025,  
 15 SECTION 132, IS AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 1. As used in this chapter,  
 17 "~~low THC hemp extract~~" "**hemp derived cannabinoid product**" has  
 18 the meaning set forth in ~~IC 35-48-1.1-27.~~ **IC 35-48-8-4.**

19 SECTION 20. IC 24-4-22-3, AS ADDED BY P.L.153-2018,  
 20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 NOVEMBER 12, 2026]: Sec. 3. (a) ~~Except as provided in subsection~~  
 22 ~~(b);~~ A person may sell ~~low THC hemp extract~~ **a hemp derived**  
 23 **cannabinoid product** at retail only if the packaging complies with the  
 24 requirements of IC 24-4-21-4.

25 (b) ~~Before July 1, 2018, a person may sell low THC hemp extract at~~  
 26 ~~retail even if the packaging does not comply with the requirements of~~  
 27 ~~IC 24-4-21-4.~~

28 SECTION 21. IC 25-1-1.1-2, AS AMENDED BY P.L.186-2025,  
 29 SECTION 134, IS AMENDED TO READ AS FOLLOWS  
 30 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 2. Notwithstanding  
 31 IC 25-1-7, a board, a commission, or a committee may suspend, deny,  
 32 or revoke a license or certificate issued under this title by the board, the  
 33 commission, or the committee without an investigation by the office of  
 34 the attorney general if the individual who holds the license or  
 35 certificate is convicted of any of the following and the board,  
 36 commission, or committee determines, after the individual has  
 37 appeared in person, that the offense affects the individual's ability to  
 38 perform the duties of the profession:

- 39 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 40 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 41 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~
- 42 **IC 35-48-4-7(b).**



- 1 (4) Fraudulently obtaining a controlled substance under  
 2 ~~IC 35-48-4-7(c)~~; **IC 35-48-4-7(d)**.
- 3 (5) Manufacture of paraphernalia as a Class D felony (for a crime  
 4 committed before July 1, 2014) or a Level 6 felony (for a crime  
 5 committed after June 30, 2014) under IC 35-48-4-8.1(c).
- 6 (6) Dealing in paraphernalia as a Class D felony (for a crime  
 7 committed before July 1, 2014) or a Level 6 felony (for a crime  
 8 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 9 (7) Possession of paraphernalia as a Class D felony (for a crime  
 10 committed before July 1, 2014) or a Level 6 felony (for a crime  
 11 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
 12 its amendment on July 1, 2015).
- 13 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class  
 14 D felony (for a crime committed before July 1, 2014) or a Level  
 15 6 felony (for a crime committed after June 30, 2014) under  
 16 IC 35-48-4-11.
- 17 (9) A felony offense under IC 35-48-4 involving possession of a  
 18 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
 19 controlled substance analog (as defined in IC 35-48-1.1-8), or  
 20 possession of a synthetic drug lookalike substance (as defined in  
 21 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:  
 22 (A) Class D felony for a crime committed before July 1, 2014;  
 23 or  
 24 (B) Level 6 felony for a crime committed after June 30, 2014;  
 25 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 26 (10) Maintaining a common nuisance under IC 35-48-4-13  
 27 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
 28 controlled substance.
- 29 (11) An offense relating to registration, labeling, and prescription  
 30 forms under IC 35-48-4-14.
- 31 (12) A sex crime under IC 35-42-4.
- 32 (13) A felony that reflects adversely on the individual's fitness to  
 33 hold a professional license.
- 34 SECTION 22. IC 34-30-2.1-71, AS ADDED BY P.L.105-2022,  
 35 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2026]: Sec. 71. IC 7.1-5-7-8 (Concerning postsecondary  
 37 educational institutions for alcohol related **or THC product related**  
 38 injuries).
- 39 SECTION 23. IC 35-31.5-2-61.5 IS ADDED TO THE INDIANA  
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 61.5. "Container", for**  
 42 **purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-2.**



1 SECTION 24. IC 35-31.5-2-150.5 IS REPEALED [EFFECTIVE  
2 NOVEMBER 12, 2026]. ~~Sec. 150.5: "Hashish", for purposes of~~  
3 ~~IC 35-48, has the meaning set forth in IC 35-48-1.1-21.~~

4 SECTION 25. IC 35-31.5-2-150.6 IS REPEALED [EFFECTIVE  
5 NOVEMBER 12, 2026]. ~~Sec. 150.6: "Hash oil", for purposes of~~  
6 ~~IC 35-48, has the meaning set forth in IC 35-48-1.1-22.~~

7 SECTION 26. IC 35-31.5-2-152.2 IS ADDED TO THE INDIANA  
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 152.2. "Hemp", for**  
10 **purposes of this title, has the meaning set forth in IC 35-48-8-3.**

11 SECTION 27. IC 35-31.5-2-152.3 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 152.3. "Hemp derived**  
14 **cannabinoid product", for purposes of this title, has the meaning**  
15 **set forth in IC 35-48-8-4.**

16 SECTION 28. IC 35-31.5-2-169.3 IS ADDED TO THE INDIANA  
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
18 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 169.3. "Industrial**  
19 **hemp", for purposes of this title, has the meaning set forth in**  
20 **IC 35-48-8-5.**

21 SECTION 29. IC 35-31.5-2-176.1 IS ADDED TO THE INDIANA  
22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
23 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 176.1. "Intermediate**  
24 **hemp derived cannabinoid product", for purposes of IC 35-48-8,**  
25 **has the meaning set forth in IC 35-48-8-6.**

26 SECTION 30. IC 35-31.5-2-189.9, AS AMENDED BY  
27 P.L.186-2025, SECTION 216, IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: ~~Sec. 189.9. "Low~~  
29 ~~THC hemp extract", "THC hemp extract", for purposes of IC 35-48,~~  
30 ~~has the meaning set forth in IC 35-48-1.1-27. **IC 35-48-8-7.**~~

31 SECTION 31. IC 35-46-1-11.7, AS AMENDED BY P.L.163-2025,  
32 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
33 NOVEMBER 12, 2026]: Sec. 11.7. (a) A retail establishment in which  
34 tobacco products **and products containing tetrahydrocannabinol**  
35 **(THC)** account for at least eighty-five percent (85%) of the retail  
36 establishment's gross sales may not allow an individual who is less than  
37 twenty-one (21) years of age to enter the retail establishment.

