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SENATE BILL No. 250

Proposed Changes to January 16, 2026 printing by AM025003

DIGEST OF PROPOSED AMENDMENT

Regulation of hemp. Specifies that provisions of the hemp derived cannabinoid products law that specify the disposition of fee or fine revenue under the hemp derived cannabinoid products law control over general provisions specifying the disposition of fee and fine revenue under Title 7.1. Specifies that an applicant for a permit under the hemp derived cannabinoid products law consents to entrance, inspection, and search and seizure by a law enforcement officer (rather than simply an enforcement officer, under the current version of the bill). Provides that a provision in current law regarding rescheduling of a substance under Indiana law in conformance with a rescheduling of the substance under federal law does not apply to marijuana or tetrahydrocannabinol (rather than only marijuana, under the current version of the bill). Makes technical corrections.

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
4 **tetrahydrocannabinol, including hemp derived cannabinoid**
5 **products, synthetic equivalents of the substances contained in the**
6 **plant or in the resinous extractives of Cannabis, and synthetic**
7 **substances, derivates, and their isomers with a similar chemical**
8 **structure and pharmacological activity.**
9 [SECTION 2. IC 7.1-3-23-2, AS AMENDED BY P.L.285-2019,
10 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2026]: Sec. 2. (a) **Except as otherwise provided in IC 7.1-8**
12 **for purposes of IC 7.1-8, the commission may:**
13 (1) fine or suspend or revoke the permit or certificate of; or

SB 250—LS 7117/DI 107



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(2) fine and suspend or revoke the permit or certificate of a permittee for the violation of a provision of this title or of a rule or regulation of the commission. The commission may fine a permittee for each day the violation continues if the violation is of a continuing nature.

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

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

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

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

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

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

(1) possess an alcoholic beverage or a product containing THC;

(2) consume an alcoholic beverage or a product containing THC; or

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

(b) If a minor is found to have violated subsection (a)(2) or (a)(3)

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

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

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

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

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

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

22 (c) A person who knowingly or intentionally:

23 (1) rents property; or

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

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

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

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

39 (2) either:

40 (A) rents property; or

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

42 for the purpose of allowing or enabling a minor to consume an

SB 250—LS 7117/DI 107



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1 alcoholic beverage **or a product containing THC** on the
2 property.

3 SECTION ~~↔~~[6]. IC 7.1-5-7-15 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. A person
5 twenty-one (21) years of age or older who knowingly or intentionally
6 encourages, aids, or induces a minor to unlawfully possess an alcoholic
7 beverage **or a product containing THC** commits a Class C infraction.

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

17 SECTION ~~↔~~[8]. IC 7.1-5-7-18 IS ADDED TO THE INDIANA
18 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2026]: **Sec. 18. (a) A law enforcement officer**
20 **vested with full police powers and duties may engage an individual**
21 **who is:**

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

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

24 **to receive or purchase a product that contains any amount of THC**
25 **as part of an enforcement action under this article.**

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

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

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

31 SECTION ~~↔~~[9]. IC 7.1-5-10-15, AS AMENDED BY
32 P.L.159-2014, SECTION 80, IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) A person who,
34 knowing that another person is intoxicated, sells, barter, delivers, or
35 gives away an alcoholic beverage **or a product containing THC** to the
36 intoxicated person commits a Class B misdemeanor.

37 (b) In any civil proceeding in which damages are sought from a
38 permittee or a permittee's agent for the refusal to serve a person an
39 alcoholic beverage **or a product containing THC**, it is a complete
40 defense if the permittee or agent reasonably believed that the person
41 was intoxicated or was otherwise not entitled to be served an alcoholic
42 beverage **or a product containing THC**.

SB 250—LS 7117/DI 107



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

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

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

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

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

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

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

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

31 SECTION ~~↔~~ [11]. IC 7.1-7-3-4 IS ADDED TO THE INDIANA
32 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2026]: **Sec. 4. An e-liquid that is a hemp**
34 **derived cannabinoid product is subject to this article and IC 7.1-8.**

35 SECTION 1 ~~↔~~ [2]. IC 7.1-8 IS ADDED TO THE INDIANA
36 CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2026]:

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

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

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

41 **Sec. 2. (a) This article does not limit the powers or duties of the**
42 **commission under IC 7.1-2.**

SB 250—LS 7117/DI 107



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1 (b) This article may not be construed to restrict or limit any
2 law under IC 35-48.

3 Sec. 3. The purpose of this article is to promote the health and
4 safety of hemp derived cannabinoid products by:

- 5 (1) ensuring hemp derived cannabinoid products sold in
6 Indiana meet federal laws and regulations;
- 7 (2) creating a permitting scheme for hemp derived
8 cannabinoid products in Indiana so that hemp derived
9 cannabinoid products may be sold and have law enforcement
10 oversight; and
- 11 (3) requiring persons distributing hemp derived cannabinoid
12 products in Indiana to have valid permits and to submit an
13 applicable certificate of analysis to the commission.

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

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

19 Chapter 2. Definitions

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

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

- 24 (1) manufactured at the same time;
- 25 (2) manufactured using the same:
 - 26 (A) methods;
 - 27 (B) equipment; and
 - 28 (C) ingredients;

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

- 31 (3) manufactured, packaged, and labeled according to a
32 single batch production record that is:
 - 33 (A) executed; and
 - 34 (B) documented.

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

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

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

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

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

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

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

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

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

16 **Chapter 3. Commission Duties**

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

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

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

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

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

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

- 41 (1) records;
 42 (2) property, including vehicles;

SB 250—LS 7117/DI 107



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1 (3) hemp; and
 2 (4) hemp derived cannabinoid products.
 3 (b) The commission may conduct an inspection under this
 4 section independently or in cooperation with:
 5 (1) the state police department;
 6 (2) a federal law enforcement agency; or
 7 (3) a local law enforcement agency.
 8 **Chapter 4. Prescription Drugs**
 9 **Sec. 1. This article does not apply to the sale or possession of**
 10 **the following:**
 11 (1) Marinol.
 12 (2) Syndros.
 13 (3) Cesamet.
 14 (4) Epidiolex.
 15 **Sec. 2. An individual who is less than twenty-one (21) years of**
 16 **age may purchase and possess a CBD product.**
 17 **Chapter 5. Permit Applications**
 18 **Sec. 1. The commission may:**
 19 (1) consider;
 20 (2) approve;
 21 (3) deny; or
 22 (4) renew;
 23 **an application to manufacture, distribute, or sell a hemp derived**
 24 **cannabinoid product.**
 25 **Sec. 2. If an applicant intentionally misstates a material fact in**
 26 **an application for a permit under this chapter, the commission**
 27 **shall deny the application.**
 28 **Sec. 3. (a) An application for a permit under this article must**
 29 **include the following:**
 30 (1) The name of the applicant.
 31 (2) The address of the premises to which the permit will be
 32 applicable.
 33 (3) A nonrefundable fee of two hundred fifty dollars (\$250).
 34 (4) The name under which the applicant transacts or intends
 35 to transact business.
 36 (5) The address of the applicant.
 37 (6) An express statement of the applicant that the applicant
 38 consents for the duration of the permit term and one (1) year
 39 after the permit expires, to the entrance, inspection, and
 40 search and seizure by ~~an~~[a law] enforcement officer,
 41 without a warrant, of the licensed premises and vehicles to
 42 determine whether the applicant is complying with this

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article. The applicant's consent required by this section is renewed and continued by the retention of a permit or its use by the applicant.

(7) A signed statement by the applicant, under the penalties of perjury, that the individual applying for the permit has not been convicted, in the previous five (5) years, of:

- (A) a federal crime having a sentence of at least one (1) year;
- (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;
- (C) a drug related Level 6 felony or misdemeanor;
- (D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or
- (E) a drug related felony or misdemeanor in a state other than Indiana.

