



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 250 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 2-5-52.5 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2026]:
- 6 **Chapter 52.5. Regulatory Agency Advisory Committee**
- 7 **Sec. 1. The following definitions apply throughout this chapter:**
- 8 (1) "Advisory committee" means the regulatory agency
- 9 advisory committee established by section 2 of this chapter.
- 10 (2) "Regulatory agency" means the regulatory agency
- 11 established by IC 7.1-9-2-1.
- 12 **Sec. 2. The regulatory agency advisory committee is established.**
- 13 **Sec. 3. (a) The advisory committee consists of the following four**
- 14 **(4) voting members and five (5) nonvoting members:**
- 15 (1) One (1) legislative member appointed by the speaker of the
- 16 house of representatives.
- 17 (2) One (1) legislative member appointed by the minority
- 18 leader of the house of representatives.
- 19 (3) One (1) legislative member appointed by the president pro
- 20 tempore of the senate.
- 21 (4) One (1) legislative member appointed by the minority
- 22 leader of the senate.

- 1 **(5) One (1) representative of law enforcement, appointed as a**
 2 **nonvoting member by the speaker of the house of**
 3 **representatives.**
- 4 **(6) One (1) individual having experience in the treatment of**
 5 **medical conditions by means of medical marijuana as a**
 6 **patient, physician, or caregiver, appointed as a nonvoting**
 7 **member by the president pro tempore of the senate.**
- 8 **(7) The commissioner of the department of state revenue or**
 9 **the commissioner's designee, who serves as a nonvoting**
 10 **member.**
- 11 **(8) The director of the department of agriculture or the**
 12 **director's designee, who serves as a nonvoting member.**
- 13 **(9) The state health commissioner or the commissioner's**
 14 **designee, who serves as a nonvoting member.**
- 15 **(b) The chairperson of the legislative council shall annually**
 16 **select one (1) of the voting members to serve as chairperson.**
- 17 **Sec. 4. (a) A legislative member of the advisory committee may**
 18 **be removed at any time by the appointing authority who appointed**
 19 **the legislative member.**
- 20 **(b) If a vacancy exists on the advisory committee, the appointing**
 21 **authority who appointed the former member whose position has**
 22 **become vacant shall appoint an individual to fill the vacancy.**
- 23 **Sec. 5. Each member of the advisory committee is entitled to**
 24 **receive the same per diem, mileage, and travel allowances paid to**
 25 **individuals who serve as legislative and lay members, respectively,**
 26 **of interim study committees established by the legislative council.**
- 27 **Sec. 6. The affirmative votes of a majority of the voting**
 28 **members appointed to the advisory committee are required for the**
 29 **advisory committee to take action on any measure, including final**
 30 **reports.**
- 31 **Sec. 7. The advisory committee shall do the following:**
- 32 **(1) Review rules adopted by the regulatory agency.**
- 33 **(2) Review legislative proposals suggested by the regulatory**
 34 **agency.**
- 35 **(3) Evaluate the medical marijuana research and development**
 36 **program under IC 7.1-9-5.**
- 37 **(4) Evaluate the operation of the medical marijuana program.**
- 38 **(5) Consider any other matter that has bearing on the**
 39 **operation of the medical marijuana program.**
- 40 **SECTION 2. IC 5-2-8-5, AS AMENDED BY P.L.217-2017,**
 41 **SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 42 **JULY 1, 2026]: Sec. 5. (a) There is established the state police training**
 43 **fund. The fund consists of amounts collected under ~~IC 33-37-4-1(b)(4);~~**
 44 **~~IC 33-37-4-1(b)(3),~~ IC 33-37-4-2(b)(3), and ~~IC 33-37-4-3(b)(4)~~**
 45 **~~IC 33-37-4-3(b)(3)~~ on behalf of the state police department.**
- 46 **(b) If the state police department files a claim under IC 33-37-8-4**
 47 **or IC 33-37-8-6 against a city or town user fee fund or a county user fee**

1 fund, the fiscal officer of the city or town or the county auditor shall
2 deposit fees collected under the cause numbers submitted by the state
3 police department into the state police training fund established under
4 this section.

5 (c) Claims against the state police training fund must be submitted
6 in accordance with IC 5-11-10.

7 (d) Money in excess of one hundred dollars (\$100) that is
8 unencumbered and remains in the state police training fund for at least
9 one (1) entire calendar year from the date of its deposit shall, at the end
10 of the state's fiscal year, be deposited in the law enforcement academy
11 fund established under IC 5-2-1-13.

12 (e) As used in this subsection, "abuse" has the meaning set forth in
13 section 1(a) of this chapter. As a part of the state police department's
14 in-service training, the department shall provide to each law
15 enforcement officer employed by the department continuing education
16 concerning the following:

17 (1) Duties of a law enforcement officer in enforcing restraining
18 orders, protective orders, temporary injunctions, and permanent
19 injunctions involving abuse.

20 (2) Guidelines for making felony and misdemeanor arrests in
21 cases involving abuse.

22 (3) Techniques for handling incidents of abuse that:

23 (A) minimize the likelihood of injury to the law enforcement
24 officer; and

25 (B) promote the safety of a victim.

26 (4) Information about the nature and extent of the abuse.

27 (5) Information about the legal rights of and remedies available
28 to victims of abuse.

29 (6) How to document and collect evidence in an abuse case.

30 (7) The legal consequences of abuse.

31 (8) The impact on children of law enforcement intervention in
32 abuse cases.

33 (9) Services and facilities available to victims of abuse and
34 abusers.

35 (10) Verification of restraining orders, protective orders,
36 temporary injunctions, and permanent injunctions.

37 (11) Policies concerning arrest or release of suspects in abuse
38 cases.

39 (12) Emergency assistance to victims of abuse and criminal
40 justice options for victims of abuse.

41 (13) Landlord-tenant concerns in abuse cases.

42 (14) The taking of an abused child into protective custody.

43 (15) Assessment of a situation in which a child may be seriously
44 endangered if the child is left in the child's home.

45 (16) Assessment of a situation involving an endangered adult (as
46 defined in IC 12-10-3-2).

1 (17) Response to a sudden, unexpected infant death.
 2 The cost of providing continuing education under this subsection shall
 3 be paid from money in the state police training fund.

4 SECTION 3. IC 5-2-8-7, AS AMENDED BY P.L.217-2017,
 5 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 7. (a) There is established the conservation
 7 officers training fund. The department of natural resources shall
 8 administer the fund. The fund consists of amounts collected under
 9 ~~IC 33-37-4-1(b)(4)~~, **IC 33-37-4-1(b)(3)**, IC 33-37-4-2(b)(3), and
 10 ~~IC 33-37-4-3(b)(4)~~ **IC 33-37-4-3(b)(3)** on behalf of the department of
 11 natural resources.