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

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



- 1 (1) A sign in boldface type that states "NOTICE: It is unlawful for
- 2 a person less than 21 years old to enter this store."
- 3 (2) A sign printed in letters and numbers at least one-half (1/2)
- 4 inch high that displays a toll free phone number for assistance to
- 5 callers in quitting smoking, as determined by the Indiana
- 6 department of health.
- 7 (d) A person who violates this section commits a Class C infraction.
- 8 Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction
- 9 committed under this section must be imposed as follows:
- 10 (1) If the person has not been cited for a violation of this section
- 11 in the previous one (1) year, a civil penalty of up to four hundred
- 12 dollars (\$400).
- 13 (2) If the person has had one (1) violation in the previous one (1)
- 14 year, a civil penalty of up to eight hundred dollars (\$800).
- 15 (3) If the person has had two (2) violations in the previous one (1)
- 16 year, a civil penalty of up to one thousand four hundred dollars
- 17 (\$1,400).
- 18 (4) If the person has had three (3) or more violations in the
- 19 previous one (1) year, a civil penalty of up to two thousand dollars
- 20 (\$2,000).
- 21 A person may not be cited more than once every twenty-four (24)
- 22 hours.
- 23 (e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under
- 24 this section must be deposited in the Richard D. Doyle tobacco
- 25 education and enforcement fund established under IC 7.1-6-2-6.
- 26 (f) A person who violates subsection (a) at least six (6) times in any
- 27 one (1) year period commits habitual illegal entrance by a minor, a
- 28 Class B infraction.
- 29 SECTION 32. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025,
- 30 SECTION 249, IS AMENDED TO READ AS FOLLOWS
- 31 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 7. "Controlled substance"
- 32 means a drug, substance, or immediate precursor in schedule I, II, III,
- 33 IV, or V under:
- 34 (1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or
- 35 IC 35-48-2-12, if IC 35-48-2-14 does not apply; or
- 36 (2) a rule adopted by the board, if IC 35-48-2-14 applies.
- 37 ~~The term does not include low THC hemp extract.~~
- 38 SECTION 33. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025,
- 39 SECTION 249, IS AMENDED TO READ AS FOLLOWS
- 40 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 8. (a) "Controlled
- 41 substance analog" means a substance that, due to its chemical structure
- 42 and potential for abuse or misuse, meets the following criteria:



- 1 (1) The substance is substantially similar to a controlled substance  
 2 classified under IC 35-48-2.
- 3 (2) The substance has a narcotic, stimulant, depressant, or  
 4 hallucinogenic effect on the central nervous system or is  
 5 represented or intended to have a narcotic, stimulant, depressant,  
 6 or hallucinogenic effect on the central nervous system  
 7 substantially similar to or greater than that of a controlled  
 8 substance classified under IC 35-48-2.
- 9 (b) The definition set forth in subsection (a) does not include:
- 10 (1) a controlled substance;
- 11 (2) a legend drug;
- 12 (3) a substance for which there is an approved new drug  
 13 application;
- 14 (4) any compound, mixture, or preparation that contains any  
 15 controlled substance, that is not for administration to a human  
 16 being or an animal, and that is packaged in a form or  
 17 concentration, or with adulterants or denaturants, such that as  
 18 packaged it does not present any significant potential for abuse;
- 19 **or**
- 20 (5) a substance to which an investigational exemption applies  
 21 under Section 505 of the federal Food, Drug and Cosmetic Act  
 22 (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), but only to the  
 23 extent that conduct with respect to the substance is pursuant to the  
 24 exemption. ~~or~~
- 25 ~~(6) low THC hemp extract.~~
- 26 (c) For purposes of subsection (a), "substantially similar", as it  
 27 applies to the chemical structure of a substance, means that the  
 28 chemical structure of the substance, when compared to the structure of  
 29 a controlled substance, has a single difference in the structural formula  
 30 that substitutes one (1) atom or functional group for another, including:
- 31 (1) one (1) halogen for another halogen;
- 32 (2) one (1) hydrogen for a halogen;
- 33 (3) one (1) halogen for a hydrogen; or
- 34 (4) an alkyl group added or deleted:
- 35 (A) as a side chain to or from a molecule; or
- 36 (B) from a side chain of a molecule.
- 37 SECTION 34. IC 35-48-1.1-21 IS REPEALED [EFFECTIVE  
 38 NOVEMBER 12, 2026]. ~~Sec. 21. "Hashish" does not include low THC~~  
 39 ~~hemp extract.~~
- 40 SECTION 35. IC 35-48-1.1-22 IS REPEALED [EFFECTIVE  
 41 NOVEMBER 12, 2026]. ~~Sec. 22. "Hash oil" does not include low THC~~  
 42 ~~hemp extract.~~



1 SECTION 36. IC 35-48-1.1-27 IS REPEALED [EFFECTIVE  
2 NOVEMBER 12, 2026]. Sec. 27: (a) "Low THC hemp extract" means  
3 a substance or compound that:

- 4 (1) is derived from or contains any part of the plant *Cannabis*  
5 *sativa* L. that meets the definition of hemp under IC 15-15-13-6;  
6 (2) contains not more than three-tenths percent (0.3%) total  
7 delta-9-tetrahydrocannabinol (THC), including precursors, by  
8 weight; and  
9 (3) contains no other controlled substances.

10 (b) The term does not include:

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

14 SECTION 37. IC 35-48-1.1-29, AS ADDED BY P.L.186-2025,  
15 SECTION 249, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 29. (a) "Marijuana" means  
17 any part of the plant genus *Cannabis* whether growing or not; the seeds  
18 thereof; the resin extracted from any part of the plant, including hashish  
19 and hash oil; any compound, manufacture, salt, derivative, mixture, or  
20 preparation of the plant, its seeds or resin.

21 (b) The term does not include:

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

33 (1) a hemp derived cannabinoid product (as defined in  
34 IC 35-48-8-4); or

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

37 SECTION 38. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025,  
38 SECTION 249, IS AMENDED TO READ AS FOLLOWS  
39 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 38. (a) Except as provided  
40 in subsection (b), "smokable hemp" means a product containing not  
41 more than three-tenths percent (0.3%) delta-9-tetrahydrocannabinol  
42 any amount of tetrahydrocannabinol (THC), including precursors



1 and derivatives of THC, in a form that allows THC to be introduced  
2 into the human body by inhalation of smoke. The term includes:

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

5 (b) The term does not include:

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

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

11 SECTION 39. IC 35-48-4-2, AS AMENDED BY P.L.61-2020,  
12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 NOVEMBER 12, 2026]: Sec. 2. **(a) This section does not apply to a**  
14 **hemp derived cannabinoid product as defined in IC 35-48-8-4.**

15 ~~(a)~~ **(b)** A person who:

- 16 (1) knowingly or intentionally:  
17 (A) manufactures;  
18 (B) finances the manufacture of;  
19 (C) delivers; or  
20 (D) finances the delivery of;

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

- 26 (2) possesses, with intent to:  
27 (A) manufacture;  
28 (B) finance the manufacture of;  
29 (C) deliver; or  
30 (D) finance the delivery of;

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

36 commits dealing in a schedule I, II, or III controlled substance, a Level  
37 6 felony, except as provided in subsections ~~(b)~~ **(c)** through ~~(f)~~ **(g)**.