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

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

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

- (b) The state police department shall do the following:
 - (1) Perform a state or national criminal history background check of the applicant.
 - (2) Determine if the applicant was convicted, in the previous five (5) years, of:
 - (A) a federal crime having a sentence of at least one (1) year;
 - (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;
 - (C) a drug related Level 6 felony or misdemeanor;
 - (D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or
 - (E) a drug related felony or misdemeanor in a state other than Indiana.
 - (3) Return the application to the commission with the state police department's determinations and a copy of the state or

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

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

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

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

- (1) is less than twenty-one (21) years of age;
- (2) is not registered with the secretary of state to do business in Indiana;
- (3) has or had an interest in a hemp permit, an alcohol permit, or a tobacco sales certificate that has been revoked by the commission in the previous five (5) years;
- (4) does not have lawful status (as defined in IC 9-13-2-92.3);
- (5) has been convicted within five (5) years, and the conviction has not been expunged under IC 35-38-9, before the date of application of:

- (A) a federal crime having a sentence of at least one (1) year;
- (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;
- (C) a drug related Level 6 felony or misdemeanor;
- (D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or
- (E) a drug related felony or misdemeanor in a state other than Indiana;

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

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

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

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- 1 (1) The permit number.
- 2 (2) The permit holder's name.
- 3 (3) The name and address of the business for which the
- 4 permit is issued.
- 5 (4) The expiration date of the permit.
- 6 (b) A permit issued under this article is:
- 7 (1) valid for one (1) year after the date of issuance, unless the
- 8 commission suspends or revokes the permit; and
- 9 (2) nontransferable.
- 10 Sec. 7. The commission may adopt rules under IC 4-22-2 to
- 11 establish procedures for the issuance, renewal, reinstatement, and
- 12 maintenance of a permit under this article.
- 13 Chapter 6. Permits
- 14 Sec. 1. (a) If a permit holder sells a hemp business and permit
- 15 issued under this article, the new owner:
- 16 (1) must also file a new application for that type of hemp
- 17 permit that the previous owner held;
- 18 (2) is subject to all of the rules and regulations that applied
- 19 to the previous permit holder; and
- 20 (3) must provide the commission with proof of the sale,
- 21 including:
- 22 (A) a purchase agreement; or
- 23 (B) an affidavit signed by the applicant on the form
- 24 described in IC 7.1-8-3-2(9).
- 25 (b) The previous permit holder's permit is void after the later
- 26 of the following:
- 27 (1) The date of the sale of the business.
- 28 (2) The date of the transfer of the business.
- 29 (c) The commission may choose to not issue a permit to the
- 30 new owner if the new owner does not comply with the application
- 31 requirements of this article.
- 32 Sec. 2. (a) A separate permit is required for each location in
- 33 which a hemp derived cannabinoid product is manufactured,
- 34 distributed, or sold.
- 35 (b) A person may have multiple permits for manufacturing,
- 36 distributing, or retail selling of hemp, but a person may not have
- 37 both:
- 38 (1) manufacturing and distribution permits;
- 39 (2) manufacturing and retail permits; or
- 40 (3) distribution and retail permits.
- 41 Sec. 3. A person who has been approved to be a hemp permit
- 42 holder must conspicuously display the holder's hemp permit on the

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holder's premises, and keep the permit posted and displayed, as soon as the commission has approved the permit and as long as the permit is valid.

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

Chapter 7. Deposit of Permits

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

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

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

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

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

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

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

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

(2) the permit is not active.

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

(1) the term of deposit expires; and

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

(A) the permit is not active; or

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

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

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permit holder must do the following:

(1) Submit the permit holder's request for deposit or an extension of the term of deposit to the commission in writing. A permit holder must submit a request for extension at least sixty (60) days before the term of deposit expires.

(2) To make an initial request for deposit of a permit, submit documentation of the following:

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

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

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

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

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

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

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

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

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

(B) zoning applications and approvals; and

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

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

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

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

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

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

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

A person adversely affected by the commission's determination under this chapter may seek judicial review of the determination

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under IC 4-21.5.
Chapter 8. Suspension, Revocation, and Reinstatement of Permits

Sec. 1. (a) The commission may suspend or revoke a hemp permit if the permit holder fails to pay a civil penalty ordered by the commission.

(b) Before enforcing the imposition of a civil penalty or suspending or revoking a hemp permit, the commission shall:

- (1) provide written notice of the alleged violation to the permit holder; and**
- (2) conduct a hearing.**

(c) If the commission:

- (1) imposes a civil penalty; or**
- (2) suspends or revokes a hemp permit;**

the commission shall issue a written notice to the permit holder within ten (10) business days.

(d) The commission shall suspend a hemp permit for ninety (90) days if the commission finds by a preponderance of the evidence that the permit holder has committed a crime or that a crime was committed on the premises of the hemp permit holder.

Sec. 2. (a) If a permit has expired or been suspended under this article, the commission may not reinstate or renew the permit until the permit holder has paid all civil penalties imposed by the commission.

(b) The failure to pay a civil penalty described in subsection (a), after ninety (90) days, is a Class B infraction.

(c) If the commission has revoked a hemp permit, the commission may not reinstate or renew the permit until at least one hundred eighty (180) days after the revocation. The commission may reinstate an expired or revoked permit if the applicant demonstrates that the applicant will:

- (1) exercise due diligence on the applicant's premises; and**
- (2) properly supervise and train the applicant's employees or agents that will handle the hemp derived cannabinoid products.**

(d) If a permit is reinstated or renewed under this section, the applicant must pay a new nonrefundable application fee of two hundred fifty dollars (\$250).

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

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Chapter 9. Manufacturer Permits

Sec. 1. (a) A person shall not manufacture a hemp derived cannabinoid product without holding a valid hemp manufacturer permit issued by the commission.

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

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

(1) intends to manufacture hemp derived cannabinoid products;

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

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

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

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

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

Chapter 10. Distributor Permits

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

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

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

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

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

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

(d) A hemp distributor may only buy hemp derived

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1 cannabinoid products from a hemp manufacturer permit holder.

2 **Chapter 11. Retail Permits**

3 **Sec. 1. (a)** A hemp retail permit holder under this chapter may
4 only purchase hemp derived cannabinoid products from a hemp
5 distributor holding a valid hemp distributor permit issued by the
6 commission.

7 **(b)** A person may only purchase hemp derived cannabinoid
8 products from a hemp distributor if the person holds a hemp retail
9 permit.

10 **(c)** A person may only sell:

11 **(1)** a hemp derived cannabinoid product; and

12 **(2)** a CBD product;

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

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

17 **(1)** intends to sell hemp derived cannabinoid products; and

18 **(2)** meets the commission's requirements for a hemp derived
19 cannabinoid products retail permit.

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

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

30 **(1)** a driver's license;

31 **(2)** an identification card issued under IC 9-24-16-1 or a
32 similar card issued under the laws of another state or the
33 federal government; or

34 **(3)** a government issued document;

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

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

40 **Sec. 4.** A hemp retail permit holder must pay state sales tax on
41 all products that the retail permit holder sells.

42 **Sec. 5.** A hemp retail permit holder may not operate from a

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1 location that is within one thousand (1,000) feet of the perimeter of:

- 2 (1) a school;
- 3 (2) a playground;
- 4 (3) a child care center;
- 5 (4) a library; or
- 6 (5) a government owned or operated property.

7 Sec. 6. A hemp retail permit holder shall prohibit the onsite
8 consumption of hemp derived cannabinoid products on the hemp
9 permit holder's premises.

10 Sec. 7. A hemp retail permit holder may not deliver hemp
11 derived cannabinoid products to any customer.

12 Sec. 8. The sale of hemp derived cannabinoid products on the
13 Internet is expressly prohibited. Unless specifically granted
14 authority by a statute passed by the general assembly, the
15 commission shall not allow the operation of or authorize online sale
16 of hemp derived cannabinoid products.

17 Chapter 12. Carrier Permits

18 Sec. 1. (a) The commission may issue a hemp carrier permit to
19 a person who:

20 (1) intends to transport hemp or hemp derived cannabinoid
21 products:

- 22 (A) between a hemp grower, licensed under
- 23 IC 15-15-13-7 and a hemp manufacturer;
- 24 (B) between a hemp manufacturer and a hemp
- 25 distributor;
- 26 (C) between a hemp distributor and a hemp retailer; or
- 27 (D) between Indiana and another state; and

28 (2) meets the commission's requirements for a hemp carrier
29 permit.