12 (b) If the department of natural resources files a claim under
 13 IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund or a
 14 county user fee fund, the fiscal officer of the city or town or the county
 15 auditor shall deposit fees collected under the cause numbers submitted
 16 by the department of natural resources into the conservation officers
 17 training fund established under this section.

18 (c) Claims against the conservation officers training fund must be
 19 submitted in accordance with IC 5-11-10.

20 (d) Money in excess of one hundred dollars (\$100) that is
 21 unencumbered and remains in the conservation officers' training fund
 22 for at least one (1) entire calendar year from the date of its deposit
 23 shall, at the end of the state's fiscal year, be deposited in the law
 24 enforcement academy fund established under IC 5-2-1-13.

25 SECTION 4. IC 5-2-8-8, AS AMENDED BY P.L.217-2017,
 26 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2026]: Sec. 8. (a) There is established the alcoholic beverage
 28 enforcement officers' training fund. The alcohol and tobacco
 29 commission shall administer the fund. The fund consists of amounts
 30 collected under ~~IC 33-37-4-1(b)(4)~~, **IC 33-37-4-1(b)(3)**,
 31 IC 33-37-4-2(b)(3), and ~~IC 33-37-4-3(b)(4)~~ **IC 33-37-4-3(b)(3)** on
 32 behalf of the alcohol and tobacco commission.

33 (b) If the alcohol and tobacco commission files a claim under
 34 IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund or a
 35 county user fee fund, the fiscal officer of the city or town or the county
 36 auditor shall deposit fees collected under the cause numbers submitted
 37 by the alcohol and tobacco commission into the alcoholic beverage
 38 enforcement officers' training fund established under this section.

39 (c) Claims against the alcoholic beverage enforcement officers'
 40 training fund must be submitted in accordance with IC 5-11-10.

41 (d) Money in excess of one hundred dollars (\$100) that is
 42 unencumbered and remains in the alcoholic beverage enforcement
 43 officers' training fund for at least one (1) entire calendar year from the
 44 date of its deposit shall, at the end of the state's fiscal year, be deposited
 45 in the law enforcement academy fund established under IC 5-2-1-13.

46 SECTION 5. IC 6-7-3 IS REPEALED [EFFECTIVE JULY 1, 2026].

1 (Controlled Substance Excise Tax).".

2 Page 3, between lines 40 and 41, begin a new paragraph and insert:

3 "SECTION 13. IC 7.1-8 IS ADDED TO THE INDIANA CODE AS
4 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
5 2026]:

6 **ARTICLE 8. MEDICAL MARIJUANA**

7 **Chapter 1. Definitions**

8 **Sec. 1. The following definitions apply throughout this article:**

9 (1) "Adequate supply for treatment" means the amount of
10 marijuana necessary to provide care for a treatable medical
11 condition for a thirty (30) day period, as determined by a
12 physician recommendation.

13 (2) "Marijuana" means any part of the plant genus Cannabis.

14 (3) "Medical marijuana card" means a valid card issued by
15 the regulatory agency that authorizes the individual to whom
16 the card is issued to possess marijuana.

17 (4) "Physician" means an individual holding an unlimited
18 license to practice medicine in Indiana.

19 (5) "Physician recommendation" means a written
20 recommendation that the use of marijuana may benefit a
21 particular patient suffering from a treatable medical
22 condition. A physician recommendation may specify an
23 adequate supply for treatment.

24 (6) "Qualified patient" means an individual who has been
25 issued a medical marijuana card by the regulatory agency.

26 (7) "Qualified primary caregiver" means the primary
27 caregiver for a qualified patient who has been issued a
28 medical marijuana card by the regulatory agency on behalf of
29 the qualified patient.

30 (8) "Regulatory agency" means the regulatory agency
31 established by IC 7.1-9-2-1.

32 (9) "Regulatory agency committee" means the regulatory
33 agency commissioners described in IC 7.1-9-2.

34 (10) "Treatable medical condition" means an illness or other
35 condition, the symptoms of which (including the side effects
36 and symptoms caused by any other treatment for the
37 condition) may be treated by the use of marijuana. The term
38 includes the following:

39 (A) Acquired immune deficiency syndrome (AIDS) or
40 positive status for the human immunodeficiency virus
41 (HIV).

42 (B) Anorexia.

43 (C) Arthritis.

44 (D) Cachexia.

45 (E) Chronic cancer pain.

46 (F) Glaucoma.

47 (G) Migraine.

- 1 **(H) Persistent muscle spasms, including spasms associated**
 2 **with multiple sclerosis, Crohn's disease, or related**
 3 **conditions.**
 4 **(I) Seizures, including those characteristic of epilepsy.**
 5 **(J) Severe nausea.**
 6 **(K) Posttraumatic stress disorder.**
 7 **(L) Any persistent or chronic illness or condition that, in**
 8 **the opinion of a physician:**
 9 **(i) substantially limits the ability of an individual to**
 10 **conduct one (1) or more major life activities; or**
 11 **(ii) may cause serious harm to a patient's safety or**
 12 **mental or physical health if not alleviated;**
 13 **if the illness or condition may be improved by the use of**
 14 **marijuana.**
 15 **(M) Any other illness or condition determined by the**
 16 **regulatory agency to be a treatable medical condition.**
 17 **Chapter 2. Qualified Patients and Qualified Primary Caregivers**
 18 **Sec. 1. (a) An individual may apply to the regulatory agency to**
 19 **be a qualified patient if the individual suffers from a treatable**
 20 **medical condition. An individual may apply to the regulatory**
 21 **agency to be a qualified primary caregiver if the individual for**
 22 **whom the individual provides care suffers from a treatable medical**
 23 **condition.**
 24 **(b) To be approved as a qualified patient, an individual must**
 25 **submit to the regulatory agency a physician recommendation**
 26 **stating that the individual suffers from a treatable medical**
 27 **condition. To be approved as a qualified primary caregiver, an**
 28 **individual must submit to the regulatory agency a physician**
 29 **recommendation stating that the individual for whom the caregiver**
 30 **provides care suffers from a treatable medical condition.**
 31 **(c) The regulatory agency shall issue to an individual a medical**
 32 **marijuana card indicating that the individual is a qualified patient**
 33 **or a qualified primary caregiver after:**
 34 **(1) receipt of a:**
 35 **(A) completed application; and**
 36 **(B) physician recommendation;**
 37 **(2) verification that the individual who tendered the physician**
 38 **recommendation is a licensed physician; and**
 39 **(3) compliance with any other rule adopted by the regulatory**
 40 **agency.**
 41 **(d) An application for a medical marijuana card may be denied**
 42 **for the following reasons:**
 43 **(1) The application is not complete or required information is**
 44 **missing.**
 45 **(2) The applicant submits false information.**
 46 **(3) The applicant does not meet the criteria required to obtain**
 47 **a medical marijuana card.**

1 (4) The individual who tendered the physician
2 recommendation is not a licensed physician.