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

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



- 1 (2) the amount of the drug involved is at least twenty-eight (28)  
 2 grams.
- 3 ~~(c)~~ **(d)** The offense is a Level 5 felony if:
- 4 (1) the amount of the drug involved is at least one (1) gram but  
 5 less than five (5) grams; or
- 6 (2) the amount of the drug involved is less than one (1) gram and  
 7 an enhancing circumstance applies.
- 8 ~~(d)~~ **(e)** The offense is a Level 4 felony if:
- 9 (1) the amount of the drug involved is at least five (5) grams but  
 10 less than ten (10) grams; or
- 11 (2) the amount of the drug involved is at least one (1) gram but  
 12 less than five (5) grams and an enhancing circumstance applies.
- 13 ~~(e)~~ **(f)** The offense is a Level 3 felony if:
- 14 (1) the amount of the drug involved is at least ten (10) grams but  
 15 less than twenty-eight (28) grams; or
- 16 (2) the amount of the drug involved is at least five (5) grams but  
 17 less than ten (10) grams and an enhancing circumstance applies.
- 18 ~~(f)~~ **(g)** The offense is a Level 2 felony if:
- 19 (1) the amount of the drug involved is at least twenty-eight (28)  
 20 grams; or
- 21 (2) the amount of the drug involved is at least ten (10) grams but  
 22 less than twenty-eight (28) grams and an enhancing circumstance  
 23 applies.
- 24 **(h) It is a defense to a prosecution under this section that the**  
 25 **substance is THC hemp extract and the person meets the**  
 26 **requirements of IC 35-48-8-9.**
- 27 SECTION 40. IC 35-48-4-7, AS AMENDED BY P.L.61-2020,  
 28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 NOVEMBER 12, 2026]: Sec. 7. **(a) This section does not apply to a**  
 30 **hemp derived cannabinoid product as defined in IC 35-48-8-4.**
- 31 ~~(a)~~ **(b)** A person who, without a valid prescription or order of a  
 32 practitioner acting in the course of the practitioner's professional  
 33 practice, knowingly or intentionally possesses a:
- 34 (1) controlled substance or controlled substance analog (pure or  
 35 adulterated), classified in schedule I, except marijuana, hashish,  
 36 or salvia; or
- 37 (2) controlled substance or controlled substance analog (pure or  
 38 adulterated), classified in schedule II, III, or IV;
- 39 commits possession of a controlled substance, a Class A misdemeanor,  
 40 except as provided in subsection ~~(b)~~: **(c)**.
- 41 ~~(b)~~ **(c)** The offense is a Level 6 felony if the person commits the  
 42 offense and an enhancing circumstance applies.



1 (e) (d) A person who, without a valid prescription or order of a  
 2 practitioner acting in the course of the practitioner's professional  
 3 practice, knowingly or intentionally obtains:

- 4 (1) more than four (4) ounces of schedule V controlled substances
- 5 containing codeine in any given forty-eight (48) hour period
- 6 unless pursuant to a prescription;
- 7 (2) a schedule V controlled substance pursuant to written or
- 8 verbal misrepresentation; or
- 9 (3) possession of a schedule V controlled substance other than by
- 10 means of a prescription or by means of signing an exempt
- 11 narcotic register maintained by a pharmacy licensed by the
- 12 Indiana state board of pharmacy;

13 commits a Class A misdemeanor.

14 (e) **It is a defense to a prosecution under this section that the**  
 15 **substance is THC hemp extract and the person meets the**  
 16 **requirements of IC 35-48-8-9.**

17 SECTION 41. IC 35-48-4-10, AS AMENDED BY P.L.153-2018,  
 18 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 NOVEMBER 12, 2026]: Sec. 10. (a) A person who:

- 20 (1) knowingly or intentionally:
- 21 (A) manufactures;
- 22 (B) finances the manufacture of;
- 23 (C) delivers; or
- 24 (D) finances the delivery of;
- 25 marijuana, hash oil, hashish, or salvia, pure or adulterated; or
- 26 (2) possesses, with intent to:
- 27 (A) manufacture;
- 28 (B) finance the manufacture of;
- 29 (C) deliver; or
- 30 (D) finance the delivery of;

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

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

- 36 (1) there is evidence in addition to the weight of the drug that the
- 37 person intended to manufacture, finance the manufacture of,
- 38 deliver, or finance the delivery of the drug; or
- 39 (2) the amount of the drug involved is at least:
- 40 (A) ten (10) pounds, if the drug is marijuana; or
- 41 (B) three hundred (300) grams, if the drug is hash oil, hashish,
- 42 or salvia.



- 1 (c) The offense is a Level 6 felony if:  
 2 (1) the person has a prior conviction for a drug offense and the  
 3 amount of the drug involved is:  
 4 (A) less than thirty (30) grams of marijuana; or  
 5 (B) less than five (5) grams of hash oil, hashish, or salvia; or  
 6 (2) the amount of the drug involved is:  
 7 (A) at least thirty (30) grams but less than ten (10) pounds of  
 8 marijuana; or  
 9 (B) at least five (5) grams but less than three hundred (300)  
 10 grams of hash oil, hashish, or salvia.  
 11 (d) The offense is a Level 5 felony if:  
 12 (1) the person has a prior conviction for a drug dealing offense  
 13 and the amount of the drug involved is:  
 14 (A) at least thirty (30) grams but less than ten (10) pounds of  
 15 marijuana; or  
 16 (B) at least five (5) grams but less than three hundred (300)  
 17 grams of hash oil, hashish, or salvia;  
 18 (2) the:  
 19 (A) amount of the drug involved is:  
 20 (i) at least ten (10) pounds of marijuana; or  
 21 (ii) at least three hundred (300) grams of hash oil, hashish,  
 22 or salvia; or  
 23 (B) offense involved a sale to a minor; or  
 24 (3) the:  
 25 (A) person is a retailer;  
 26 (B) marijuana, hash oil, hashish, or salvia is packaged in a  
 27 manner that appears to be ~~low THC hemp extract~~; **a hemp**  
 28 **derived cannabinoid product**; and  
 29 (C) person knew or reasonably should have known that the  
 30 product was marijuana, hash oil, hashish, or salvia.  
 31 **(e) It is a defense to a prosecution under this section that the**  
 32 **substance is THC hemp extract and the person meets the**  
 33 **requirements of IC 35-48-8-9.**  
 34 SECTION 42. IC 35-48-4-11, AS AMENDED BY P.L.153-2018,  
 35 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 NOVEMBER 12, 2026]: Sec. 11. (a) A person who:  
 37 (1) knowingly or intentionally possesses (pure or adulterated)  
 38 marijuana, hash oil, hashish, or salvia;  
 39 (2) knowingly or intentionally grows or cultivates marijuana; or  
 40 (3) knowing that marijuana is growing on the person's premises,  
 41 fails to destroy the marijuana plants;  
 42 commits possession of marijuana, hash oil, hashish, or salvia, a Class