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

33 Sec. 2. (a) An applicant for a carrier permit under this chapter
34 must submit to the commission the description of the applicant's
35 vehicle including:

- 36 (1) the date of manufacture of the vehicle;
- 37 (2) the vehicle's approximate weight;
- 38 (3) the vehicle's vehicle identification number (VIN);
- 39 (4) the vehicle's license plate number;
- 40 (5) the vehicle's capacity; and
- 41 (6) other information that the commission requires by rule.

42 (b) An applicant for a carrier permit under this chapter must

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1 submit a surety bond in a penal sum of a minimum of five thousand
2 dollars (\$5,000), executed by the applicant and payable to the state
3 of Indiana, to the commission. The bond shall be conditioned that
4 the applicant will not violate a provision of this title, or a rule or
5 regulation of the commission. The commission shall duly execute
6 and approve the bond.

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

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

11 (e) If a driver fails to possess a carrier permit while
12 transporting hemp or hemp derived cannabinoid products, a law
13 enforcement officer may seize, embargo, or retain any hemp
14 derived cannabinoid products in the vehicle.

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

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

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

23 Chapter 13. Labeling

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

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

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

34 (d) If a person violates this chapter:
35 (1) a law enforcement officer shall seize any improperly
36 labeled products; and
37 (2) the commission may revoke the person's permit issued
38 under this article.

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

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

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- 1 (1) The batch number.
- 2 (2) The hemp derived cannabinoid product permit number.
- 3 (3) If at the manufacturing stage, the hemp manufacturer's
- 4 permit number.
- 5 (4) If at the distribution stage, the hemp manufacturer's and
- 6 the distributor's permit numbers.
- 7 (5) If at the retail stage, the hemp manufacturer's permit
- 8 number, the hemp distributor's permit number, and the
- 9 hemp retailer's permit number.
- 10 (6) The weight of the product.
- 11 (7) Test results from a Hemp Analytical Testing Laboratory
- 12 registered with the federal Drug Enforcement
- 13 Administration, indicating the:
- 14 (A) percentage amount of each cannabinoid strain,
- 15 including THC and cannabidiol, present in the hemp
- 16 derived cannabinoid product; and
- 17 (B) number of milligrams of each cannabinoid strain,
- 18 including THC and cannabidiol, present in the hemp
- 19 derived cannabinoid product.
- 20 (8) A QR code that links to the commission's online data base
- 21 with the certificate of analysis for the testing of the hemp
- 22 derived cannabinoid product.
- 23 (9) Except as provided in subsection (b), that the product is
- 24 legally available only to an individual who is at least
- 25 twenty-one (21) years of age.
- 26 (10) The following statement: "THE STATE OF INDIANA
- 27 HEALTH WARNING: Hemp derived cannabinoid products
- 28 can be addictive and impair an individual's ability to drive
- 29 a motor vehicle or operate heavy machinery. Smoking can
- 30 lead to an increased risk for cancer, tachycardia,
- 31 hypertension, heart attack, and lung infection. These
- 32 products may also affect the health of a pregnant woman and
- 33 the unborn child. KEEP OUT OF THE REACH OF
- 34 CHILDREN."
- 35 (b) Subsection (a)(9) does not apply to CBD products, as
- 36 defined in IC 7.1-8-2-3.
- 37 Chapter 14. Containers
- 38 Sec. 1. As used in this chapter, "container" has the meaning
- 39 set forth in IC 35-48-8-2.
- 40 Sec. 2. A person may not manufacture, sell, or distribute a
- 41 hemp derived cannabinoid product unless the product is contained
- 42 in child resistant packaging.

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SB 250—LS 7117/DI 107



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1 **Sec. 3. (a) If the commission discovers any hemp derived**
 2 **cannabinoid product sold or distributed in violation of this article,**
 3 **the commission may seize and take possession of the product. The**
 4 **commission shall destroy all products seized under this subsection.**

5 **(b) The commission may impose a civil penalty on any person**
 6 **who sells or distributes a hemp derived cannabinoid product in**
 7 **violation of this article. However, the civil penalty may not exceed**
 8 **the greater of:**

9 **(1) five hundred percent (500%) of the retail value of the**
 10 **product sold or distributed in violation of this chapter; or**

11 **(2) five thousand dollars (\$5,000).**

12 **Chapter 15. Laboratories**

13 **Sec. 1. (a) The state police department shall publish on the**
 14 **department's website the list of Hemp Analytical Testing**
 15 **Laboratories registered with the federal Drug Enforcement**
 16 **Administration licensed to test hemp for THC concentration in**
 17 **Indiana.**

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

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

24 **Sec. 2. A hemp manufacturer must test each hemp derived**
 25 **cannabinoid product that the hemp manufacturer produces at a**
 26 **Hemp Analytical Testing Laboratory registered with the federal**
 27 **Drug Enforcement Administration and listed on the state police**
 28 **department's website.**

29 **Sec. 3. A hemp manufacturer must submit the following to the**
 30 **commission:**

31 **(1) The certificate of analysis for each product tested by a**
 32 **laboratory under section 2 of this chapter.**

33 **(2) The name of the laboratory that tested the product.**

34 **(3) The license number of the laboratory that tested the**
 35 **product.**

36 **(4) A draft of a label that complies with IC 7.1-8-13.**

37 **(5) The address of the hemp manufacturer.**

38 **(6) The percentage of every cannabinoid contained in the**
 39 **product.**

40 **(7) The terpenoid type and concentration used.**

41 **(8) The residual solvents and processing chemicals used.**

42 **(9) Any residual pesticides used.**

SB 250—LS 7117/DI 107



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- 1 (10) Any heavy metals contained the product.
 2 (11) Any microbial impurities in the product.
 3 (12) Any mycotoxins present in the product.
 4 (13) Any water activity.
 5 (14) Any yeast and mold in the product.
 6 (15) A statement indicating whether vitamin E acetate is in
 7 the product.
 8 (16) The hemp grower's license number.

9 **Sec. 4.** The commission shall publish information compiled
 10 under section 3 of this chapter in the commission's data base for
 11 hemp derived cannabinoid products and post this information on
 12 the commission's website.

13 **Sec. 5. (a)** A hemp manufacturer, a hemp distributor, or a
 14 hemp retailer may not sell a hemp derived cannabinoid product
 15 that is not properly tested under section 2 of this chapter.

16 **(b)** A person who knowingly or intentionally falsifies or alters
 17 a certificate of analysis is subject to criminal prosecution under
 18 IC 35-43-5-4.

19 **(c)** A hemp derived cannabinoid product with a falsified or
 20 altered certificate of analysis is to be considered marijuana (as
 21 defined in IC 35-48-1.1-29).

22 **Sec. 6. (a)** A laboratory testing hemp under this chapter must
 23 submit to the hemp manufacturer each certificate of analysis that
 24 it performs.

25 **(b)** The commission shall adopt rules under IC 4-22-2 to
 26 implement this chapter.

27 **Chapter 16. Hemp Derived Cannabinoid Products Fund**

28 **Sec. 1. (a)** The hemp derived cannabinoid products fund is
 29 established as a dedicated fund administered by the state budget
 30 agency.

31 **(b)** All money received by the commission for deposit in the
 32 hemp derived cannabinoid products fund shall be deposited in the
 33 fund.

34 **(c)** The commission shall deposit in the fund all:

- 35 (1) fees for permits received under this article; and
 36 (2) application fees received under this article.

37 **(d)** No portion of the fund shall revert to the state general fund
 38 at the end of a state fiscal year. However, if the fund is abolished,
 39 its contents shall revert to the state general fund.

40 **(e)** All money accruing in the fund is continuously
 41 appropriated for the purposes in this chapter.

42 **Sec. 2.** In each state fiscal year, the prior state fiscal year

SB 250—LS 7117/DI 107



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1 collections accrued to the fund shall be used by the commission as
2 follows:

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

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

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

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

12 Sec. 3. (a) The hemp derived cannabinoid products law
13 enforcement program is established and shall be administered by
14 the commission.

15 (b) The state budget agency may distribute funds as part of the
16 hemp derived cannabinoid products law enforcement program as
17 follows:

18 (1) To the state police department for the following:

19 (A) Funding ARIDE training at the Indiana state police
20 department academy.

21 (B) Purchasing oral fluid testing material for roadside
22 hemp and cannabis testing.

23 (C) The destruction of confiscated or illegal hemp
24 derived cannabinoid products.

25 (D) Funding other items necessary to enforce this
26 article.

