



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WITHDRAWN	Noes _____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 26, between lines 16 and 17, begin a new paragraph and insert;
- 2 "SECTION 41. IC 35-48-4-8.3, AS AMENDED BY P.L.53-2025,
- 3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2026]: Sec. 8.3. (a) This section does not apply to:
- 5 (1) a rolling paper; or
- 6 (2) an item marketed to detect the presence of a drug or controlled
- 7 substance, including field test kits and test strips.
- 8 (b) A person who knowingly or intentionally possesses an
- 9 instrument, a device, or another object that the person intends to use
- 10 for:
- 11 (1) introducing into the person's body a controlled substance;
- 12 (2) testing the strength, effectiveness, or purity of a controlled
- 13 substance; or
- 14 (3) enhancing the effect of a controlled substance;
- 15 commits a Class C misdemeanor. However, the offense is a Class A
- 16 misdemeanor if the person has a prior unrelated judgment or conviction
- 17 under this section.
- 18 **(c) It is a defense to a prosecution under this section that:**
- 19 **(1) the instrument, device, or other object is for use with**
- 20 **marijuana; and**
- 21 **(2) a physician treating the person has certified in a writing**

1 **executed within the previous year that:**
2 **(A) the person suffers from a terminal illness or serious**
3 **untreatable disease; and**
4 **(B) in the professional opinion of the physician, the benefits**
5 **of treatment with marijuana are greater than the risks of**
6 **treatment with marijuana."**
7 Page 28, between lines 18 and 19, begin a new paragraph and insert:
8 **"(e) It is a defense to a prosecution under this section that:**
9 **(1) the person possessed less than two (2) ounces of**
10 **marijuana; and**
11 **(2) a physician treating the person has certified in a writing**
12 **executed within the previous year that:**
13 **(A) the person suffers from a terminal illness or serious**
14 **untreatable disease; and**
15 **(B) in the professional opinion of the physician, the benefits**
16 **of treatment with marijuana are greater than the risks of**
17 **treatment with marijuana."**
18 Renumber all SECTIONS consecutively.
 (Reference is to ESB 250 as printed February 19, 2026.)

Representative Johnson B