1 B misdemeanor, except as provided in subsections (b) through (c).

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

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

5 (2) the:

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

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

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

13 (2) the person possesses:

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

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

16 **(d) It is a defense to a prosecution under this section that the  
17 substance is THC hemp extract and the person meets the  
18 requirements of IC 35-48-8-9.**

19 SECTION 43. IC 35-48-8 IS ADDED TO THE INDIANA CODE  
20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
21 NOVEMBER 12, 2026]:

22 **Chapter 8. Offenses Relating to Hemp**

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

26 **Sec. 1. The terms defined in this chapter apply only to this  
27 article unless cited in another statute concerning hemp.**

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

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

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

38 **Sec. 3. (a) "Hemp" means the plant Cannabis sativa L. and any  
39 part of the plant, including the seeds thereof and all derivatives,  
40 extracts, cannabinoids, isomers, acids, salts, and salts of isomers,  
41 whether growing or not, with a total tetrahydrocannabinols  
42 concentration (including tetrahydrocannabinolic acid) of not more**



1 than three-tenths of one percent (0.3%) on a dry weight basis.

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

4 (c) The term does not include:

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

9 (2) any intermediate hemp derived cannabinoid products  
10 containing:

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

13 (B) cannabinoids that:

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

16 (ii) were synthesized or manufactured outside the plant;  
17 or

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

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

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

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

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

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

32 (B) cannabinoids that:

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

35 (ii) were synthesized or manufactured outside the plant;  
36 or

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

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

41 (ii) any other cannabinoids that have similar effects, or  
42 are marketed to have similar effects, on humans or



1 animals as a tetrahydrocannabinol, as determined by the  
 2 United States Secretary of Health and Human Services;  
 3 or

4 (5) smokable hemp.

5 Sec. 4. (a) "Hemp derived cannabinoid product" means a  
 6 product that:

7 (1) meets the definition of hemp under section 3 of this  
 8 chapter; and

9 (2) is derived from, or made by, processing hemp plants or  
 10 hemp plant parts including derivatives, extracts,  
 11 cannabinoids, isomers, acids, salts, and salts of isomers.

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

14 (1) contains cannabinoids in any form; and

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

17 (A) inhalation;

18 (B) ingestion; or

19 (C) topical application.

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

22 (d) The term does not include:

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

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

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

30 Sec. 5. "Industrial hemp" means hemp:

31 (1) grown for the use of the stalk of the plant fiber produced  
 32 from the stalk, or any other noncannabinoid derivative,  
 33 mixture, preparation, or manufacture of the stalk;

34 (2) grown for the use of the whole grain, oil, cake, nut, hull, or  
 35 other noncannabinoid compound, derivative, mixture,  
 36 preparation, or manufacture of the seeds of the plant;

37 (3) grown for purposes of producing microgreens or other  
 38 edible hemp leaf products for human consumption that are  
 39 derived from an immature hemp plant that is grown from  
 40 seeds that do not exceed the threshold for total  
 41 tetrahydrocannabinols concentration of three-tenths of one  
 42 percent (0.3%) in the plant on a dry weight basis;



1 (4) that is a plant that does not enter the stream of commerce  
 2 and is intended to support hemp research at an institution of  
 3 higher education, as defined in 20 U.S.C. 1001, or an  
 4 independent research institute; or

5 (5) grown for the use of a viable seed of the plant produced  
 6 solely for the production or manufacture of any material  
 7 described in subdivisions (1) through (4).

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

10 (1) is not yet in the final form or preparation and is marketed  
 11 or intended to be used or consumed by a human or animal; or

12 (2) is a powder, liquid, tablet, oil, or other product form that  
 13 is intended or marketed to be mixed, dissolved, formulated, or  
 14 added to or prepared with or into any other substance prior  
 15 to administration or consumption.

16 **Sec. 7. (a) "THC hemp extract"** means a substance or  
 17 compound that:

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

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

24 (3) contains no other controlled substances.

25 (b) The term does not include:

26 (1) the harvested reproductive organ, whether immature or  
 27 mature, of the female hemp plant; or

28 (2) smokable hemp.

29 **Sec. 8. (a)** A person who knowingly or intentionally grows or  
 30 handles hemp without a license issued under IC 15-15-13-7  
 31 commits unlawful trade in hemp, a Class A misdemeanor.

32 (b) The offense is a Level 6 felony if the person has a prior  
 33 conviction for an offense under this section.

34 (c) The offense is a Level 5 felony if the person has a prior  
 35 conviction for an offense under this section and either:

36 (1) the amount of the hemp involved is more than ten (10)  
 37 pounds; or

38 (2) the offense involved a sale to a child less than eighteen (18)  
 39 years of age.

40 **Sec. 9. (a)** A person who:

41 (1) held a license under IC 15-15-13-7 before January 1, 2026;  
 42 and



1           **(2) continues to hold a hemp license under IC 15-15-13-7;**  
 2 **may continue to process and distribute THC hemp extract solely**  
 3 **for sale to a manufacturer, processor, distributor, or retailer in a**  
 4 **jurisdiction outside of Indiana if the processing and distribution**  
 5 **complies with subsection (b).**

6           **(b) A person described in subsection (a) may process and**  
 7 **distribute THC hemp extract if:**

8           **(1) the receipt of THC hemp extract by the manufacturer,**  
 9 **processor, distributor, or retailer in the other jurisdiction is**  
 10 **lawful in that jurisdiction; and**

11           **(2) the THC hemp extract meets the same packaging**  
 12 **requirements as a hemp derived cannabinoid product under**  
 13 **IC 24-4-21-4.**

14           **(c) A person described in this section may not distribute THC**  
 15 **hemp extract to any person in Indiana, unless the distribution is**  
 16 **required by law, including for purposes of testing or analysis.**

17           **(d) Nothing in this section authorizes a retailer to possess or sell**  
 18 **THC hemp extract.**

19           **(e) The alcohol and tobacco commission may inspect the**  
 20 **operations of a person to whom this section applies to ensure**  
 21 **compliance in the same manner it conducts inspections under**  
 22 **IC 7.1-5-7-16.**

23           SECTION 44. IC 35-52-7-39, AS ADDED BY P.L.169-2014,  
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 25 JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime concerning  
 26 alcohol **and products containing THC.**

27           SECTION 45. IC 35-52-7-40, AS ADDED BY P.L.169-2014,  
 28 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning  
 30 alcohol **and products containing THC.**



## 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, derivates, 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 "extenion" 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.