27 (2) To local law enforcement agencies for oral fluid testing
28 material for roadside hemp and cannabis testing.

29 (3) To prosecuting attorneys for the following:

30 (A) Training programs.

31 (B) Legal and court costs associated with the
32 prosecution of violations related to hemp derived
33 cannabinoid products or marijuana.

34 (C) Other items necessary to enforce this article.

35 Chapter 17. Advertising

36 Sec. 1. (a) A permit holder under this article shall not engage
37 in any advertising of hemp derived cannabinoid products or a
38 business that sells hemp derived cannabinoid products that:

39 (1) is false or misleading;

40 (2) promotes overconsumption of hemp derived cannabinoid
41 products;

42 (3) depicts actual consumption of hemp derived cannabinoid

SB 250—LS 7117/DI 107



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- 1 products;
 2 (4) depicts a person less than twenty-one (21) years of age;
 3 (5) makes any health, medical, or therapeutic claims about
 4 cannabis or hemp derived cannabinoid products;
 5 (6) uses the image of a cannabis leaf or bud;
 6 (7) includes any image designed or likely to appeal to minors;
 7 (8) uses items such as toys or inflatables, movie or cartoon
 8 characters, or any other depiction or image likely to be
 9 appealing to children, if the item, image, or depiction
 10 suggests an intent to cause children to become interested in
 11 the purchase or consumption of hemp derived cannabinoid
 12 products; or
 13 (9) uses or employs a commercial mascot outside of, and in
 14 proximity to, a permitted business.
- 15 (b) A permit holder shall not place or pay for any advertising
 16 of hemp derived cannabinoid products or a business that sells
 17 hemp derived cannabinoid products within one thousand (1,000)
 18 feet of the perimeter of:
 19 (1) a school;
 20 (2) a playground;
 21 (3) a child care center;
 22 (4) a library; or
 23 (5) a government owned or government operated property.
- 24 (c) A permit holder shall not place or pay for any advertising
 25 of hemp derived cannabinoid products or a business that sells
 26 hemp derived cannabinoid products:
 27 (1) on or in a private vehicle;
 28 (2) on or in a public transit vehicle;
 29 (3) at a public transit shelter;
 30 (4) at a bus stop;
 31 (5) at a taxi stand;
 32 (6) in a train station; or
 33 (7) in an airport.
- 34 (d) The commission may assess a penalty of two thousand
 35 dollars (\$2,000) per day for a violation under this chapter.
- 36 **Chapter 18. Product Testing**
 37 **Sec. 1. The commission may do spot testing of hemp derived**
 38 **cannabinoid products to ensure compliance with this article.**
 39 **Sec. 2. (a) If the commission tests a hemp derived cannabinoid**
 40 **product that:**
 41 (1) was manufactured, distributed, or sold by a permit
 42 holder; or

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SB 250—LS 7117/DI 107



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1 (2) is for sale by a permit holder;
2 the permit holder shall pay the commissioner two hundred fifty
3 dollars (\$250) for each test.

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

7 (1) improper or false labeling; or

8 (2) health and safety concerns.

9 (c) The commission may adopt a rule under IC 4-22-2 to
10 increase the fee described in subsection (a) if the testing costs
11 exceed the fee.

12 Chapter 19. Enforcement Actions

13 Sec. 1. If the commission, the state police department, a federal
14 law enforcement agency, or a local law enforcement agency finds
15 that a permit holder possesses a product that purports to be a
16 hemp derived cannabinoid product and does not meet the
17 requirements of this article, the product is considered to be
18 marijuana (as defined in IC 35-48-1.1-29). The commission, state
19 police department, federal law enforcement agency, or local law
20 enforcement agency may:

21 (1) detain, seize, or embargo the product;

22 (2) seize the building containing the product; and

23 (3) seize the vehicle used to transport or store the product.

24 Chapter 20. Crimes

25 Sec. 1. (a) A person who knowingly or intentionally
26 transports hemp derived cannabinoid products:

27 (1) between a hemp manufacturer and a hemp distributor;

28 or

29 (2) between a hemp distributor and a hemp retailer;

30 without holding a valid hemp derived cannabinoid products carrier
31 permit commits a Class B misdemeanor.

32 (b) A person who knowingly or intentionally transports a
33 hemp derived cannabinoid product into or through Indiana that
34 was manufactured outside of Indiana commits a Class A
35 misdemeanor.

36 (c) The commission may revoke the person's hemp carrier
37 permit for violating this section.

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

41 Sec. 3. (a) It is unlawful for a person to possess an article,
42 instrument, imitation, or counterfeit of a permit issued under this

SB 250—LS 7117/DI 107



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1 article, other than a permit lawfully issued to the person and which
2 the person is lawfully entitled to possess.

3 (b) It is unlawful for a person to display an imitation or
4 counterfeit of a permit issued under this article for the purpose of
5 defrauding the state of the payment of a tax or permit fee imposed
6 by this title.

7 (c) A person who knowingly or intentionally violates
8 subsection (a) or (b) commits a Class A misdemeanor. However,
9 the offense is a Level 6 felony after the first offense.

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

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

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

20 SECTION 1 ~~↔~~ [3]. IC 9-13-2-86, AS AMENDED BY
21 P.L.186-2025, SECTION 82, IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 86. "Intoxicated" means
23 under the influence of:

- 24 (1) alcohol;
25 (2) a controlled substance (as defined in IC 35-48-1.1);
26 (3) a drug other than alcohol or a controlled substance;
27 (4) a substance described in IC 35-46-6-2 or IC 35-46-6-3;
28 (5) ~~a combination of substances described in subdivisions (1)~~
29 ~~through (4);~~ **any amount of tetrahydrocannabinol; or**
30 (6) any other substance, not including food and food ingredients
31 (as defined in IC 6-2.5-1-20), tobacco (as defined in
32 IC 6-2.5-1-28), or a dietary supplement (as defined in
33 IC 6-2.5-1-16); **or**
34 (7) **any combination of substances listed in subdivisions (1)**
35 **through (6);**

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

38 SECTION 1 ~~↔~~ [4]. IC 9-13-2-160.5 IS ADDED TO THE
39 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2026]: Sec. 160.5. "Schedule I drug", for
41 purposes of this title, includes marijuana (as defined in
42 IC 35-48-1.1-29), hemp (as defined in IC 35-48-8-3), and

SB 250—LS 7117/DI 107



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1 **tetrahydrocannabinol (as defined in IC 7.1-1-3-46.5).**

2 SECTION 1~~4~~[5]. IC 15-15-13-0.5, AS ADDED BY
3 P.L.165-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: Sec. 0.5. (a) The state seed
5 commissioner shall administer this chapter.

6 **(b) The state seed commissioner shall share information**
7 **regarding the hemp program established under this chapter with**
8 **the state police department.**

9 **(c) The state seed commissioner shall report and provide to the**
10 **United States Secretary of Agriculture required information under**
11 **7 CFR 990.7 within thirty (30) days of the information being**
12 **received.**

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

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

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

22 SECTION 1~~5~~[7]. IC 15-15-13-3, AS AMENDED BY
23 P.L.190-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2026]: Sec. 3. As used in this chapter, "crop"
25 means any hemp grown under a ~~single~~ **hemp grower's** license **issued**
26 **under this chapter.**

27 SECTION 1~~6~~[8]. IC 15-15-13-3.5 IS ADDED TO THE
28 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. "Grow site" means any place**
30 **or location, either indoors or outdoors, where a hemp crop is**
31 **legally grown.**

32 SECTION 1~~7~~[9]. IC 15-15-13-4, AS AMENDED BY
33 P.L.190-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2026]: Sec. 4. As used in this chapter, "grower"
35 means:

36 (1) an individual, a partnership, a company, or a corporation
37 that ~~produces~~ **grows** ~~industrial~~ hemp; for ~~commercial~~
38 ~~purposes~~; or

39 (2) a person, as part of a hemp research program conducted by
40 a state educational institution (as defined by IC 21-7-13-32).

41 SECTION ~~18~~[20]. IC 15-15-13-5, AS AMENDED BY
42 P.L.190-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS

SB 250—LS 7117/DI 107



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1 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) As used in this chapter,
2 "handler" means an individual, a partnership, a company, or a
3 corporation that receives **industrial** hemp for scientific research, or for
4 processing ~~into agricultural~~ commodities, **industrial** hemp, ~~products,~~
5 or agricultural hemp seed.

