



Adopted	Rejected
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## COMMITTEE REPORT

<b>YES:</b>	<b>8</b>
<b>NO:</b>	<b>5</b>

**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:*

- 1           Page 1, delete lines 9 through 15, begin a new paragraph and insert:
- 2           "SECTION 2. IC 7.1-5-7-0.5 IS ADDED TO THE INDIANA CODE
- 3           AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
- 4           1, 2026]: **Sec. 0.5. This chapter does not apply to a substance that**
- 5           **meets all of the following requirements:**
- 6                 **(1) The substance contains cannabidiol or cannabigerol.**
- 7                 **(2) The substance does not contain THC or any other**
- 8                 **cannabinoids.**
- 9                 **(3) The substance does not contain alcohol or any other**
- 10                **controlled substances.**
- 11           SECTION 3. IC 7.1-5-7-7, AS AMENDED BY P.L.159-2014,
- 12           SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2026]: Sec. 7. (a) Subject to IC 7.1-5-1-6.5, it is a Class C  
2 misdemeanor for a minor to knowingly:

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

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

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

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

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

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

30 (c) A person who knowingly or intentionally:

- 31 (1) rents property; or
- 32 (2) provides or arranges for the use of property;

33 for the purpose of allowing or enabling a minor to consume an  
34 alcoholic beverage **or a product containing THC** on the property  
35 commits a Class C infraction. However, the violation is a Class B  
36 misdemeanor if the person has a prior unrelated adjudication or  
37 conviction for a violation of this section within the previous five (5)  
38 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**

1           **vested with full police powers and duties; and**  
 2           **(2) be a part of the enforcement action.**

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

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

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

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

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

35                 (c) All growers and handlers must keep records in accordance with  
 36                 rules adopted by the state seed commissioner. Upon at least three (3)  
 37                 days notice, the state seed commissioner may audit the required records  
 38                 during normal business hours. The state seed commissioner may

1 conduct an audit for the purpose of ensuring compliance with:

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

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

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

- 18 (1) the state seed commissioner;
- 19 (2) the state police;
- 20 (3) a federal law enforcement agency; or
- 21 (4) a local law enforcement agency;

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

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

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

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

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

37 (h) The state seed commissioner may order a hemp crop that is  
 38 detained, seized, or embargoed for noncompliance with this chapter to

1 be destroyed by the owner. However, except as prohibited by federal  
 2 law, the grower may appeal to the state seed commissioner for the  
 3 hemp crop to be diverted to a willing licensed processor for processing  
 4 and sale for industrial use. A hemp crop that is detained, seized, or  
 5 embargoed may not be used for cannabidiol, other extracts, oil, food,  
 6 or cosmetic products that are used for humans or animals.

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

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

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

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

19 (3) Establishing necessary testing criteria and protocols, including  
 20 a procedure for testing, using post decarboxylation or other  
 21 similarly reliable methods, for ~~delta-9-tetrahydrocannabinol~~ **total**  
 22 **tetrahydrocannabinol (THC)** concentration levels of the hemp  
 23 produced.

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

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

27 SECTION 12. IC 16-31-3-14, AS AMENDED BY P.L.186-2025,  
 28 SECTION 109, IS AMENDED TO READ AS FOLLOWS  
 29 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 14. (a) A person holding  
 30 a certificate or license issued under this article must comply with the  
 31 applicable standards and rules established under this article. A  
 32 certificate holder or license holder is subject to disciplinary sanctions  
 33 under subsection (b) if the department of homeland security determines  
 34 that the certificate holder or license holder:

35 (1) engaged in or knowingly cooperated in fraud or material  
 36 deception in order to obtain a certificate or license, including  
 37 cheating on a certification or licensure examination;

38 (2) engaged in fraud or material deception in the course of

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

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

1 of homeland security;  
2 (C) continue or renew professional education approved by the  
3 department of homeland security until a satisfactory degree of  
4 skill has been attained in those areas that are the basis of the  
5 probation; or  
6 (D) perform or refrain from performing any acts, including  
7 community restitution or service without compensation, that  
8 the department of homeland security considers appropriate to  
9 the public interest or to the rehabilitation or treatment of the  
10 certificate holder or license holder.

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

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

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

32 (e) The department of homeland security may order a certificate  
33 holder or license holder to submit to a reasonable physical or mental  
34 examination if the certificate holder's or license holder's physical or  
35 mental capacity to practice safely and competently is at issue in a  
36 disciplinary proceeding. Failure to comply with a department of  
37 homeland security order to submit to a physical or mental examination  
38 makes a certificate holder or license holder liable to temporary

1 suspension under subsection (i).