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#### COMMITTEE REPORT

Mr. President: The Senate Committee on Appropriations, 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, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 2. IC 7.1-3-23-2, AS AMENDED BY P.L.285-2019, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) **Except as otherwise provided in IC 7.1-8 for purposes of IC 7.1-8**, the commission may:

(1) fine or suspend or revoke the permit or certificate of; or

(2) fine and suspend or revoke the permit or certificate of;

a permittee for the violation of a provision of this title or of a rule or regulation of the commission. The commission may fine a permittee for each day the violation continues if the violation is of a continuing nature.

(b) The commission shall revoke the permit of a permittee for the violation of IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4. A finding that a permittee has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4 must be supported by a preponderance of the evidence.

SECTION 3. IC 7.1-4-7-4, AS AMENDED BY P.L.224-2005, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) Except as provided in subsection (b), **and except as otherwise provided in IC 7.1-8 for purposes of IC 7.1-8**, the chairman and the department shall deposit the money collected under sections 1, 2, and 3 of this chapter daily with the treasurer of state, and not later than the fifth day of the following month shall

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cover:

(1) thirty-four percent (34%) of the money collected under section 1 of this chapter into the enforcement and administration fund established under IC 7.1-4-10-1; and

(2) sixty-six percent (66%) of the money collected under section 1 of this chapter and money collected under sections 2 and 3 of this chapter into the state general fund for state general fund purposes.

(b) The chairman and the department shall deposit all money collected under IC 7.1-2-5-3, IC 7.1-2-5-8, IC 7.1-3-17.5, IC 7.1-3-17.7, IC 7.1-3-22-9, and IC 7.1-4-4.1-5 daily with the treasurer of state, and not later than the fifth day of the following month shall cover the money into the enforcement and administration fund established under IC 7.1-4-10-1."

Page 7, line 39, delete "an" and insert "**a law**".

Page 25, line 27, delete "industrial".

Page 26, line 29, delete "(a)".

Page 26, delete line 31.

Page 65, line 18, delete "marijuana." and insert "**marijuana or tetrahydrocannabinol.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 250 as printed January 16, 2026.)

GARTEN, Chairperson

Committee Vote: Yeas 7, Nays 4.

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#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 250, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 9 through 15, begin a new paragraph and insert:

"SECTION 2. IC 7.1-5-7-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. This chapter does not apply to a substance that meets all of the following requirements:**

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- (1) **The substance contains cannabidiol or cannabigerol.**
- (2) **The substance does not contain THC or any other cannabinoids.**
- (3) **The substance does not contain alcohol or any other controlled substances.**

SECTION 3. IC 7.1-5-7-7, AS AMENDED BY P.L.159-2014, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C misdemeanor for a minor to knowingly:

- (1) possess an alcoholic beverage **or a product containing THC**;
- (2) consume an alcoholic beverage **or a product containing THC**; or
- (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 4. 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 5. 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 6. 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 7. 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.**

**(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 8. IC 15-15-13-6, AS AMENDED BY P.L.190-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 6. As used in this chapter, "hemp" means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9-tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis, for any part of the *Cannabis sativa* L. plant. **has the meaning set forth in IC 35-48-8-3.**

SECTION 9. IC 15-15-13-6.5, AS AMENDED BY P.L.186-2025, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 6.5. As used in this chapter, "hemp 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~~ **tetrahydrocannabinol (THC)** concentration of more than three-tenths of one percent (0.3%) by weight.

SECTION 10. IC 15-15-13-9, AS AMENDED BY P.L.190-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 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 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) All growers and handlers must keep records in accordance with rules adopted by the state seed commissioner. 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 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 (THC)~~ **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;

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

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

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

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

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

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

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

SECTION 11. IC 15-15-13-12, AS AMENDED BY P.L.156-2020,



SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 12. The state seed commissioner is responsible for the following:

- (1) Monitoring the hemp grown by any 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~~ **total tetrahydrocannabinol (THC)** 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 12. IC 16-31-3-14, AS AMENDED BY P.L.186-2025, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 14. (a) A person holding a certificate or license issued under this article must comply with the applicable standards and rules established under this article. A certificate holder or license holder is subject to disciplinary sanctions under subsection (b) if the department of homeland security determines that the certificate holder or license holder:

- (1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a certificate or license, including cheating on a certification or licensure 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 required under this article or rules adopted under this article;
- (5) is convicted of a crime, if the act that resulted in the conviction has a direct bearing on determining if the certificate holder or license holder should be entrusted to provide emergency medical services;
- (6) is convicted of violating IC 9-19-14.5;
- (7) fails to comply and maintain compliance with or violates any applicable provision, standard, or other requirement of this article



or rules adopted under this article;

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

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

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

(C) physical or mental disability; or

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

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

(10) allows the certificate holder's or license holder's name or a certificate or license issued under this article to be used in connection with a person who renders services beyond the scope of that person's training, experience, or competence;

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

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

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

(A) used by another person; or

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

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

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

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- (1) Revocation of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.
- (2) Suspension of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.
- (3) Censure of a certificate holder or license holder.
- (4) Issuance of a letter of reprimand.
- (5) Assessment of a civil penalty against the certificate holder or license holder in accordance with the following:
  - (A) The civil penalty may not exceed five hundred dollars (\$500) per day per violation.
  - (B) If the certificate holder or license holder fails to pay the civil penalty within the time specified by the department of homeland security, the department of homeland security may suspend the certificate holder's certificate or license holder's license without additional proceedings.
- (6) Placement of a certificate holder or license holder on probation status and requirement of the certificate holder or license holder to:
  - (A) report regularly to the department of homeland security upon the matters that are the basis of probation;
  - (B) limit practice to those areas prescribed by the department of homeland security;
  - (C) continue or renew professional education approved by the department of homeland security until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or
  - (D) perform or refrain from performing any acts, including community restitution or service without compensation, that the department of homeland security considers appropriate to the public interest or to the rehabilitation or treatment of the certificate holder or license holder.