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

8 SECTION ~~<49>~~[21]. IC 15-15-13-6, AS AMENDED BY
9 P.L.190-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: Sec. 6. As used in this chapter, "hemp"
11 means the plant ~~Cannabis sativa L.~~ and any part of that plant, including
12 the seeds thereof and all derivatives; extracts; cannabinoids; isomers;
13 acids; salts; and salts of isomers; whether growing or not; with a
14 delta-9-tetrahydrocannabinol concentration of not more than
15 three-tenths of one percent (0.3%) on a dry weight basis; for any part
16 of the ~~Cannabis sativa L.~~ plant. **has the meaning set forth in
17 IC 35-48-8-3.**

18 SECTION 2~~<0>~~[2]. IC 15-15-13-6.3 IS ADDED TO THE
19 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2026]: Sec. 6.3. As used in this chapter,
21 "remediate" means the process of rendering noncompliant hemp
22 compliant by:

- 23 (1) removing and destroying flower material, while retaining
24 stalk, stems, leaf material, and seeds; or
- 25 (2) shredding the entire plant into a biomass like material,
26 then retesting the shredded biomass material for compliance.

27 SECTION 2~~<4>~~[3]. IC 15-15-13-6.5, AS AMENDED BY
28 P.L.186-2025, SECTION 104, IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. As used in this
30 chapter, "hemp **derived cannabinoid product**" means a product
31 derived from; or made by; processing hemp plants or plant parts
32 including derivatives, extracts, cannabinoids, isomers, acids, salts, and
33 salts of isomers. However, the term does not include:

- 34 (1) smokable hemp (as defined by IC 35-48-1.1-38); or
- 35 (2) products that contain a total delta-9-tetrahydrocannabinol
36 concentration of more than three-tenths of one percent (0.3%) by
37 weight. **has the meaning set forth in IC 35-48-8-4.**

38 SECTION 2~~<2>~~[4]. IC 15-15-13-6.6 IS ADDED TO THE
39 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2026]: Sec. 6.6. ~~<(a)>~~ As used in this chapter,
41 "**industrial hemp**" has the meaning set forth in IC 35-48-8-5.

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

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1 > SECTION 2<3>[5]. IC 15-15-13-6.7 IS ADDED TO THE
 2 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2026]: **Sec. 6.7. As used in this chapter,**
 4 **"industrial hemp production site" means a location where**
 5 **industrial hemp may be processed, stored, staged, delivered, or**
 6 **received.**

7 SECTION 2<4>[6]. IC 15-15-13-6.8 IS ADDED TO THE
 8 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2026]: **Sec. 6.8. As used in this chapter,**
 10 **"licensee" means a person who is licensed by the state seed**
 11 **commissioner under this chapter including:**

- 12 (1) a grower;
 13 (2) a handler; or
 14 (3) a grower and a handler.

15 SECTION 2<5>[7]. IC 15-15-13-6.9 IS ADDED TO THE
 16 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: **Sec. 6.9. As used in this chapter, "lot"**
 18 **means a contiguous area in a field, greenhouse, or indoor growing**
 19 **structure containing the same variety or strain of cannabis**
 20 **throughout the area.**

21 SECTION 2<6>[8]. IC 15-15-13-7, AS AMENDED BY
 22 P.L.190-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2026]: **Sec. 7. (a) Subject to section 15 of this**
 24 **chapter, the production of, possession of, scientific study of, and**
 25 **commerce in hemp and industrial hemp is authorized in Indiana.**
 26 **Hemp is subject to regulation by the state seed commissioner. The state**
 27 **seed commissioner shall adopt rules to oversee the licensing,**
 28 **production, and management of:**

- 29 (1) hemp; and
 30 (2) agricultural hemp seed: **implement this chapter.**

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

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

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

SB 250—LS 7117/DI 107



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- 1 **(2) A hemp handler's license, to a person who transports**
 2 **industrial hemp, in any quantity, stage, and for any purpose.**
 3 **(d) A hemp handler is exempt from having to obtain a carrier**
 4 **permit under IC 7.1-8-12.**
 5 **(e) The state seed commissioner may issue both licenses listed**
 6 **under subsection (c) to the same person. The possession of one (1)**
 7 **license does not mean a person possesses the other license.**
 8 **(f) A hemp grower's or hemp handler's license does not allow**
 9 **the person holding the license to produce hemp derived**
 10 **cannabinoid products under IC 7.1-8.**
 11 **(g) An application for a hemp license or agricultural hemp seed**
 12 **production license under this chapter must include the following:**
 13 **(1) The name and address of the applicant.**
 14 **(2) The name and address of the hemp operation business of the**
 15 **applicant.**
 16 **(3) The global positioning system coordinates, including the**
 17 **geospatial decimal format, and legal description of the property**
 18 **used for the hemp operation, following:**
 19 **(A) Site by field.**
 20 **(B) Storage site.**
 21 **(C) Receiving site.**
 22 **(D) Staging site.**
 23 **(E) Sites similar to the sites listed in clauses (A) through**
 24 **(D).**
 25 **(4) If the hemp license or agricultural hemp seed production**
 26 **license application is made by a grower, the acreage size of the**
 27 **field where the hemp will be grown.**
 28 **(5) A statement signed by the applicant, under penalty of perjury,**
 29 **that the person applying for the hemp license or agricultural**
 30 **hemp seed production license has not been convicted, of a drug**
 31 **related felony or misdemeanor in the previous ten (10) within**
 32 **five (5) years of the application date, of:**
 33 **(A) a federal crime having a sentence of at least one (1)**
 34 **year;**
 35 **(B) a felony drug related misdemeanor under Indiana**
 36 **law; or**
 37 **(C) a crime in a state other than Indiana having a**
 38 **penalty equal to the penalty for a felony;**
 39 **for which the applicant's conviction has not been expunged**
 40 **under IC 35-38-9.**
 41 **(6) A written consent allowing the state police department to**
 42 **conduct a state or national criminal history background check.**

SB 250—LS 7117/DI 107



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(7) A written consent **that the applicant expressly consents for a one (1) year duration and for an additional one (1) year after the applicant's permit expires** allowing to allow the state police department, the state seed commissioner, or the state seed commissioner's authorized representative, if a license is issued to the applicant; **upon the issuance of a license to the applicant**, to conduct aerial inspections and to enter the premises on which the hemp is grown to conduct physical inspections of hemp planted and grown by the applicant, and to ensure the plants meet the definition of hemp as set forth in section 6 of this chapter.

(8) ~~A nonrefundable application fee, which must include the amount necessary to conduct a state or national criminal history background check, in an amount determined by the state seed commissioner.~~

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

(9) A crop testing plan that includes:

- (A) regular monitoring by the grower or receiving handler of the crop during growth; and**
- (B) a plan to take the crop down if the crop trends in exceedance of the acceptable THC level.**

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

- (A) CBD;**
- (B) fiber;**
- (C) grain;**
- (D) oil; or**
- (E) hemp derived cannabinoid products.**

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

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

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

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

(15) If the applicant is growing industrial hemp, the

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- 1 **applicant must include the location of the industrial hemp**
- 2 **production site including the county and geospatial location**
- 3 **coordinates in decimal format.**
- 4 ~~(9)~~ **(16)** Any other information required by the state seed
- 5 commissioner.
- 6 **(h) Except as provided in subsection (g), a business making an**
- 7 **application for a hemp license must also identify the key**
- 8 **individuals in the business including:**
- 9 **(1) a sole proprietor;**
- 10 **(2) a partner in partnership; and**
- 11 **(3) an individual with executive managerial control in the**
- 12 **business or corporation including a:**
- 13 **(A) chief executive officer;**
- 14 **(B) chief operating officer; or**
- 15 **(C) a chief financial officer.**
- 16 **(i) An individual described in subsection (h) must also submit**
- 17 **a criminal background check.**
- 18 **(j) A key individual does not include nonexecutive managers**
- 19 **including farm, field, or shift managers.**
- 20 **(k) If an applicant fails to provide a report under subsection**
- 21 **(g)(13), the state seed commissioner shall deny the applicant's**
- 22 **request for a license renewal.**
- 23 **(l) The state seed commissioner shall assess a nonrefundable**
- 24 **fee of five hundred dollars (\$500) for an applicant.**
- 25 **(m) The state seed commissioner may assess a fee of one**
- 26 **hundred dollars (\$100), on behalf of the state police department, to**
- 27 **conduct criminal background checks on an applicant.**
- 28 SECTION 2~~7~~⁹. IC 15-15-13-7.5 IS ADDED TO THE
- 29 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
- 30 [EFFECTIVE JULY 1, 2026]: **Sec. 7.5. The state seed commissioner**
- 31 **may not issue a license under this chapter to an individual who:**
- 32 **(1) does not provide the required information under section**
- 33 **7 of this chapter;**
- 34 **(2) is less than twenty-one (21) years of age;**
- 35 **(3) is not registered with the secretary of state to do business**
- 36 **in Indiana;**
- 37 **(4) does not have lawful status, as defined in IC 9-13-2-92.3;**
- 38 **(5) has been convicted within five (5) years of the application**
- 39 **date of:**
- 40 **(A) a federal crime having a sentence of at least one (1)**
- 41 **year;**
- 42 **(B) a felony or a drug related misdemeanor under**