3 (e) A medical marijuana card issued under this section is valid
4 for two (2) years, unless the physician recommendation expressly
5 recommends a shorter period.

6 (f) The regulatory agency may charge a reasonable fee, not to
7 exceed one hundred dollars (\$100), to apply for a medical
8 marijuana card. The fee shall be deposited in the state general
9 fund.

10 (g) Except as provided in subsection (h), for purposes of
11 IC 5-14-3-4(a)(1), the following information is confidential, may
12 not be published, and is not open to public inspection:

13 (1) Information submitted by an individual under this section
14 to obtain a medical marijuana card.

15 (2) Information obtained by a federal, state, or local
16 government entity in the course of an investigation concerning
17 an individual who applies to obtain a medical marijuana card.

18 (3) The name and address of the individual, and any other
19 information that may be used to identify an individual, who
20 holds a medical marijuana card.

21 (h) Notwithstanding subsection (g):

22 (1) any information concerning an individual who applies for,
23 or an individual who holds, a medical marijuana card may be
24 released to a federal, state, or local government entity:

25 (A) for law enforcement purposes; or

26 (B) to determine the validity of a medical marijuana card;
27 and

28 (2) general information concerning the issuance of a medical
29 marijuana card in Indiana may be released to a person
30 conducting journalistic or academic research (including the
31 research described in IC 7.1-9-5), but only if all personal
32 information that may be used to identify any individual who
33 applies for or holds a medical marijuana card issued under
34 this chapter has been removed from the general information.

35 (i) A person who knowingly or intentionally violates this section
36 by releasing confidential information commits a disclosure of
37 confidential medical information, a Class B misdemeanor.

38 (j) A person who knowingly makes a material misstatement in
39 an application for a medical marijuana card under this section
40 commits fraudulent application for a medical marijuana card, a
41 Class B misdemeanor.

42 Sec. 2. A qualified patient or qualified primary caregiver may:

43 (1) possess the greater of:

44 (A) eight (8) ounces of dried marijuana; or

45 (B) an adequate supply for treatment as set forth in a
46 physician recommendation; and

47 (2) possess, grow, or cultivate not more than twelve (12)

1 marijuana plants.

2 **Sec. 3. (a) A qualified primary caregiver may deliver to, or**

3 **possess with intent to deliver to, a qualified patient for whom the**

4 **caregiver is the primary caregiver:**

5 (1) the greater of:

6 (A) eight (8) ounces of dried marijuana; or

7 (B) an adequate supply for treatment as set forth in a

8 physician recommendation; and

9 (2) not more than twelve (12) marijuana plants.

10 (b) A qualified primary caregiver may possess, grow, or

11 cultivate not more than twelve (12) marijuana plants for use by a

12 qualified patient for whom the individual is the primary caregiver.

13 **Sec. 4. The medical licensing board may not take an adverse**

14 **action against a physician who makes a physician recommendation**

15 **in good faith under this article if the sole basis for taking the**

16 **adverse action is the physician recommendation.**

17 SECTION 14. IC 7.1-9 IS ADDED TO THE INDIANA CODE AS

18 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,

19 2026]:

20 **ARTICLE 9. REGULATION OF MEDICAL MARIJUANA**

21 **Chapter 1. Definitions**

22 **Sec. 1. The definitions in IC 7.1-8-1-1 apply throughout this**

23 **article.**

24 **Chapter 2. General Provisions**

25 **Sec. 1. A regulatory agency to be named later is established as**

26 **an agency of the state for purposes of administering the medical**

27 **marijuana program.**

28 **Sec. 2. (a) The regulatory agency consists of:**

29 (1) the regulatory agency committee;

30 (2) the executive director; and

31 (3) other employees necessary to carry out the duties of the

32 regulatory agency.

33 (b) The regulatory agency committee consists of four (4)

34 commissioners, who shall direct and oversee the operation of the

35 regulatory agency.

36 **Sec. 3. (a) The regulatory agency commissioners shall be**

37 **appointed by the governor.**

38 (b) A commissioner is eligible for reappointment.

39 (c) Not more than two (2) commissioners may belong to the

40 same political party.

41 (d) A commissioner shall be appointed to a four (4) year term.

42 (e) A commissioner serves the commissioner's term at the

43 pleasure of the governor.

44 **Sec. 4. To be eligible for appointment as a commissioner, an**

45 **individual must have the following qualifications:**

46 (1) The individual may not be employed by the state in any

47 other capacity.

1 (2) The individual must have good moral character.
2 (3) The individual must have been a resident of Indiana for at
3 least ten (10) years immediately preceding the appointment.
4 Sec. 5. The governor shall appoint one (1) commissioner to serve
5 as chairperson of the regulatory agency committee, and one (1)
6 commissioner to serve as vice chairperson. The vice chairperson
7 shall act as the chairperson if the chairperson is unable to attend
8 a meeting of the regulatory agency committee.
9 Sec. 6. A commissioner appointed to fill a vacancy in the
10 membership of the regulatory agency committee shall serve only
11 for the unexpired part of the original, vacated term. In all other
12 respects, an appointment to fill a vacancy shall be made in the
13 same manner that an original appointment is made.
14 Sec. 7. As compensation for services, each commissioner is
15 entitled to the minimum salary per diem provided by
16 IC 4-10-11-2.1(b). A commissioner is also entitled to
17 reimbursement for traveling expenses as provided under
18 IC 4-13-1-4 and other expenses actually incurred in connection
19 with the commissioner's duties as provided in the state policies and
20 procedures established by the Indiana department of
21 administration and approved by the budget agency.
22 Sec. 8. Each commissioner shall execute:
23 (1) a surety bond in the amount of ten thousand dollars
24 (\$10,000), with surety approved by the governor; and
25 (2) an oath of office.
26 The surety bond and the oath of office shall be filed in the office of
27 the secretary of state.
28 Sec. 9. The required surety bond executed and filed on behalf of
29 a commissioner shall be made payable to the state of Indiana and
30 conditioned upon the faithful discharge of the commissioner's
31 duties.
32 Sec. 10. The regulatory agency committee shall hold meetings at
33 the call of the chairperson. The regulatory agency committee may
34 establish rules governing meetings.
35 Sec. 11. (a) Three (3) regulatory agency commissioners
36 constitute a quorum for the transaction of business.
37 (b) Each commissioner has one (1) vote.
38 (c) Action of the regulatory agency committee may be taken
39 only upon the affirmative votes of at least two (2) commissioners.
40 If a vote is a tie, the position for which the chairperson voted
41 prevails, as long as that position has received the affirmative votes
42 of at least two (2) commissioners.
43 Sec. 12. A commissioner may not solicit or accept a political
44 contribution from a qualified patient, qualified primary caregiver,
45 or any individual or entity that has a permit or has applied for a
46 permit issued by the regulatory agency. However, the right of a
47 commissioner to vote as the commissioner chooses and to express

1 the commissioner's opinions on political subjects and candidates
2 may not be impaired.