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

- (c) If an applicant or a certificate holder or license holder has engaged in or knowingly cooperated in fraud or material deception to obtain a certificate or license, including cheating on the certification or licensure examination, the department of homeland security may rescind the certificate or license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the



applicant from reapplying for the certificate or license for a length of time established by the department of homeland security.

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

(e) The department of homeland security may order a certificate holder or license holder to submit to a reasonable physical or mental examination if the certificate holder's or license holder's physical or mental capacity to practice safely and competently is at issue in a 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, 2014); or

(ii) 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); or

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

(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.

(h) A decision of the department of homeland security under subsections (b) through (g) may be appealed to the commission under IC 4-21.5-3-7.

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

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

(k) The department of homeland security shall conduct a factfinding



investigation as the department of homeland security considers proper in relation to the complaint.

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

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

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

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

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

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

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

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

SECTION 13. IC 22-15-5-16, AS AMENDED BY P.L.186-2025, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 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
  - (D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;
- (8) engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;
- (9) allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;
- (10) had disciplinary action taken against the practitioner or the practitioner's license to practice in another state or jurisdiction on grounds similar to those under this chapter;
- (11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or
- (12) allowed a license issued by the department to be:
  - (A) used by another person; or
  - (B) displayed to the public when the license has expired, is inactive, is invalid, or has been revoked or suspended.

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

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



applicant from reapplying for the license for a length of time established by the department.

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

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

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

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

- (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- (2) Possession of methamphetamine under IC 35-48-4-6.1.
- (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~; **IC 35-48-4-7(b)**.
- (4) Fraudulently obtaining a controlled substance under ~~IC 35-48-4-7(b)~~ **IC 35-48-4-7(c)** (for a crime committed before July 1, 2014) or ~~IC 35-48-4-7(c)~~ **IC 35-48-4-7(d)** (for a crime committed after June 30, 2014).
- (5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(c).
- (6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).
- (7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).
- (8) Possession of marijuana, hash oil, hashish, or salvia as a Class



D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

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

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

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

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

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

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

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

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

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

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

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

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or 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 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on 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).

(13) A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

(h) The department may temporarily suspend a practitioner's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice.

(i) On receipt of a complaint or an information alleging that a person licensed under this chapter has engaged in or is engaging in a practice that jeopardizes the public health, safety, or welfare, the department shall initiate an investigation against the person.

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

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

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

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

- (1) Court reporters.
- (2) Transcripts.
- (3) Certification of documents.
- (4) Photo duplication.
- (5) Witness attendance and mileage fees.
- (6) Postage.
- (7) Expert witnesses.
- (8) Depositions.



(9) Notarizations.

SECTION 14. IC 24-4-21-1, AS AMENDED BY P.L.186-2025, SECTION 131, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Certificate of analysis" means a certificate from an independent testing laboratory describing the results of the laboratory's testing of a sample.

(2) "Independent testing laboratory" means a laboratory:

(A) with respect to which no person having a direct or indirect interest in the laboratory also has a direct or indirect interest in a facility that:

(i) processes, distributes, or sells ~~low THC hemp extract, or a substantially similar substance in another jurisdiction;~~ **hemp derived cannabinoid products;**

(ii) cultivates, processes, distributes, dispenses, or sells **hemp (as defined in IC 35-48-8-3) or marijuana;** or

(iii) cultivates, processes, or distributes hemp; and

(B) that is accredited as a testing laboratory to International Organization for Standardization (ISO) 17025 by a third party accrediting body such as the American Association for Laboratory Accreditation (A2LA) or Assured Calibration and Laboratory Accreditation Select Services (ACLASS).

(3) "~~Low THC hemp extract~~" **has the meaning set forth in IC 35-48-1.1-27. "Hemp derived cannabinoid product" has the meaning set forth in IC 35-38-8-4.**

SECTION 15. IC 24-4-21-2, AS ADDED BY P.L.153-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 2. A person may distribute ~~low THC hemp extract~~ **a hemp derived cannabinoid product** in Indiana only if the product:

(1) has been approved by the federal Food and Drug Administration or the federal Drug Enforcement Agency as a prescription or over the counter drug; or

(2) meets the requirements of this chapter.

SECTION 16. IC 24-4-21-3, AS AMENDED BY P.L.190-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 3. A person may distribute ~~low THC hemp extract~~ **a hemp derived cannabinoid product** in Indiana only if the distributor has a certificate of analysis prepared by an independent testing laboratory showing:

(1) that the ~~low THC hemp extract~~ **hemp derived cannabinoid**



**product** is the product of a batch tested by the independent testing laboratory;

(2) that the independent testing laboratory determined that the batch contained not more than three-tenths percent (0.3%) total ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol** (THC), including precursors, by weight, based on the testing of a random sample of the batch; and

(3) the cannabidiol percent present of the ~~low THC hemp extract~~ **hemp derived cannabinoid product**.

SECTION 17. IC 24-4-21-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 4. (a) ~~Except as provided in subsection (b); low THC hemp extract~~ **A hemp derived cannabinoid product** must be distributed in packaging that contains the following information:

(1) A scannable bar code or QR code linked to a document that contains information with respect to the manufacture of the ~~low THC hemp extract~~ **hemp derived cannabinoid product**, including the:

(A) batch identification number;

(B) product name;

(C) batch date;

(D) expiration date, which must be not more than two (2) years from the date of manufacture;

(E) batch size;

(F) total quantity produced;

(G) ingredients used, including the:

(i) ingredient name;

(ii) name of the company that manufactured the ingredient;

(iii) company or product identification number or code, if applicable; and

(iv) ingredient lot number; and

(H) download link for a certificate of analysis for the ~~low THC hemp extract~~ **hemp derived cannabinoid product**.

(2) The batch number.

(3) The Internet address of a ~~web site~~ **website** to obtain batch information.

(4) The expiration date.

(5) The number of milligrams of ~~low THC hemp extract~~ **hemp derived cannabinoid product**.

(6) The manufacturer.



(7) The fact that the product contains not more than three-tenths percent (0.3%) total ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol** (THC), including precursors, by weight.

~~(b) Before July 1, 2018, low THC hemp extract may be distributed in Indiana without having met the requirements described in subsection (a).~~

SECTION 18. IC 24-4-21-5, AS ADDED BY P.L.153-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 5. ~~This section applies after June 30, 2018:~~ A person who distributes ~~low THC hemp extract~~ **a hemp derived cannabinoid product** in violation of this chapter commits a Class B infraction. However, the offense is a Class A infraction if the person has a prior unrelated judgment for a violation of this chapter. These penalties are in addition to any criminal penalties that may be imposed for unlawful possession or distribution of a controlled substance.