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1 **Indiana law; or**
 2 **(C) a crime in a state other than Indiana having a**
 3 **penalty equal to the penalty for a felony;**
 4 **and the conviction has not been expunged under IC 35-38-9;**
 5 **or**
 6 **(6) is non compos mentis.**
 7 SECTION ~~28~~ **[30]**. IC 15-15-13-7.6 IS ADDED TO THE
 8 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2026]: **Sec. 7.6. (a) A licensee shall ensure**
 10 **that their employees, volunteers, family members, or others**
 11 **servicing a hemp production site, and subject to the management**
 12 **of the licensee, comply with the requirements of Indiana law.**
 13 **(b) A licensee may not conduct any hemp activity on property**
 14 **owned by, leased from, or previously submitted in a hemp**
 15 **application by any person if the state seed commissioner denied the**
 16 **person's hemp license application or revoked the person's hemp**
 17 **license for any of the following reasons:**
 18 **(1) The failure to obtain a criminal background check.**
 19 **(2) The failure to comply with an order from the state seed**
 20 **commissioner.**
 21 **(c) A licensee must report hemp crop acreage to the Farm**
 22 **Services Agency (FSA) and to the Agricultural Marketing Service,**
 23 **including the following:**
 24 **(1) Street address, if available, and geospatial location for**
 25 **each production or grow site where hemp will be grown or**
 26 **handled.**
 27 **(2) Outdoor acreage or indoor square footage dedicated to**
 28 **the growing of hemp.**
 29 **(3) License number of the grower.**
 30 **(4) The purpose of the crop as fiber, grain, CBD, or another**
 31 **specified use.**
 32 **(d) A grower who is aware that a hemp crop grown under**
 33 **their license exceeds the acceptable hemp THC level, whether**
 34 **notified by the state seed commissioner or not, must:**
 35 **(1) secure the crop;**
 36 **(2) harvest the crop within thirty (30) days of sampling;**
 37 **(3) transport the crop to a state seed commissioner approved**
 38 **Indiana reverse distributor;**
 39 **(4) remediate the crop under the direction and supervision of**
 40 **the state seed commissioner's office;**
 41 **(5) dispose of the crop in a designated site in a manner that**
 42 **complies with local and state burn laws; and**

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SB 250—LS 7117/DI 107



- 1 **(6) verify the disposal of the crop with the state seed**
- 2 **commissioner.**
- 3 **(e) If a grower remediates a crop under this section, the**
- 4 **grower must have the crop tested for THC concentration levels and**
- 5 **send the results to the state seed commissioner. A crop may only**
- 6 **enter the stream of commerce if the hemp is below the acceptable**
- 7 **THC concentration levels.**
- 8 **(f) A grower must report to the state seed commissioner if the**
- 9 **purpose of the crop changes, or if a different varietal is used, ten**
- 10 **(10) days after the receipt of seed or clones.**
- 11 SECTION ~~29~~ **[31]**. IC 15-15-13-8, AS AMENDED BY
- 12 P.L.156-2020, SECTION 62, IS AMENDED TO READ AS
- 13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. ~~(a) Each license~~
- 14 ~~application received under this chapter must be processed as follows:~~
- 15 ~~(1) (a) Upon receipt of a license application, the state seed~~
- 16 ~~commissioner shall do one (1) of the following:~~
- 17 ~~(A) forward a copy of the application to the state police~~
- 18 ~~department. The state police department shall do the following:~~
- 19 ~~(i) (1) Perform a state or national criminal history background~~
- 20 ~~check of the applicant.~~
- 21 ~~(ii) (2) Determine if the requirements under section 7(c)(5)~~
- 22 ~~7(g)(5) of this chapter concerning prior criminal convictions~~
- 23 ~~have been met.~~
- 24 ~~(iii) (3) Return the application to the state seed commissioner~~
- 25 ~~along with the state police department's determinations and a~~
- 26 ~~copy of the state or national criminal history background check.~~
- 27 ~~(B) Do the following:~~
- 28 ~~(i) Perform a state or national criminal history~~
- 29 ~~background check of the applicant under the same~~
- 30 ~~standards as the state police department would~~
- 31 ~~perform.~~
- 32 ~~(ii) Determine if the requirements under section 7(c)(5)~~
- 33 ~~of this chapter concerning prior criminal convictions~~
- 34 ~~have been met.~~
- 35 ~~(2) (b) The state seed commissioner shall review the license~~
- 36 ~~application and the criminal history background check.~~
- 37 ~~(b) (c) If the state seed commissioner determines that all the~~
- 38 ~~requirements under this chapter have been met and that a license~~
- 39 ~~should be granted to the applicant, the state seed commissioner shall~~
- 40 ~~approve the application for issuance of a license.~~
- 41 **(d) The state seed commissioner must approve an application**
- 42 **before an applicant can conduct any hemp activity.**

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SB 250—LS 7117/DI 107



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1 (c) (e) A hemp license or agricultural hemp seed production
2 license under this chapter expires on December 31 of the year for
3 which the license was issued, unless revoked. A hemp license or
4 agricultural hemp seed production license may be renewed in
5 accordance with rules adopted by the state seed commissioner and is
6 nontransferable:

7 (f) A license is nontransferable.

8 (g) A license may be renewed annually.

9 SECTION 3-~~2~~[2]. IC 15-15-13-9, AS AMENDED BY
10 P.L.190-2019, SECTION 10, IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) An agricultural
12 hemp seed production license issued under this chapter authorizes a
13 grower or handler to produce and handle agricultural hemp seed for
14 sale to licensed hemp growers and handlers. A seller of agricultural
15 hemp seed shall ensure that the seed complies with any standards set
16 by the state seed commissioner. The state seed commissioner shall
17 make available to growers information that identifies sellers of
18 agricultural hemp seed:

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

21 (c) (b) All growers and handlers must keep All records in
22 accordance with rules adopted by the state seed commissioner: **related**
23 **to hemp, industrial hemp, and agricultural hemp seed must be**
24 **retained by the state seed commissioner, an applicant, and a**
25 **licensee for at least five (5) years.** Upon at least three (3) days notice,
26 the state seed commissioner may audit the required records during
27 normal business hours. The state seed commissioner may conduct an
28 **audit periodic audits on a licensee** for the purpose of ensuring
29 compliance with:

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

34 (d) ~~In addition to an audit conducted in accordance with~~
35 ~~subsection (c);~~ The state seed commissioner may inspect
36 independently, or in cooperation with the state police department, a
37 federal law enforcement agency, or a local law enforcement agency,
38 any hemp crop during the crop's growth phase and take a representative
39 composite sample for field analysis. If a crop contains an average
40 ~~delta-9-tetrahydrocannabinol~~ **total tetrahydrocannabinol** (THC)
41 concentration exceeding three-tenths of one percent (0.3%) on a dry
42 weight basis, the state seed commissioner may detain, seize, or