3 **Chapter 3. Employees and Administration**

4 **Sec. 1. (a)** The regulatory agency committee shall appoint an
5 executive director to assist the regulatory agency in the efficient
6 administration of its powers and duties.

7 **(b)** The regulatory agency committee shall fix the salary of the
8 executive director, subject to the approval of the budget agency.

9 **Sec. 2.** The regulatory agency has the power to employ all
10 necessary employees, determine their duties, and, subject to the
11 approval of the regulatory agency committee and the budget
12 agency, fix their salaries.

13 **Chapter 4. Powers and Duties**

14 **Sec. 1.** The chairperson is the presiding officer at the meetings
15 of the regulatory agency committee. The chairperson, together
16 with the executive director, shall prepare, certify, and authenticate
17 all proceedings, minutes, records, rules, and regulations of the
18 regulatory agency committee. The chairperson shall also perform
19 all other duties as imposed on the chairperson by this title.

20 **Sec. 2.** The regulatory agency has the power to organize its
21 work, to enforce and administer this article and IC 7.1-8, and to
22 enforce and administer the rules adopted by the regulatory agency.

23 **Sec. 3.** The regulatory agency shall adopt rules under IC 4-22-2
24 to prescribe the forms for all applications, documents, permits,
25 medical marijuana cards, and licenses used in the administration
26 of this article and IC 7.1-8.

27 **Sec. 4.** The regulatory agency has the following powers:

- 28 (1) To hold hearings before the regulatory agency or its
- 29 representative.
- 30 (2) To take testimony and receive evidence.
- 31 (3) To conduct inquiries with or without a hearing.
- 32 (4) To receive reports of investigators or other governmental
- 33 officers and employees.
- 34 (5) To administer oaths.
- 35 (6) To subpoena witnesses and to compel them to appear and
- 36 testify.
- 37 (7) To certify copies of records of the regulatory agency or
- 38 any other document or record on file with the regulatory
- 39 agency.
- 40 (8) To fix the form, mode, manner, time, and number of times
- 41 for the posting or publication of any required notices if not
- 42 otherwise provided.
- 43 (9) To adopt rules under IC 4-22-2 to carry out this article
- 44 and IC 7.1-8.

45 **Sec. 5.** The regulatory agency has the following duties:

- 46 (1) To establish the medical marijuana program described in
- 47 IC 7.1-8 and to adopt all necessary rules to implement the

- 1 program.
- 2 (2) To implement protocols for the application and issuance
- 3 of a medical marijuana card, including protocols to:
- 4 (A) prevent fraud;
- 5 (B) ensure the accuracy of information contained in the
- 6 application; and
- 7 (C) protect the privacy of an applicant.
- 8 (3) To advise the general assembly concerning the
- 9 establishment of a program for the:
- 10 (A) manufacture;
- 11 (B) cultivation;
- 12 (C) transportation; and
- 13 (D) dispensing;
- 14 of medical marijuana.
- 15 (4) To encourage research concerning medical marijuana and
- 16 issue licenses as described in IC 7.1-9-5.

17 Chapter 5. Research and Development

18 Sec. 1. To permit and encourage research concerning medical
19 marijuana:

- 20 (1) an accredited institution of higher education with a
- 21 physical presence in Indiana; and
- 22 (2) a pharmaceutical or agricultural business having a
- 23 research facility in Indiana;

24 may apply to the regulatory agency for a license to conduct
25 research concerning medical marijuana.

26 Sec. 2. An application under this chapter must include the
27 following:

- 28 (1) The nature of the research project.
- 29 (2) The names of the individuals who will conduct the
- 30 research project.
- 31 (3) The approximate quantity of marijuana that will be used
- 32 in the research project.
- 33 (4) The security protocol to be implemented to ensure that
- 34 marijuana is not diverted for uses other than the research
- 35 project.
- 36 (5) Any other information required by the regulatory agency.

37 Sec. 3. Upon receipt of a completed application, the regulatory
38 agency may issue a research license to the accredited institution of
39 higher education or pharmaceutical or agricultural business. The
40 research license must specifically list the names of each individual
41 participating in the research project who will have custody or
42 control of the marijuana for research purposes and the
43 approximate quantity of the marijuana that will be used in the
44 research project.

45 Sec. 4. The regulatory agency may charge a reasonable fee for
46 issuance of a research license."

47 Page 6, between lines 14 and 15, begin a new paragraph and insert:

1 "SECTION 19. IC 15-16-7-8 IS REPEALED [EFFECTIVE JULY
2 1, 2026]. ~~Sec. 8: In addition to the weed control board's powers and~~
3 ~~duties under section 7 of this chapter, the weed control board may~~
4 ~~establish a marijuana eradication program to eliminate and destroy wild~~
5 ~~marijuana plants within the county. The program is funded by amounts~~
6 ~~appropriated by the county:~~

- 7 ~~(1) under IC 33-37-8; and~~
- 8 ~~(2) from the county general fund."~~

9 Page 19, between lines 33 and 34, begin a new paragraph and insert:
10 "SECTION 34. IC 33-37-4-1, AS AMENDED BY P.L.120-2023,
11 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]: Sec. 1. (a) For each action that results in a felony
13 conviction under IC 35-50-2 or a misdemeanor conviction under
14 IC 35-50-3, the clerk shall collect from the defendant a criminal costs
15 fee of one hundred twenty dollars (\$120).