SECTION 19. IC 24-4-22-1, AS AMENDED BY P.L.186-2025, SECTION 132, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 1. As used in this chapter, ~~"low THC hemp extract"~~ **"hemp derived cannabinoid product"** has the meaning set forth in ~~IC 35-48-1.1-27.~~ **IC 35-48-8-4.**

SECTION 20. IC 24-4-22-3, AS ADDED BY P.L.153-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 3. ~~(a) Except as provided in subsection (b);~~ A person may sell ~~low THC hemp extract~~ **a hemp derived cannabinoid product** at retail only if the packaging complies with the requirements of IC 24-4-21-4.

~~(b) Before July 1, 2018, a person may sell low THC hemp extract at retail even if the packaging does not comply with the requirements of IC 24-4-21-4.~~

SECTION 21. IC 25-1-1.1-2, AS AMENDED BY P.L.186-2025, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 2. Notwithstanding IC 25-1-7, a board, a commission, or a committee may suspend, deny, or revoke a license or certificate issued under this title by the board, the commission, or the committee without an investigation by the office of the attorney general if the individual who holds the license or certificate is convicted of any of the following and the board, commission, or committee determines, after the individual has appeared in person, that the offense affects the individual's ability to perform the duties of the profession:

(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 a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(c).
- (6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).
- (7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).
- (8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.
- (9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1.1-8), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:
- (A) Class D felony for a crime committed before July 1, 2014;
  - or
  - (B) Level 6 felony for a crime committed after June 30, 2014; under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- (10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.
- (11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.
- (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 22. IC 34-30-2.1-71, AS ADDED BY P.L.105-2022, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 71. IC 7.1-5-7-8 (Concerning postsecondary educational institutions for alcohol related **or THC product related** injuries).

SECTION 23. IC 35-31.5-2-61.5 IS ADDED TO THE INDIANA



CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 61.5. "Container", for purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-2.**

SECTION 24. IC 35-31.5-2-150.5 IS REPEALED [EFFECTIVE NOVEMBER 12, 2026]. ~~Sec. 150.5. "Hashish", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1.1-21.~~

SECTION 25. IC 35-31.5-2-150.6 IS REPEALED [EFFECTIVE NOVEMBER 12, 2026]. ~~Sec. 150.6. "Hash oil", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1.1-22.~~

SECTION 26. IC 35-31.5-2-152.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 152.2. "Hemp", for purposes of this title, has the meaning set forth in IC 35-48-8-3.**

SECTION 27. IC 35-31.5-2-152.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 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 28. IC 35-31.5-2-169.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 169.3. "Industrial hemp", for purposes of this title, has the meaning set forth in IC 35-48-8-5.**

SECTION 29. IC 35-31.5-2-176.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 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 30. IC 35-31.5-2-189.9, AS AMENDED BY P.L.186-2025, SECTION 216, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: ~~Sec. 189.9. "Low THC hemp extract", "THC hemp extract", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1.1-27.~~ **IC 35-48-8-7.**

SECTION 31. IC 35-46-1-11.7, AS AMENDED BY P.L.163-2025, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 11.7. (a) A retail establishment in which tobacco products **and products containing tetrahydrocannabinol (THC)** account for at least eighty-five percent (85%) of the retail establishment's gross sales may not allow an individual who is less than twenty-one (21) years of age to enter the retail establishment.

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



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

- (1) A sign in boldface type that states "NOTICE: It is unlawful for a person less than 21 years old to enter this store."
- (2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the Indiana department of health.

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

- (1) If the person has not been cited for a violation of this section in the previous one (1) year, a civil penalty of up to four hundred dollars (\$400).
- (2) If the person has had one (1) violation in the previous one (1) year, a civil penalty of up to eight hundred dollars (\$800).
- (3) If the person has had two (2) violations in the previous one (1) year, a civil penalty of up to one thousand four hundred dollars (\$1,400).
- (4) If the person has had three (3) or more violations in the previous one (1) year, a civil penalty of up to two thousand dollars (\$2,000).

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

(e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle tobacco education and enforcement fund established under IC 7.1-6-2-6.

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

SECTION 32. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 7. "Controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under:

- (1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or IC 35-48-2-12, if IC 35-48-2-14 does not apply; or
- (2) a rule adopted by the board, if IC 35-48-2-14 applies.

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

SECTION 33. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE NOVEMBER 12, 2026]: Sec. 8. (a) "Controlled substance analog" means a substance that, due to its chemical structure and potential for abuse or misuse, meets the following criteria:

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

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

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

(1) a controlled substance;

(2) a legend drug;

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

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

**or**

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

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

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

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

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

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

(4) an alkyl group added or deleted:

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

(B) from a side chain of a molecule.

SECTION 34. IC 35-48-1.1-21 IS REPEALED [EFFECTIVE NOVEMBER 12, 2026]. ~~Sec. 21. "Hashish" does not include low THC hemp extract.~~



SECTION 35. IC 35-48-1.1-22 IS REPEALED [EFFECTIVE NOVEMBER 12, 2026]. Sec. 22: "Hash oil" does not include low THC hemp extract.

SECTION 36. IC 35-48-1.1-27 IS REPEALED [EFFECTIVE NOVEMBER 12, 2026]. Sec. 27: (a) "Low THC hemp extract" means a substance or compound that:

- (1) is derived from or contains any part of the plant *Cannabis sativa* L. that meets the definition of hemp under IC 15-15-13-6;
- (2) contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol (THC); including precursors, by weight; and
- (3) contains no other controlled substances.

(b) The term does not include:

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

SECTION 37. IC 35-48-1.1-29, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 29. (a) "Marijuana" means any part of the plant genus *Cannabis* whether growing or not; the seeds thereof; the resin extracted from any part of the plant, including hashish and hash oil; any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

(b) The term does not include:

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

**(1) a hemp derived cannabinoid product (as defined in IC 35-48-8-4); or**

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

SECTION 38. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 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.**

SECTION 39. IC 35-48-4-2, AS AMENDED BY P.L.61-2020, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 2. **(a) This section does not apply to a hemp 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.
- (f) (g) The offense is a Level 2 felony if:
- (1) the amount of the drug involved is at least twenty-eight (28) grams; or
  - (2) the amount of the drug involved is at least ten (10) grams but less than twenty-eight (28) grams and an enhancing circumstance applies.