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1 embargo the crop.
 2 (e) The state seed commissioner may revoke a license issued under
 3 this chapter to a person that fails to cooperate with:
 4 (1) the state seed commissioner;
 5 (2) the state police;
 6 (3) a federal law enforcement agency; ~~or~~
 7 (4) a local law enforcement agency; **or**
 8 **(5) a person making an official inspection or taking of a**
 9 **sample of a hemp crop during the crop's growth phase.**
 10 ~~in an inspection; or in the taking of a sample, under subsection (d)-~~
 11 **(f) The state seed commissioner may revoke the license of a**
 12 **licensee that grows, sells, or distributes hemp for the following:**
 13 **(1) The licensee has not:**
 14 **(A) complied with the requirements under this chapter;**
 15 **or**
 16 **(B) submitted reports required by the state seed**
 17 **commissioner.**
 18 **(2) The licensee falsified information.**
 19 **(3) The licensee failed to follow labeling requirements.**
 20 **(4) The licensee is convicted of violating any Indiana law.**
 21 **(g) If the state seed commissioner revokes a license, the state**
 22 **seed commissioner shall issue a letter within ten (10) business days**
 23 **to the licensee concerning the revocation.**
 24 ~~(f)~~ **(h)** A failure to cooperate described in subsection (e)
 25 constitutes probable cause for the state seed commissioner, state police,
 26 federal law enforcement agency, or local law enforcement agency to
 27 search the premises of the licensee's hemp operation.
 28 ~~(g)~~ **(i)** If the state police department, a federal law enforcement
 29 agency, or a local law enforcement agency cooperates with the state
 30 seed commissioner in the detention, seizure, or embargo of a crop
 31 under this section:
 32 (1) the state police department, federal law enforcement agency,
 33 or local law enforcement agency; and
 34 (2) any officer or employee of the state police department,
 35 federal law enforcement agency, or local law enforcement
 36 agency who is involved in the detention, seizure, or embargo;
 37 is immune from civil liability for the detention, seizure, or embargo.
 38 ~~(h)~~ **(j)** The state seed commissioner may order a hemp crop that is
 39 detained, seized, or embargoed for noncompliance with this chapter to
 40 be destroyed by the owner. However, except as prohibited by federal
 41 law, the grower may appeal to the state seed commissioner for the
 42 hemp crop to be diverted to a willing licensed processor for processing

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1 and sale for industrial use. A hemp crop that is detained, seized, or
2 embargoed may not be used for cannabidiol, other extracts, oil, food,
3 or cosmetic products that are used for humans or animals.

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

6 SECTION 3-~~4~~[3]. IC 15-15-13-9.5, AS ADDED BY
7 P.L.190-2019, SECTION 11, IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.5. (a) A person who
9 is a handler licensed under this section may distribute clones and other
10 nonseed propagative materials of a hemp plant using the person's own
11 labeling, if the distributor does the following:

- 12 (1) Complies with the requirements of this chapter.
- 13 (2) Reports the variety and quantity of each variety of the
- 14 propagative material of plant sold.
- 15 (3) Pays the inspection fee on the basis of the report.
- 16 (4) Labels the propagative material with the information required
- 17 by the state seed commissioner.
- 18 (5) Keeps records to accurately determine the named varieties
- 19 and the number of plants of each variety distributed.
- 20 (6) Grants the state seed commissioner or the state seed
- 21 commissioner's authorized representative access to examine the
- 22 handler's records and verify the quantity and each variety of
- 23 propagative material distributed.
- 24 (7) Report, under oath, to the state seed commissioner on forms
- 25 furnished by the state seed commissioner each variety and
- 26 quantity of propagative material sold during each semiannual
- 27 period.
- 28 (8) Any other information or conditions stated in the application.

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

- 31 (1) That the licensee has not complied with the requirements
- 32 under this chapter.
- 33 (2) The report required in subsection (a) has not been submitted
- 34 and is more than ten (10) days late.
- 35 (3) The report required in subsection (a) contained false
- 36 information.
- 37 (4) The labeling requirements under this chapter have not been
- 38 met.

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

41 (d) Each year the:

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

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(2) inspection fees required under this chapter; for the period beginning on January 1 and ending on June 30 and for the period beginning on July 1 and ending on December 31 are due not more than thirty (30) days after the end of the semiannual period.

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

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

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

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

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

SECTION 3 ~~4~~ [4]. IC 15-15-13-10 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 10.~~ The amount of any fees charged growers and handlers by the state seed commissioner under this chapter must be sufficient to cover the cost of the administration of this chapter, including the cost of conducting audits and testing.

SECTION 3 ~~4~~ [5]. IC 15-15-13-10.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 10.1. (a) A licensee shall pay an annual fee of ten thousand dollars (\$10,000) for a license issued under this chapter.**

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

SECTION 3 ~~4~~ [6]. IC 15-15-13-11, AS AMENDED BY P.L.190-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 11. (a) Only a hemp handler licensee the licensee's designee, or the licensee's agents may be permitted to transport industrial hemp off a production site. When transporting industrial hemp off the production site, the hemp handler licensee [] designee, or agent shall have in the licensee's, designee's, or agent's their possession the licensing documents from the state seed commissioner evidencing that the industrial hemp is from certified seed produced by a licensed grower.**

(b) The state seed commissioner shall include:

SB 250—LS 7117/DI 107



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- 1 **(1) the license number of the grower that produced the**
- 2 **hemp; and**
- 3 **(2) the license number of the hemp handler;**
- 4 **in the licensing documents described in subsection (a).**

5 SECTION 3 ~~5~~ [7]. IC 15-15-13-12, AS AMENDED BY
 6 P.L.156-2020, SECTION 63, IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. The state seed
 8 commissioner is responsible for the following:

- 9 (1) Monitoring the hemp grown by any **hemp grower** license
 10 holder.
- 11 (2) Conducting random testing of the hemp for compliance with
 12 tetrahydrocannabinol (THC) levels. The state seed commissioner
 13 may enter into agreements with one (1) or more laboratories
 14 selected by the Indiana state police department to perform
 15 testing under this subdivision.
- 16 (3) Establishing necessary testing criteria and protocols,
 17 including a procedure for testing, using post decarboxylation or
 18 other similarly reliable methods, for
 19 ~~delta-9-tetrahydrocannabinol~~ **tetrahydrocannabinol**
 20 concentration levels of the hemp produced.
- 21 (4) Establishing the minimum number of acres to be planted
 22 under each license issued under this chapter.
- 23 (5) Regulating any propagative material of a hemp plant.

24 SECTION 3 ~~6~~ [8]. IC 15-15-13-13, AS AMENDED BY
 25 P.L.190-2019, SECTION 14, IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) Subject to
 27 section 13.5 of this chapter, in addition to any other liability or penalty
 28 provided by law, the state seed commissioner may revoke or refuse to
 29 issue or renew a hemp license or an agricultural hemp seed production
 30 license and may impose a civil penalty for a violation of:

- 31 (1) a license requirement;
- 32 (2) license terms or conditions; **or**
- 33 (3) a rule relating to growing or handling hemp. **or**
- 34 ~~(4) section 19 of this chapter.~~
- 35 (b) The state seed commissioner may not impose a civil penalty
 36 under this section that exceeds two thousand five hundred dollars
 37 (\$2,500).
- 38 (c) The state seed commissioner may revoke or refuse to issue or
 39 renew a hemp license or an agricultural hemp seed production license
 40 for a violation of any rule of the state seed commissioner that pertains
 41 to agricultural operations or activities other than hemp growing or
 42 handling.

SB 250—LS 7117/DI 107



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1 (d) Any civil penalties collected under this section shall be
2 transferred to the Indiana state department of agriculture and used for
3 hemp marketing and research purposes. **retained by the state seed
4 commissioner to pay expenses to implement this chapter.**

5 (e) In addition to payment of any civil penalty imposed under this
6 section, a person who commits a violation described in subsection (a)
7 shall reimburse the state seed commissioner for any costs incurred by
8 the state seed commissioner for laboratory testing of material
9 pertaining to the violation.

10 SECTION 3~~8~~[9]. IC 15-15-13-13.5, AS AMENDED BY
11 P.L.156-2020, SECTION 64, IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.5. (a) Except as
13 provided in subsection (b), the state seed commissioner shall give a
14 person who negligently violates this chapter a ~~reasonable time,~~
15 ~~determined by the state seed commissioner,~~ **ten (10) days** to correct the
16 violation without imposing a penalty under section 13 of this chapter.
17 However, the state seed commissioner may require the person who
18 committed the violation to comply with a corrective action plan
19 determined by the state seed commissioner and report to the state seed
20 commissioner on compliance with the corrective action plan.