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

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

- 14 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.  
 15 (2) Possession of methamphetamine under IC 35-48-4-6.1.  
 16 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~.  
 17 **IC 35-48-4-7(b)**.  
 18 (4) Fraudulently obtaining a controlled substance under  
 19 ~~IC 35-48-4-7(c)~~. **IC 35-48-4-7(d)**.  
 20 (5) Manufacture of paraphernalia as a Class D felony (for a crime  
 21 committed before July 1, 2014) or Level 6 felony (for a crime  
 22 committed after June 30, 2014) under IC 35-48-4-8.1(c).  
 23 (6) Dealing in paraphernalia as a Class D felony (for a crime  
 24 committed before July 1, 2014) or Level 6 felony (for a crime  
 25 committed after June 30, 2014) under IC 35-48-4-8.5(b).  
 26 (7) Possession of paraphernalia as a Class D felony (for a crime  
 27 committed before July 1, 2014) or Level 6 felony (for a crime  
 28 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
 29 its amendment on July 1, 2015).  
 30 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class  
 31 D felony (for a crime committed before July 1, 2014) or Level 6  
 32 felony (for a crime committed after June 30, 2014) under  
 33 IC 35-48-4-11.  
 34 (9) A felony offense under IC 35-48-4 involving:  
 35 (A) possession of a synthetic drug (as defined in  
 36 IC 35-31.5-2-321);  
 37 (B) possession of a synthetic drug lookalike substance (as  
 38 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,

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

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

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

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

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

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

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

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

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

- 29 (1) engaged in or knowingly cooperated in fraud or material  
30 deception in order to obtain a license to practice, including  
31 cheating on a licensing examination;
- 32 (2) engaged in fraud or material deception in the course of  
33 professional services or activities;
- 34 (3) advertised services or goods in a false or misleading manner;
- 35 (4) falsified or knowingly allowed another person to falsify  
36 attendance records or certificates of completion of continuing  
37 education courses provided under this chapter;
- 38 (5) been convicted of a crime that has a direct bearing on the

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

1 established by the department.

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

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

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

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

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

- 1 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
2 its amendment on July 1, 2015).
- 3 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class  
4 D felony (for a crime committed before July 1, 2014) or a Level  
5 6 felony (for a crime committed after June 30, 2014) under  
6 IC 35-48-4-11.
- 7 (9) A felony offense under IC 35-48-4 involving possession of a  
8 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
9 controlled substance analog (as defined in IC 35-48-1.1-8), or  
10 possession of a synthetic drug lookalike substance (as defined in  
11 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:
- 12 (A) Class D felony for a crime committed before July 1, 2014;  
13 or
- 14 (B) Level 6 felony for a crime committed after June 30, 2014;  
15 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 16 (10) Maintaining a common nuisance under IC 35-48-4-13  
17 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
18 controlled substance.
- 19 (11) An offense relating to registration, labeling, and prescription  
20 forms under IC 35-48-4-14.
- 21 (g) The department shall deny, revoke, or suspend a license issued  
22 under this chapter if the individual who holds the license is convicted  
23 of any of the following:
- 24 (1) Dealing in a controlled substance resulting in death under  
25 IC 35-42-1-1.5.
- 26 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 27 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 28 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 29 (5) Dealing in a schedule I, II, or III controlled substance under  
30 IC 35-48-4-2.
- 31 (6) Dealing in a schedule IV controlled substance under  
32 IC 35-48-4-3.
- 33 (7) Dealing in a schedule V controlled substance under  
34 IC 35-48-4-4.
- 35 (8) Dealing in a substance represented to be a controlled  
36 substance under IC 35-48-4-4.5 (repealed).
- 37 (9) Knowingly or intentionally manufacturing, advertising,  
38 distributing, or possessing with intent to manufacture, advertise,

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

1 assessed. If the practitioner fails to pay the costs, a suspension may not  
 2 be imposed solely upon the practitioner's inability to pay the amount  
 3 assessed. The costs are limited to costs for the following:

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

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

- 17 (1) "Certificate of analysis" means a certificate from an  
 18 independent testing laboratory describing the results of the  
 19 laboratory's testing of a sample.
- 20 (2) "Independent testing laboratory" means a laboratory:  
 21 (A) with respect to which no person having a direct or indirect  
 22 interest in the laboratory also has a direct or indirect interest  
 23 in a facility that:  
 24 (i) processes, distributes, or sells ~~low THC hemp extract, or~~  
 25 ~~a substantially similar substance in another jurisdiction;~~  
 26 **hemp derived cannabinoid products;**  
 27 (ii) cultivates, processes, distributes, dispenses, or sells  
 28 **hemp (as defined in IC 35-48-8-3) or marijuana;** or  
 29 (iii) cultivates, processes, or distributes hemp; and  
 30 (B) that is accredited as a testing laboratory to International  
 31 Organization for Standardization (ISO) 17025 by a third party  
 32 accrediting body such as the American Association for  
 33 Laboratory Accreditation (A2LA) or Assured Calibration and  
 34 Laboratory Accreditation Select Services (ACLASS).
- 35 (3) ~~"Low THC hemp extract" has the meaning set forth in~~  
 36 ~~IC 35-48-1.1-27. "Hemp derived cannabinoid product" has the~~  
 37 **meaning set forth in IC 35-38-8-4.**

38 SECTION 15. IC 24-4-21-2, AS ADDED BY P.L.153-2018,

1 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 NOVEMBER 12, 2026]: Sec. 2. A person may distribute ~~low THC~~  
3 **hemp extract a hemp derived cannabinoid product** in Indiana only  
4 if the product:

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

8 (2) meets the requirements of this chapter.

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

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

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

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

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

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

36 (A) batch identification number;

37 (B) product name;

38 (C) batch date;

- 1 (D) expiration date, which must be not more than two (2) years
- 2 from the date of manufacture;
- 3 (E) batch size;
- 4 (F) total quantity produced;
- 5 (G) ingredients used, including the:
- 6 (i) ingredient name;
- 7 (ii) name of the company that manufactured the ingredient;
- 8 (iii) company or product identification number or code, if
- 9 applicable; and
- 10 (iv) ingredient lot number; and
- 11 (H) download link for a certificate of analysis for the ~~low THC~~
- 12 **hemp extract: hemp derived cannabinoid product.**

- 13 (2) The batch number.
- 14 (3) The Internet address of a ~~web site~~ **website** to obtain batch
- 15 information.
- 16 (4) The expiration date.
- 17 (5) The number of milligrams of ~~low THC hemp extract:~~ **hemp**
- 18 **derived cannabinoid product.**
- 19 (6) The manufacturer.
- 20 (7) The fact that the product contains not more than three-tenths
- 21 percent (0.3%) total ~~delta-9-tetrahydrocannabinol~~
- 22 **tetrahydrocannabinol (THC)**, including precursors, by weight.

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

26 SECTION 18. IC 24-4-21-5, AS ADDED BY P.L.153-2018,  
 27 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 NOVEMBER 12, 2026]: Sec. 5. ~~This section applies after June 30,~~  
 29 ~~2018:~~ A person who distributes ~~low THC hemp extract~~ **a hemp**  
 30 **derived cannabinoid product** in violation of this chapter commits a  
 31 Class B infraction. However, the offense is a Class A infraction if the  
 32 person has a prior unrelated judgment for a violation of this chapter.  
 33 These penalties are in addition to any criminal penalties that may be  
 34 imposed for unlawful possession or distribution of a controlled  
 35 substance.

36 SECTION 19. IC 24-4-22-1, AS AMENDED BY P.L.186-2025,  
 37 SECTION 132, IS AMENDED TO READ AS FOLLOWS  
 38 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 1. As used in this chapter,

1 "low THC hemp extract" "**hemp derived cannabinoid product**" has  
2 the meaning set forth in ~~IC 35-48-1.1-27~~. **IC 35-48-8-4.**

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

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

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

- 23 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 24 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 25 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~.  
26 **IC 35-48-4-7(b).**
- 27 (4) Fraudulently obtaining a controlled substance under  
28 ~~IC 35-48-4-7(c)~~. **IC 35-48-4-7(d).**
- 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).

1 (8) Possession of marijuana, hash oil, hashish, or salvia as a Class  
2 D felony (for a crime committed before July 1, 2014) or a Level  
3 6 felony (for a crime committed after June 30, 2014) under  
4 IC 35-48-4-11.

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

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

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

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

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

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

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

22 SECTION 22. IC 34-30-2.1-71, AS ADDED BY P.L.105-2022,  
23 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2026]: Sec. 71. IC 7.1-5-7-8 (Concerning postsecondary  
25 educational institutions for alcohol related **or THC product related**  
26 injuries).