**(h) It is a defense to a prosecution under this section that the substance is THC hemp extract and the person meets the requirements of IC 35-48-8-9.**

SECTION 40. IC 35-48-4-7, AS AMENDED BY P.L.61-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 7. **(a) This section does not apply to a hemp derived cannabinoid product as defined in IC 35-48-8-4.**

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

- (1) controlled substance or controlled substance analog (pure or adulterated), classified in schedule I, except marijuana, hashish, or salvia; or
  - (2) controlled substance or controlled substance analog (pure or adulterated), classified in schedule II, III, or IV;
- commits possession of a controlled substance, a Class A misdemeanor,



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

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

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

- (1) more than four (4) ounces of schedule V controlled substances containing codeine in any given forty-eight (48) hour period unless pursuant to a prescription;
- (2) a schedule V controlled substance pursuant to written or verbal misrepresentation; or
- (3) possession of a schedule V controlled substance other than by means of a prescription or by means of signing an exempt narcotic register maintained by a pharmacy licensed by the Indiana state board of pharmacy;

commits a Class A misdemeanor.

**(e) It is a defense to a prosecution under this section that the substance is THC hemp extract and the person meets the requirements of IC 35-48-8-9.**

SECTION 41. IC 35-48-4-10, AS AMENDED BY P.L.153-2018, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 10. (a) A person who:

(1) knowingly or intentionally:

- (A) manufactures;
- (B) finances the manufacture of;
- (C) delivers; or
- (D) finances the delivery of;

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

(2) possesses, with intent to:

- (A) manufacture;
- (B) finance the manufacture of;
- (C) deliver; or
- (D) finance the delivery of;

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

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

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

- (1) there is evidence in addition to the weight of the drug that the person intended to manufacture, finance the manufacture of, deliver, or finance the delivery of the drug; or
- (2) the amount of the drug involved is at least:



- (A) ten (10) pounds, if the drug is marijuana; or
  - (B) three hundred (300) grams, if the drug is hash oil, hashish, or salvia.
- (c) The offense is a Level 6 felony if:
- (1) the person has a prior conviction for a drug offense and the amount of the drug involved is:
    - (A) less than thirty (30) grams of marijuana; or
    - (B) less than five (5) grams of hash oil, hashish, or salvia; or
  - (2) the amount of the drug involved is:
    - (A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or
    - (B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia.
- (d) The offense is a Level 5 felony if:
- (1) the person has a prior conviction for a drug dealing offense and the amount of the drug involved is:
    - (A) at least thirty (30) grams but less than ten (10) pounds of marijuana; or
    - (B) at least five (5) grams but less than three hundred (300) grams of hash oil, hashish, or salvia;
  - (2) the:
    - (A) amount of the drug involved is:
      - (i) at least ten (10) pounds of marijuana; or
      - (ii) at least three hundred (300) grams of hash oil, hashish, or salvia; or
    - (B) offense involved a sale to a minor; or
  - (3) the:
    - (A) person is a retailer;
    - (B) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be ~~low THC hemp extract~~; **a hemp derived cannabinoid product**; and
    - (C) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.
- (e) It is a defense to a prosecution under this section that the substance is THC hemp extract and the person meets the requirements of IC 35-48-8-9.**

SECTION 42. IC 35-48-4-11, AS AMENDED BY P.L.153-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 11. (a) A person who:

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



(3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants; commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

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

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

(2) the:

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

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

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

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

(2) the person possesses:

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

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

**(d) It is a defense to a prosecution under this section that the substance is THC hemp extract and the person meets the requirements of IC 35-48-8-9.**

SECTION 43. IC 35-48-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]:

**Chapter 8. Offenses Relating to Hemp**

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

**Sec. 1. The terms defined in this chapter apply only to this article unless cited in another statute concerning hemp.**

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

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

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

**Sec. 3. (a) "Hemp" means the plant Cannabis sativa L. and any part of the plant, including the seeds thereof and all derivatives,**



extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a total tetrahydrocannabinols concentration (including tetrahydrocannabinolic acid) of not more than three-tenths of one percent (0.3%) on a dry weight basis.

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

(c) The term does not include:

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

(2) any intermediate 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 the *Cannabis sativa* L. plant; and

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

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

(3) any intermediate hemp derived cannabinoid products that 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. (a) "Hemp derived cannabinoid product" means a product that:**

(1) meets the definition of hemp under section 3 of this chapter; and

(2) is 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) "THC hemp extract" means a substance or compound that:**

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

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

(3) contains no other controlled substances.

**(b) The term does not include:**

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

(2) smokable hemp.

**Sec. 8. (a) A person who knowingly or intentionally grows or handles hemp without a license issued under IC 15-15-13-7 commits unlawful trade in hemp, a Class A misdemeanor.**

**(b) The offense is a Level 6 felony if the person has a prior conviction for an offense under this section.**

**(c) The offense is a Level 5 felony if the person has a prior conviction for an offense under this section and either:**

(1) the amount of the hemp involved is more than ten (10) pounds; or

(2) the offense involved a sale to a child less than eighteen (18) years of age.



**Sec. 9. (a) A person who:**

**(1) held a license under IC 15-15-13-7 before January 1, 2026;  
and**

**(2) continues to hold a hemp license under IC 15-15-13-7;  
may continue to process and distribute THC hemp extract solely  
for sale to a manufacturer, processor, distributor, or retailer in a  
jurisdiction outside of Indiana if the processing and distribution  
complies with subsection (b).**

**(b) A person described in subsection (a) may process and  
distribute THC hemp extract if:**

**(1) the receipt of THC hemp extract by the manufacturer,  
processor, distributor, or retailer in the other jurisdiction is  
lawful in that jurisdiction; and**

**(2) the THC hemp extract meets the same packaging  
requirements as a hemp derived cannabinoid product under  
IC 24-4-21-4.**

**(c) A person described in this section may not distribute THC  
hemp extract to any person in Indiana, unless the distribution is  
required by law, including for purposes of testing or analysis.**

**(d) Nothing in this section authorizes a retailer to possess or sell  
THC hemp extract.**

**(e) The alcohol and tobacco commission may inspect the  
operations of a person to whom this section applies to ensure  
compliance in the same manner it conducts inspections under  
IC 7.1-5-7-16.**

SECTION 44. IC 35-52-7-39, AS ADDED BY P.L.169-2014,  
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime concerning  
alcohol **and products containing THC.**

SECTION 45. IC 35-52-7-40, AS ADDED BY P.L.169-2014,  
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning  
alcohol **and products containing THC."**

Delete pages 2 through 75.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 250 as printed January 23, 2026.)

MCNAMARA

Committee Vote: yeas 8, nays 5.

ES 250—LS 7117/DI 107