16 (b) In addition to the criminal costs fee collected under this section,
17 the clerk shall collect from the defendant the following fees if they are
18 required under IC 33-37-5:

- 19 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
- 20 IC 33-37-5-4).
- 21 ~~(2) A marijuana eradication program fee (IC 33-37-5-7).~~
- 22 ~~(3) (2) An alcohol and drug services program fee (IC~~
- 23 ~~33-37-5-8(b)).~~
- 24 ~~(4) (3) A law enforcement continuing education program fee (IC~~
- 25 ~~33-37-5-8(c)).~~
- 26 ~~(5) (4) A drug abuse, prosecution, interdiction, and correction fee~~
- 27 ~~(IC 33-37-5-9).~~
- 28 ~~(6) (5) An alcohol and drug countermeasures fee (IC 33-37-5-10).~~
- 29 ~~(7) (6) A child abuse prevention fee (IC 33-37-5-12).~~
- 30 ~~(8) (7) A domestic violence prevention and treatment fee (IC~~
- 31 ~~33-37-5-13).~~
- 32 ~~(9) (8) A highway worksite fee (IC 33-37-5-14).~~
- 33 ~~(10) (9) A deferred prosecution fee (IC 33-37-5-17).~~
- 34 ~~(11) (10) A document storage fee (IC 33-37-5-20).~~
- 35 ~~(12) (11) An automated record keeping fee (IC 33-37-5-21).~~
- 36 ~~(13) (12) A late payment fee (IC 33-37-5-22).~~
- 37 ~~(14) (13) A sexual assault victims assistance fee (IC 33-37-5-23).~~
- 38 ~~(15) (14) A public defense administration fee (IC 33-37-5-21.2).~~
- 39 ~~(16) (15) A judicial insurance adjustment fee (IC 33-37-5-25).~~
- 40 ~~(17) (16) A judicial salaries fee (IC 33-37-5-26).~~
- 41 ~~(18) (17) A court administration fee (IC 33-37-5-27).~~
- 42 ~~(19) (18) A DNA sample processing fee (IC 33-37-5-26.2).~~

43 (c) Instead of the criminal costs fee prescribed by this section,
44 except for the automated record keeping fee (IC 33-37-5-21), the clerk
45 shall collect a pretrial diversion program fee if an agreement between
46 the prosecuting attorney and the accused person entered into under

- 1 IC 33-39-1-8 requires payment of those fees by the accused person.
 2 The pretrial diversion program fee is:
 3 (1) an initial user's fee of fifty dollars (\$50) for a misdemeanor
 4 offense;
 5 ~~(2) an initial user's fee of seventy-five dollars (\$75) for a felony~~
 6 ~~offense;~~
 7 ~~(3) (2) a monthly user's fee of twenty dollars (\$20) for each month~~
 8 ~~that the person remains in the pretrial diversion program; and~~
 9 ~~(4) (3) any additional program fee or cost that is:~~
 10 (A) reasonably related to the person's rehabilitation; and
 11 (B) approved by the court.

12 A monthly user fee may not be collected beyond the maximum length
 13 of the possible sentence.

14 (d) The clerk shall transfer to the county auditor or city or town
 15 fiscal officer the following fees, not later than thirty (30) days after the
 16 fees are collected:

- 17 (1) The pretrial diversion fee.
 18 (2) The marijuana eradication program fee.
 19 (3) The alcohol and drug services program fee.
 20 (4) The law enforcement continuing education program fee.

21 The auditor or fiscal officer shall deposit fees transferred under this
 22 subsection in the appropriate user fee fund established under
 23 IC 33-37-8.

24 (e) Unless otherwise directed by a court, if a clerk collects only part
 25 of a criminal costs fee from a defendant under this section, the clerk
 26 shall distribute the partial payment of the criminal costs fee as follows:

- 27 (1) The clerk shall apply the partial payment to general court
 28 costs.
 29 (2) If there is money remaining after the partial payment is
 30 applied to general court costs under subdivision (1), the clerk
 31 shall distribute the remainder of the partial payment for deposit in
 32 the appropriate county user fee fund.
 33 (3) If there is money remaining after distribution under
 34 subdivision (2), the clerk shall distribute the remainder of the
 35 partial payment for deposit in the state user fee fund.
 36 (4) If there is money remaining after distribution under
 37 subdivision (3), the clerk shall distribute the remainder of the
 38 partial payment to any other applicable user fee fund.
 39 (5) If there is money remaining after distribution under
 40 subdivision (4), the clerk shall apply the remainder of the partial
 41 payment to any outstanding fines owed by the defendant.

42 SECTION 35. IC 33-37-4-3, AS AMENDED BY P.L.85-2017,
 43 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 44 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The clerk shall collect a
 45 juvenile costs fee of one hundred twenty dollars (\$120) for each action
 46 filed under any of the following:

- 1 (1) IC 31-34 (children in need of services).
- 2 (2) IC 31-37 (delinquent children).
- 3 (3) IC 31-14 (paternity).
- 4 (b) In addition to the juvenile costs fee collected under this section,
- 5 the clerk shall collect the following fees, if they are required under
- 6 IC 33-37-5:
- 7 (1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or
- 8 IC 33-37-5-4).
- 9 ~~(2) A marijuana eradication program fee (IC 33-37-5-7).~~
- 10 ~~(3)~~ (2) An alcohol and drug services program fee (IC
- 11 33-37-5-8(b)).
- 12 ~~(4)~~ (3) A law enforcement continuing education program fee (IC
- 13 33-37-5-8(c)).
- 14 ~~(5)~~ (4) An alcohol and drug countermeasures fee (IC 33-37-5-10).
- 15 ~~(6)~~ (5) A document storage fee (IC 33-37-5-20).
- 16 ~~(7)~~ (6) An automated record keeping fee (IC 33-37-5-21).
- 17 ~~(8)~~ (7) A late payment fee (IC 33-37-5-22).
- 18 ~~(9)~~ (8) A public defense administration fee (IC 33-37-5-21.2).
- 19 ~~(10)~~ (9) A judicial insurance adjustment fee (IC 33-37-5-25).
- 20 ~~(11)~~ (10) A judicial salaries fee (IC 33-37-5-26).
- 21 ~~(12)~~ (11) A court administration fee (IC 33-37-5-27).
- 22 ~~(13)~~ (12) A DNA sample processing fee (IC 33-37-5-26.2).
- 23 (c) The clerk shall transfer to the county auditor or city or town
- 24 fiscal officer the following fees not later than thirty (30) days after they
- 25 are collected:
- 26 ~~(1) The marijuana eradication program fee (IC 33-37-5-7).~~
- 27 ~~(2)~~ (1) The alcohol and drug services program fee (IC
- 28 33-37-5-8(b)).
- 29 ~~(3)~~ (2) The law enforcement continuing education program fee
- 30 (IC 33-37-5-8(c)).
- 31 The auditor or fiscal officer shall deposit the fees in the appropriate
- 32 user fee fund established under IC 33-37-8.
- 33 SECTION 36. IC 33-37-7-2, AS AMENDED BY P.L.106-2025,
- 34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 35 JULY 1, 2026]: Sec. 2. (a) The clerk of a circuit court shall distribute
- 36 semiannually to the state comptroller as the state share for deposit in
- 37 the homeowner protection unit account established by IC 4-6-12-9 one
- 38 hundred percent (100%) of the automated record keeping fees collected
- 39 under IC 33-37-5-21 with respect to actions resulting in the accused
- 40 person entering into a pretrial diversion program agreement under
- 41 IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and
- 42 for deposit in the state general fund seventy percent (70%) of the
- 43 amount of fees collected under the following:
- 44 (1) IC 33-37-4-1(a) (criminal costs fees).
- 45 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
- 46 (3) IC 33-37-4-3(a) (juvenile costs fees).