27 SECTION 23. IC 35-31.5-2-61.5 IS ADDED TO THE INDIANA  
28 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
29 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 61.5. "Container", for**  
30 **purposes of IC 35-48-8, has the meaning set forth in IC 35-48-8-2.**

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

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

37 SECTION 26. IC 35-31.5-2-152.2 IS ADDED TO THE INDIANA  
38 CODE AS A **NEW** SECTION TO READ AS FOLLOWS

1 [EFFECTIVE NOVEMBER 12, 2026]: **Sec. 152.2. "Hemp", for**  
2 **purposes of this title, has the meaning set forth in IC 35-48-8-3.**

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

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

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

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

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

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

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

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

37 (2) A sign printed in letters and numbers at least one-half (1/2)  
38 inch high that displays a toll free phone number for assistance to

1 callers in quitting smoking, as determined by the Indiana  
2 department of health.

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

6 (1) If the person has not been cited for a violation of this section  
7 in the previous one (1) year, a civil penalty of up to four hundred  
8 dollars (\$400).

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

11 (3) If the person has had two (2) violations in the previous one (1)  
12 year, a civil penalty of up to one thousand four hundred dollars  
13 (\$1,400).

14 (4) If the person has had three (3) or more violations in the  
15 previous one (1) year, a civil penalty of up to two thousand dollars  
16 (\$2,000).

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

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

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

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

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

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

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

34 SECTION 33. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025,  
35 SECTION 249, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 8. (a) "Controlled  
37 substance analog" means a substance that, due to its chemical structure  
38 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~~

1 hemp extract.

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

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

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

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

13 (3) contains no other controlled substances.

14 (b) The term does not include:

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

17 (2) smokable hemp.

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

25 (b) The term does not include:

26 (1) the mature stalks of the plant;

27 (2) fiber produced from the stalks;

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

29 (4) any other compound, manufacture, salt, derivative, mixture,  
30 or preparation of the mature stalks (except the resin extracted  
31 therefrom);

32 (5) the sterilized seed of the plant which is incapable of  
33 germination;

34 (6) hemp (as defined by IC 15-15-13-6);

35 (7) low THC hemp extract; or

36 (8) smokable hemp.

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

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

3           SECTION 38. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025,  
4           SECTION 249, IS AMENDED TO READ AS FOLLOWS  
5           [EFFECTIVE NOVEMBER 12, 2026]: Sec. 38. (a) Except as provided  
6           in subsection (b), "smokable hemp" means a product containing ~~not~~  
7           ~~more than three-tenths percent (0.3%) delta-9-tetrahydrocannabinol~~  
8           **any amount of tetrahydrocannabinol (THC)**, including precursors  
9           and derivatives of THC, in a form that allows THC to be introduced  
10          into the human body by inhalation of smoke. The term includes:

11           (1) hemp bud; and

12           (2) hemp flower.

13          (b) The term does not include:

14           (1) a hemp plant that is; or

15           (2) parts of a hemp plant that are;

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

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

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

24           (1) knowingly or intentionally:

25           (A) manufactures;

26           (B) finances the manufacture of;

27           (C) delivers; or

28           (D) finances the delivery of;

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

34           (2) possesses, with intent to:

35           (A) manufacture;

36           (B) finance the manufacture of;

37           (C) deliver; or

38           (D) finance the delivery of;

- 1 a controlled substance or controlled substance analog, pure or  
 2 adulterated, classified in schedule I, except marijuana, hash oil,  
 3 hashish, or salvia, or a controlled substance, or controlled  
 4 substance analog, pure or adulterated, classified in schedule II or  
 5 III;  
 6 commits dealing in a schedule I, II, or III controlled substance, a Level  
 7 6 felony, except as provided in subsections ~~(b)~~ (c) through ~~(f)~~ (g).
- 8 ~~(b)~~ (c) A person may be convicted of an offense under subsection  
 9 ~~(a)(2)~~ (b)(2) only if:
- 10 (1) there is evidence in addition to the weight of the drug that the  
 11 person intended to manufacture, finance the manufacture of,  
 12 deliver, or finance the delivery of the drug; or  
 13 (2) the amount of the drug involved is at least twenty-eight (28)  
 14 grams.
- 15 ~~(e)~~ (d) The offense is a Level 5 felony if:
- 16 (1) the amount of the drug involved is at least one (1) gram but  
 17 less than five (5) grams; or  
 18 (2) the amount of the drug involved is less than one (1) gram and  
 19 an enhancing circumstance applies.
- 20 ~~(d)~~ (e) The offense is a Level 4 felony if:
- 21 (1) the amount of the drug involved is at least five (5) grams but  
 22 less than ten (10) grams; or  
 23 (2) the amount of the drug involved is at least one (1) gram but  
 24 less than five (5) grams and an enhancing circumstance applies.
- 25 ~~(e)~~ (f) The offense is a Level 3 felony if:
- 26 (1) the amount of the drug involved is at least ten (10) grams but  
 27 less than twenty-eight (28) grams; or  
 28 (2) the amount of the drug involved is at least five (5) grams but  
 29 less than ten (10) grams and an enhancing circumstance applies.
- 30 ~~(f)~~ (g) The offense is a Level 2 felony if:
- 31 (1) the amount of the drug involved is at least twenty-eight (28)  
 32 grams; or  
 33 (2) the amount of the drug involved is at least ten (10) grams but  
 34 less than twenty-eight (28) grams and an enhancing circumstance  
 35 applies.
- 36 **(h) It is a defense to a prosecution under this section that the**  
 37 **substance is THC hemp extract and the person meets the**  
 38 **requirements of IC 35-48-8-9.**