- 1 (4) IC 33-37-4-4(a) (civil costs fees).
- 2 (5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
- 3 (6) IC 33-37-4-7(a) (probate costs fees).
- 4 (7) IC 33-37-5-17 (deferred prosecution fees).
- 5 (b) The clerk of a circuit court shall distribute semiannually to the
- 6 state comptroller for deposit in the state user fee fund established in
- 7 IC 33-37-9-2 the following:
- 8 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
- 9 interdiction, and correction fees collected under
- 10 ~~IC 33-37-4-1(b)(5)~~; **IC 33-37-4-1(b)(4)**.
- 11 (2) Twenty-five percent (25%) of the alcohol and drug
- 12 countermeasures fees collected under ~~IC 33-37-4-1(b)(6)~~;
- 13 **IC 33-37-4-1(b)(5)**; IC 33-37-4-2(b)(4), and ~~IC 33-37-4-3(b)(5)~~;
- 14 **IC 33-37-4-3(b)(4)**.
- 15 (3) One hundred percent (100%) of the child abuse prevention
- 16 fees collected under ~~IC 33-37-4-1(b)(7)~~; **IC 33-37-4-1(b)(6)**.
- 17 (4) One hundred percent (100%) of the domestic violence
- 18 prevention and treatment fees collected under ~~IC 33-37-4-1(b)(8)~~;
- 19 **IC 33-37-4-1(b)(7)**.
- 20 (5) One hundred percent (100%) of the highway worksite fees
- 21 collected under ~~IC 33-37-4-1(b)(9)~~ **IC 33-37-4-1(b)(8)** and
- 22 IC 33-37-4-2(b)(5).
- 23 (6) Seventy-five percent (75%) of the safe schools fee collected
- 24 under IC 33-37-5-18.
- 25 (7) One hundred percent (100%) of the automated record keeping
- 26 fee collected under IC 33-37-5-21 not distributed under
- 27 subsection (a).
- 28 (c) The clerk of a circuit court shall distribute monthly to the county
- 29 auditor the following:
- 30 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
- 31 interdiction, and correction fees collected under
- 32 ~~IC 33-37-4-1(b)(5)~~; **IC 33-37-4-1(b)(4)**.
- 33 (2) Seventy-five percent (75%) of the alcohol and drug
- 34 countermeasures fees collected under ~~IC 33-37-4-1(b)(6)~~;
- 35 **IC 33-37-4-1(b)(5)**, IC 33-37-4-2(b)(4), and ~~IC 33-37-4-3(b)(5)~~;
- 36 **IC 33-37-4-3(b)(4)**.
- 37 The county auditor shall deposit fees distributed by a clerk under this
- 38 subsection into the county drug free community fund established under
- 39 IC 5-2-11.
- 40 (d) The clerk of a circuit court shall distribute monthly to the county
- 41 auditor one hundred percent (100%) of the late payment fees collected
- 42 under IC 33-37-5-22. The county auditor shall deposit fees distributed
- 43 by a clerk under this subsection as follows:
- 44 (1) If directed to do so by an ordinance adopted by the county
- 45 fiscal body, the county auditor shall deposit forty percent (40%)
- 46 of the fees in the clerk's record perpetuation fund established

- 1 under IC 33-37-5-2 and sixty percent (60%) of the fees in the
- 2 county general fund.
- 3 (2) If the county fiscal body has not adopted an ordinance
- 4 described in subdivision (1), the county auditor shall deposit all
- 5 the fees in the county general fund.
- 6 (e) The clerk of the circuit court shall distribute semiannually to the
- 7 state comptroller for deposit in the sexual assault victims assistance
- 8 fund established by IC 5-2-6-23(d) one hundred percent (100%) of the
- 9 sexual assault victims assistance fees collected under IC 33-37-5-23.
- 10 (f) The clerk of a circuit court shall distribute monthly to the county
- 11 auditor the following:
 - 12 (1) One hundred percent (100%) of the support and maintenance
 - 13 fees for cases designated as non-Title IV-D child support cases in
 - 14 the Indiana support enforcement tracking system (ISETS) or the
 - 15 successor statewide automated support enforcement system
 - 16 collected under IC 33-37-5-6.
 - 17 (2) The percentage share of the support and maintenance fees for
 - 18 cases designated as Title IV-D child support cases in ISETS or the
 - 19 successor statewide automated support enforcement system
 - 20 collected under IC 33-37-5-6 that is reimbursable to the county at
 - 21 the federal financial participation rate.
- 22 The county clerk shall distribute monthly to the department of child
- 23 services the percentage share of the support and maintenance fees for
- 24 cases designated as Title IV-D child support cases in ISETS, or the
- 25 successor statewide automated support enforcement system, collected
- 26 under IC 33-37-5-6 that is not reimbursable to the county at the
- 27 applicable federal financial participation rate.
- 28 (g) The clerk of a circuit court shall distribute monthly to the county
- 29 auditor the following:
 - 30 (1) One hundred percent (100%) of the small claims service fee
 - 31 under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in
 - 32 the county general fund.
 - 33 (2) One hundred percent (100%) of the small claims garnishee
 - 34 service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for
 - 35 deposit in the county general fund.
 - 36 (3) Twenty-five percent (25%) of the safe schools fee collected
 - 37 under IC 33-37-5-18 for deposit in the county general fund.
- 38 (h) This subsection does not apply to court administration fees
- 39 collected in small claims actions filed in a court described in IC 33-34.
- 40 The clerk of a circuit court shall semiannually distribute to the state
- 41 comptroller for deposit in the state general fund one hundred percent
- 42 (100%) of the following:
 - 43 (1) The public defense administration fee collected under
 - 44 IC 33-37-5-21.2.
 - 45 (2) The judicial salaries fees collected under IC 33-37-5-26.
 - 46 (3) The DNA sample processing fees collected under

- 1 IC 33-37-5-26.2.
- 2 (4) The court administration fees collected under IC 33-37-5-27.
- 3 (5) The judicial insurance adjustment fee collected under
- 4 IC 33-37-5-25.
- 5 (i) The proceeds of the service fee collected under
- 6 IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as
- 7 follows:
- 8 (1) The clerk shall distribute one hundred percent (100%) of the
- 9 service fees collected in a circuit, superior, county, or probate
- 10 court to the county auditor for deposit in the county general fund.
- 11 (2) The clerk shall distribute one hundred percent (100%) of the
- 12 service fees collected in a city or town court to the city or town
- 13 fiscal officer for deposit in the city or town general fund.
- 14 (j) The proceeds of the garnishee service fee collected under
- 15 IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as
- 16 follows:
- 17 (1) The clerk shall distribute one hundred percent (100%) of the
- 18 garnishee service fees collected in a circuit, superior, county, or
- 19 probate court to the county auditor for deposit in the county
- 20 general fund.
- 21 (2) The clerk shall distribute one hundred percent (100%) of the
- 22 garnishee service fees collected in a city or town court to the city
- 23 or town fiscal officer for deposit in the city or town general fund.
- 24 (k) The clerk of the circuit court shall distribute semiannually to the
- 25 state comptroller for deposit in the home ownership education account
- 26 established by IC 5-20-1-27 one hundred percent (100%) of the
- 27 following:
- 28 (1) The mortgage foreclosure counseling and education fees
- 29 collected under IC 33-37-5-33 (before its expiration on July 1,
- 30 2017).
- 31 (2) Any civil penalties imposed and collected by a court for a
- 32 violation of a court order in a foreclosure action under
- 33 IC 32-30-10.5.
- 34 (l) The clerk of a circuit court shall distribute semiannually to the
- 35 state comptroller for deposit in the pro bono legal services fund
- 36 established by IC 33-37-5-34 one hundred percent (100%) of the pro
- 37 bono legal services fees collected under IC 33-37-5-31.
- 38 SECTION 37. IC 33-37-7-8, AS AMENDED BY P.L.106-2025,
- 39 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 40 JULY 1, 2026]: Sec. 8. (a) The clerk of a city or town court shall
- 41 distribute semiannually to the state comptroller as the state share for
- 42 deposit in the homeowner protection unit account established by
- 43 IC 4-6-12-9 one hundred percent (100%) of the automated record
- 44 keeping fees collected under IC 33-37-5-21 with respect to actions
- 45 resulting in the accused person entering into a pretrial diversion
- 46 program agreement under IC 33-39-1-8 or a deferral program

- 1 agreement under IC 34-28-5-1 and for deposit in the state general fund
 2 fifty-five percent (55%) of the amount of fees collected under the
 3 following:
- 4 (1) IC 33-37-4-1(a) (criminal costs fees).
 - 5 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 - 6 (3) IC 33-37-4-4(a) (civil costs fees).
 - 7 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 - 8 (5) IC 33-37-5-17 (deferred prosecution fees).
- 9 (b) The city or town fiscal officer shall distribute monthly to the
 10 county auditor as the county share twenty percent (20%) of the amount
 11 of fees collected under the following:
- 12 (1) IC 33-37-4-1(a) (criminal costs fees).
 - 13 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 - 14 (3) IC 33-37-4-4(a) (civil costs fees).
 - 15 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 - 16 (5) IC 33-37-5-17 (deferred prosecution fees).
- 17 (c) The city or town fiscal officer shall retain twenty-five percent
 18 (25%) as the city or town share of the fees collected under the
 19 following:
- 20 (1) IC 33-37-4-1(a) (criminal costs fees).
 - 21 (2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).
 - 22 (3) IC 33-37-4-4(a) (civil costs fees).
 - 23 (4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).
 - 24 (5) IC 33-37-5-17 (deferred prosecution fees).
- 25 (d) The clerk of a city or town court shall distribute semiannually to
 26 the state comptroller for deposit in the state user fee fund established
 27 in IC 33-37-9 the following:
- 28 (1) Twenty-five percent (25%) of the drug abuse, prosecution,
 29 interdiction, and correction fees collected under
 30 ~~IC 33-37-4-1(b)(5)~~ **IC 33-37-4-1(b)(4)**.
 - 31 (2) Twenty-five percent (25%) of the alcohol and drug
 32 countermeasures fees collected under ~~IC 33-37-4-1(b)(6)~~;
 33 **IC 33-37-4-1(b)(5)**, IC 33-37-4-2(b)(4), and ~~IC 33-37-4-3(b)(5)~~;
 34 **IC 33-37-4-3(b)(4)**.
 - 35 (3) One hundred percent (100%) of the highway worksite fees
 36 collected under ~~IC 33-37-4-1(b)(9)~~ **IC 33-37-4-1(b)(8)** and
 37 IC 33-37-4-2(b)(5).
 - 38 (4) Seventy-five percent (75%) of the safe schools fee collected
 39 under IC 33-37-5-18.
 - 40 (5) One hundred percent (100%) of the automated record keeping
 41 fee collected under IC 33-37-5-21 not distributed under
 42 subsection (a).
- 43 (e) The clerk of a city or town court shall distribute monthly to the
 44 county auditor the following:
- 45 (1) Seventy-five percent (75%) of the drug abuse, prosecution,
 46 interdiction, and correction fees collected under

1 ~~IC 33-37-4-1(b)(5)~~. **IC 33-37-4-1(b)(4)**.
 2 (2) Seventy-five percent (75%) of the alcohol and drug
 3 countermeasures fees collected under ~~IC 33-37-4-1(b)(6)~~;
 4 **IC 33-37-4-1(b)(5)**, IC 33-37-4-2(b)(4), and ~~IC 33-37-4-3(b)(5)~~.
 5 **IC 33-37-4-3(b)(4)**.

6 The county auditor shall deposit fees distributed by a clerk under this
 7 subsection into the county drug free community fund established under
 8 IC 5-2-11.

9 (f) The clerk of a city or town court shall distribute monthly to the
 10 city or town fiscal officer (as defined in IC 36-1-2-7) one hundred
 11 percent (100%) of the following:

- 12 (1) The late payment fees collected under IC 33-37-5-22.
- 13 (2) The small claims service fee collected under
- 14 IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).
- 15 (3) The small claims garnishee service fee collected under
- 16 IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).
- 17 (4) Twenty-five percent (25%) of the safe schools fee collected
- 18 under IC 33-37-5-18.