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

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

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

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

13 commits possession of a controlled substance, a Class A misdemeanor,  
14 except as provided in subsection ~~(b)~~: **(c)**.

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

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

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

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

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

29 commits a Class A misdemeanor.

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

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

36 (1) knowingly or intentionally:

37 (A) manufactures;

38 (B) finances the manufacture of;

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

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

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

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

- 19 (1) knowingly or intentionally possesses (pure or adulterated)
- 20 marijuana, hash oil, hashish, or salvia;
- 21 (2) knowingly or intentionally grows or cultivates marijuana; or
- 22 (3) knowing that marijuana is growing on the person's premises,
- 23 fails to destroy the marijuana plants;

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

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

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

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

- 36 (1) the person has a prior conviction for a drug offense; and
- 37 (2) the person possesses:
- 38 (A) at least thirty (30) grams of marijuana; or

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

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

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

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

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

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

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

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

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

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

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

32 **(c) The term does not include:**

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

37 **(2) any intermediate hemp derived cannabinoid products**  
38 **containing:**

- 1           **(A) cannabinoids that are not capable of being naturally**
- 2           **produced by a Cannabis sativa L. plant;**
- 3           **(B) cannabinoids that:**
- 4               **(i) are capable of being naturally produced by the**
- 5               **Cannabis sativa L. plant; and**
- 6               **(ii) were synthesized or manufactured outside the plant;**
- 7               **or**
- 8           **(C) more than three-tenths of one percent (0.3%)**
- 9           **combined total concentration of:**
- 10               **(i) total tetrahydrocannabinols (including**
- 11               **tetrahydrocannabinolic acid); and**
- 12               **(ii) any other cannabinoids that have similar effects (or**
- 13               **are marketed to have similar effects) on humans or**
- 14               **animals as a tetrahydrocannabinol as determined by the**
- 15               **United States Secretary of Health and Human Services;**
- 16           **(3) any intermediate hemp derived cannabinoid products that**
- 17           **are marketed or sold as a final product or directly to an end**
- 18           **consumer for personal or household use;**
- 19           **(4) any final hemp derived cannabinoid products containing:**
- 20               **(A) cannabinoids that are not capable of being naturally**
- 21               **produced by a Cannabis sativa L. plant;**
- 22               **(B) cannabinoids that:**
- 23                   **(i) are capable of being naturally produced by a**
- 24                   **Cannabis sativa L. plant; and**
- 25                   **(ii) were synthesized or manufactured outside the plant;**
- 26                   **or**
- 27               **(C) greater than four-tenths (0.4) milligram combined total**
- 28               **per container of:**
- 29                   **(i) total tetrahydrocannabinols (including**
- 30                   **tetrahydrocannabinolic acid); and**
- 31                   **(ii) any other cannabinoids that have similar effects, or**
- 32                   **are marketed to have similar effects, on humans or**
- 33                   **animals as a tetrahydrocannabinol, as determined by the**
- 34                   **United States Secretary of Health and Human Services;**
- 35                   **or**
- 36           **(5) smokable hemp.**
- 37           **Sec. 4. (a) "Hemp derived cannabinoid product" means a**
- 38           **product that:**