19 The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit
 20 fees distributed by a clerk under this subsection in the city or town
 21 general fund.

22 (g) The clerk of a city or town court shall semiannually distribute to
 23 the state comptroller for deposit in the state general fund one hundred
 24 percent (100%) of the following:

- 25 (1) The public defense administration fee collected under
- 26 IC 33-37-5-21.2.
- 27 (2) The DNA sample processing fees collected under
- 28 IC 33-37-5-26.2.
- 29 (3) The court administration fees collected under IC 33-37-5-27.
- 30 (4) The judicial insurance adjustment fee collected under
- 31 IC 33-37-5-25.

32 (h) The clerk of a city or town court shall semiannually distribute to
 33 the state comptroller for deposit in the state general fund seventy-five
 34 percent (75%) of the judicial salaries fee collected under
 35 IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five
 36 percent (25%) of the judicial salaries fee collected under
 37 IC 33-37-5-26. The funds retained by the city or town shall be
 38 prioritized to fund city or town court operations.

39 (i) The clerk of a city or town court shall distribute semiannually to
 40 the state comptroller for deposit in the pro bono legal services fund
 41 established by IC 33-37-5-34 one hundred percent (100%) of the pro
 42 bono legal services fees collected under IC 33-37-5-31.

43 SECTION 38. IC 33-37-8-5, AS AMENDED BY P.L.101-2022,
 44 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 45 JULY 1, 2026]: Sec. 5. (a) A county user fee fund is established in each
 46 county to finance various program services. The county fund is

- 1 administered by the county auditor.
- 2 (b) The county fund consists of the following fees collected by a
- 3 clerk under this article:
- 4 (1) The pretrial diversion program fee.
- 5 ~~(2) The marijuana eradication program fee.~~
- 6 ~~(3) (2) The alcohol and drug services program fee.~~
- 7 ~~(4) (3) The law enforcement continuing education program fee.~~
- 8 ~~(5) (4) The deferral program fee.~~
- 9 ~~(6) (5) The jury fee.~~
- 10 ~~(7) (6) The problem solving court fee.~~
- 11 (c) All of the jury fee and two dollars (\$2) of a deferral program fee
- 12 collected under IC 33-37-4-2(e) shall be deposited by the county
- 13 auditor in the jury pay fund established under IC 33-37-11."
- 14 Page 26, between lines 16 and 17, begin a new paragraph and insert:
- 15 "SECTION 55. IC 35-48-4-8.3, AS AMENDED BY P.L.53-2025,
- 16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2026]: Sec. 8.3. (a) This section does not apply to:
- 18 (1) a rolling paper; or
- 19 (2) an item marketed to detect the presence of a drug or controlled
- 20 substance, including field test kits and test strips.
- 21 (b) A person who knowingly or intentionally possesses an
- 22 instrument, a device, or another object that the person intends to use
- 23 for:
- 24 (1) introducing into the person's body a controlled substance;
- 25 (2) testing the strength, effectiveness, or purity of a controlled
- 26 substance; or
- 27 (3) enhancing the effect of a controlled substance;
- 28 commits a Class C misdemeanor. However, the offense is a Class A
- 29 misdemeanor if the person has a prior unrelated judgment or conviction
- 30 under this section.
- 31 **(c) It is a defense to an action or prosecution under this section**
- 32 **that:**
- 33 **(1) the person who possesses the instrument, device, or other**
- 34 **object is a:**
- 35 **(A) qualified patient (as defined in IC 7.1-8-1) or qualified**
- 36 **primary caregiver (as defined in IC 7.1-8-1); or**
- 37 **(B) person listed on a valid marijuana research license**
- 38 **issued by the regulatory agency under IC 7.1-9; and**
- 39 **(2) the instrument, device, or other object is for the use of**
- 40 **medical marijuana or research relating to the use of medical**
- 41 **marijuana."**
- 42 Page 27, between lines 33 and 34, begin a new paragraph and insert:
- 43 **"(f) It is a defense to a prosecution under this section for an**
- 44 **offense involving marijuana, hash oil, or hashish that the person is**
- 45 **a:**
- 46 **(1) qualified primary caregiver (as defined in IC 7.1-8-1), if:**

- 1 (A) the possession or delivery of the marijuana, hash oil, or
- 2 hashish is permitted under IC 7.1-8-2-3; and
- 3 (B) the quantity of marijuana, hash oil, or hashish
- 4 possessed or delivered does not exceed the permissible
- 5 amounts set forth in IC 7.1-8-2-3; or
- 6 (2) person listed on a valid marijuana research license issued
- 7 by the regulatory agency under IC 7.1-9, if:
- 8 (A) the possession or delivery of the marijuana, hash oil, or
- 9 hashish is permitted by the research license issued by the
- 10 regulatory agency under IC 7.1-9-5; and
- 11 (B) the quantity of marijuana, hash oil, or hashish
- 12 possessed or delivered does not exceed the permissible
- 13 quantity authorized by the research license issued by the
- 14 regulatory agency."

15 Page 28, between lines 18 and 19, begin a new paragraph and insert:

16 "(e) It is a defense to a prosecution under this section for an
17 offense involving marijuana, hash oil, or hashish that the person is
18 a:

- 19 (1) qualified patient (as defined in IC 7.1-8-1) or qualified
- 20 primary caregiver (as defined under IC 7.1-8-1), if:
- 21 (A) the possession of the marijuana, hash oil, or hashish is
- 22 permitted under IC 7.1-8-2-2; and
- 23 (B) the quantity of marijuana, hash oil, or hashish
- 24 possessed or cultivated does not exceed the permissible
- 25 amounts set forth in IC 7.1-8-2-2; or
- 26 (2) person listed on a valid marijuana research license issued
- 27 by the regulatory agency under IC 7.1-9, if:
- 28 (A) the possession or cultivation of the marijuana, hash oil,
- 29 or hashish is permitted by the research license issued by
- 30 the regulatory agency under IC 7.1-9-5; and
- 31 (B) the quantity of marijuana, hash oil, or hashish
- 32 possessed or cultivated does not exceed the permissible
- 33 quantity authorized by the research license issued by the
- 34 regulatory agency."

35 Page 32, after line 30 begin a new paragraph and insert:

36 "SECTION 59. IC 35-52-7-97.5 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2026]: **Sec. 97.5. IC 7.1-8-2-1 defines crimes**
39 **concerning medical marijuana."**

40 Renumber all SECTIONS consecutively.

(Reference is to ESB 250 as printed February 19, 2026.)

Representative Johnson B