- 1           (1) meets the definition of hemp under section 3 of this
- 2           chapter; and
- 3           (2) is derived from, or made by, processing hemp plants or
- 4           hemp plant parts including derivatives, extracts,
- 5           cannabinoids, isomers, acids, salts, and salts of isomers.
- 6           (b) The term includes any intermediate or final product derived
- 7           from hemp, other than industrial hemp, that:
- 8           (1) contains cannabinoids in any form; and
- 9           (2) is intended for human or animal use through any means of
- 10          application or administration including:
- 11           (A) inhalation;
- 12           (B) ingestion; or
- 13           (C) topical application.
- 14          (c) The term includes cannabidiol, a CBD product, or a product
- 15          that contains a cannabidiol.
- 16          (d) The term does not include:
- 17           (1) smokable hemp (as defined in IC 35-48-1.1-38);
- 18           (2) products that contain a total tetrahydrocannabinol
- 19           concentration of more than three-tenths of one percent (0.3%)
- 20           on a dry weight basis; or
- 21           (3) a drug that is the subject of an application approved under
- 22           subsection (c) or (j) of Section 505 of the federal Food, Drug,
- 23           and Cosmetic Act (21 U.S.C. 355).
- 24          Sec. 5. "Industrial hemp" means hemp:
- 25           (1) grown for the use of the stalk of the plant fiber produced
- 26           from the stalk, or any other noncannabinoid derivative,
- 27           mixture, preparation, or manufacture of the stalk;
- 28           (2) grown for the use of the whole grain, oil, cake, nut, hull, or
- 29           other noncannabinoid compound, derivative, mixture,
- 30           preparation, or manufacture of the seeds of the plant;
- 31           (3) grown for purposes of producing microgreens or other
- 32           edible hemp leaf products for human consumption that are
- 33           derived from an immature hemp plant that is grown from
- 34           seeds that do not exceed the threshold for total
- 35           tetrahydrocannabinols concentration of three-tenths of one
- 36           percent (0.3%) in the plant on a dry weight basis;
- 37           (4) that is a plant that does not enter the stream of commerce
- 38           and is intended to support hemp research at an institution of

1 higher education, as defined in 20 U.S.C. 1001, or an  
 2 independent research institute; or  
 3 (5) grown for the use of a viable seed of the plant produced  
 4 solely for the production or manufacture of any material  
 5 described in subdivisions (1) through (4).

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

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

14 Sec. 7. (a) "THC hemp extract" means a substance or  
 15 compound that:

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

23 (b) The term does not include:

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

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

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

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

- 34 (1) the amount of the hemp involved is more than ten (10)
- 35 pounds; or
- 36 (2) the offense involved a sale to a child less than eighteen (18)
- 37 years of age.

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

1           **(1) held a license under IC 15-15-13-7 before January 1, 2026;**  
2           **and**  
3           **(2) continues to hold a hemp license under IC 15-15-13-7;**  
4           **may continue to process and distribute THC hemp extract solely**  
5           **for sale to a manufacturer, processor, distributor, or retailer in a**  
6           **jurisdiction outside of Indiana if the processing and distribution**  
7           **complies with subsection (b).**  
8           **(b) A person described in subsection (a) may process and**  
9           **distribute THC hemp extract if:**  
10           **(1) the receipt of THC hemp extract by the manufacturer,**  
11           **processor, distributor, or retailer in the other jurisdiction is**  
12           **lawful in that jurisdiction; and**  
13           **(2) the THC hemp extract meets the same packaging**  
14           **requirements as a hemp derived cannabinoid product under**  
15           **IC 24-4-21-4.**  
16           **(c) A person described in this section may not distribute THC**  
17           **hemp extract to any person in Indiana, unless the distribution is**  
18           **required by law, including for purposes of testing or analysis.**  
19           **(d) Nothing in this section authorizes a retailer to possess or sell**  
20           **THC hemp extract.**  
21           **(e) The alcohol and tobacco commission may inspect the**  
22           **operations of a person to whom this section applies to ensure**  
23           **compliance in the same manner it conducts inspections under**  
24           **IC 7.1-5-7-16.**  
25           SECTION 44. IC 35-52-7-39, AS ADDED BY P.L.169-2014,  
26           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27           JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime concerning  
28           alcohol **and products containing THC.**  
29           SECTION 45. IC 35-52-7-40, AS ADDED BY P.L.169-2014,  
30           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31           JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning

- 1 alcohol **and products containing THC**".
- 2 Delete pages 2 through 75.
- 3 Renumber all SECTIONS consecutively.  
(Reference is to SB 250 as printed January 23, 2026.)

**and when so amended that said bill do pass.**

Representative McNamara