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

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

- 27 (1) the superintendent of the state police department; ~~and~~
- 28 **(2) the sheriff of the county in which the violation occurred;**
- 29 **and**
- 30 ~~(2)~~ **(3) the prosecuting attorney of the county in which the**
31 **violation occurred;**
- 32 **of the violation within forty-eight (48) hours of making the**
33 **determination.**

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

37 SECTION ~~38~~[40]. IC 15-15-13-15, AS AMENDED BY
38 P.L.190-2019, SECTION 17, IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. **(a)** Before
40 ~~December 31, 2019,~~ **July 1, 2027,** the state seed commissioner, after
41 consultation with the governor, the director of the state department of
42 agriculture, and the superintendent of the state police department, shall

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SB 250—LS 7117/DI 107



1 submit a **an updated** plan that monitors and regulates the production
2 of hemp to the United States Department of Agriculture. ~~If the United~~
3 ~~States Department of Agriculture disapproves the plan, the state seed~~
4 ~~commissioner shall submit an amended plan to the United States~~
5 ~~Department of Agriculture.~~

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

9 SECTION ~~39~~[41]. IC 15-15-13-16, AS AMENDED BY
10 P.L.29-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The state seed commissioner
12 shall pay all fees collected under this chapter to the treasurer of Purdue
13 University.

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

- 17 (1) The employment of inspectors and seed analysts.
- 18 (2) Procuring samples.
- 19 (3) Printing bulletins giving the results of inspection.
- 20 (4) Any other expenses of the Purdue University agricultural
- 21 programs authorized by law and for implementing this chapter.

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

- 25 (1) governor;
- 26 (2) legislative council; and
- 27 (3) budget committee;

28 in such form as the state board of accounts requires, showing the total
29 receipts and expenditures of all fees received under this chapter, **by**
30 **December 31 of each year. The report must also include general**
31 **information regarding how many licenses are issued under this**
32 **chapter and how many acres of land are used in hemp production**
33 **under this chapter.** The budget committee shall review this report
34 annually.

35 (d) Excess funds from the collection of fees under this chapter are
36 subject to IC 15-16-2-36.

37 SECTION 4~~2~~[2]. IC 15-15-13-18 IS REPEALED [EFFECTIVE
38 JULY 1, 2026]. Sec. 18: (a) A person who sells hemp in Indiana must:

- 39 (1) be licensed in Indiana and in the jurisdiction where the hemp
40 was grown; and
- 41 (2) provide the buyer with a receipt that contains the seller's
42 name, place of business, and license number and quantity of

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1 hemp-sold.

2 (b) A person who buys hemp in Indiana must retain the receipt
3 described in subsection (a)(2) for a period of two (2) years:

4 SECTION 4~~4~~[3]. IC 15-15-13-19 IS REPEALED [EFFECTIVE
5 JULY 1, 2026]. Sec. 19: (a) Hemp bud (as defined in IC 35-48-1.1-23)
6 and hemp flower (as defined in IC 35-48-1.1-24) may be sold only to
7 a processor licensed under this chapter:

8 (b) The state seed commissioner may impose a civil penalty under
9 section 13 of this chapter for a violation of subsection (a):

10 SECTION 4~~4~~[4]. IC 15-15-13-19.1 IS ADDED TO THE
11 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: **Sec. 19.1. An industrial hemp product**
13 **that is manufactured into a hemp derived cannabinoid product as**
14 **defined in IC 35-48-8-4, is subject to IC 7.1-8 and not this chapter.**

15 SECTION 4~~4~~[5]. IC 15-15-13-21 IS REPEALED [EFFECTIVE
16 JULY 1, 2026]. Sec. 21: A county, city, town, or township may not
17 adopt or enforce an ordinance restricting or regulating:

- 18 (1) the growth, production, or processing of hemp; or
19 (2) any subject regulated by this chapter.

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

- 28 (1) engaged in or knowingly cooperated in fraud or material
29 deception in order to obtain a certificate or license, including
30 cheating on a certification or licensure examination;
31 (2) engaged in fraud or material deception in the course of
32 professional services or activities;
33 (3) advertised services or goods in a false or misleading manner;
34 (4) falsified or knowingly allowed another person to falsify
35 attendance records or certificates of completion of continuing
36 education courses required under this article or rules adopted
37 under this article;
38 (5) is convicted of a crime, if the act that resulted in the
39 conviction has a direct bearing on determining if the certificate
40 holder or license holder should be entrusted to provide
41 emergency medical services;
42 (6) is convicted of violating IC 9-19-14.5;

SB 250—LS 7117/DI 107



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

SB 250—LS 7117/DI 107



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

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

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

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

10 (4) Issuance of a letter of reprimand.

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

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

15 (B) If the certificate holder or license holder fails to pay the
 16 civil penalty within the time specified by the department of
 17 homeland security, the department of homeland security
 18 may suspend the certificate holder's certificate or license
 19 holder's license without additional proceedings.

20 (6) Placement of a certificate holder or license holder on
 21 probation status and requirement of the certificate holder or
 22 license holder to:

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

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

27 (C) continue or renew professional education approved by
 28 the department of homeland security until a satisfactory
 29 degree of skill has been attained in those areas that are the
 30 basis of the probation; or

31 (D) perform or refrain from performing any acts, including
 32 community restitution or service without compensation, that
 33 the department of homeland security considers appropriate
 34 to the public interest or to the rehabilitation or treatment of
 35 the certificate holder or license holder.

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

41 (c) If an applicant or a certificate holder or license holder has
 42 engaged in or knowingly cooperated in fraud or material deception to

SB 250—LS 7117/DI 107



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1 obtain a certificate or license, including cheating on the certification or
 2 licensure examination, the department of homeland security may
 3 rescind the certificate or license if it has been granted, void the
 4 examination or other fraudulent or deceptive material, and prohibit the
 5 applicant from reapplying for the certificate or license for a length of
 6 time established by the department of homeland security.

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

16 (e) The department of homeland security may order a certificate
 17 holder or license holder to submit to a reasonable physical or mental
 18 examination if the certificate holder's or license holder's physical or
 19 mental capacity to practice safely and competently is at issue in a
 20 disciplinary proceeding. Failure to comply with a department of
 21 homeland security order to submit to a physical or mental examination
 22 makes a certificate holder or license holder liable to temporary
 23 suspension under subsection (i).

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

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

- 36 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 37 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 38 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~
 39 IC 35-48-4-7(b).
- 40 (4) Fraudulently obtaining a controlled substance under
 41 ~~IC 35-48-4-7(c)~~ IC 35-48-4-7(d).
- 42 (5) Manufacture of paraphernalia as a Class D felony (for a

SB 250—LS 7117/DI 107



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- 1 crime committed before July 1, 2014) or Level 6 felony (for a
 2 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).
 3 (6) Dealing in paraphernalia as a Class D felony (for a crime
 4 committed before July 1, 2014) or Level 6 felony (for a crime
 5 committed after June 30, 2014) under IC 35-48-4-8.5(b).
 6 (7) Possession of paraphernalia as a Class D felony (for a crime
 7 committed before July 1, 2014) or Level 6 felony (for a crime
 8 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
 9 its amendment on July 1, 2015).
 10 (8) Possession of marijuana, hash oil, hashish, or salvia as a
 11 Class D felony (for a crime committed before July 1, 2014) or
 12 Level 6 felony (for a crime committed after June 30, 2014) under
 13 IC 35-48-4-11.
 14 (9) A felony offense under IC 35-48-4 involving:
 15 (A) possession of a synthetic drug (as defined in
 16 IC 35-31.5-2-321);
 17 (B) possession of a synthetic drug lookalike substance (as
 18 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,
 19 2019)) as a:
 20 (i) Class D felony (for a crime committed before July
 21 1, 2014); or
 22 (ii) Level 6 felony (for a crime committed after June
 23 30, 2014);
 24 under IC 35-48-4-11.5 (before its repeal on July 1, 2019);
 25 or
 26 (C) possession of a controlled substance analog (as defined
 27 in IC 35-48-1.1-8).
 28 (10) Maintaining a common nuisance under IC 35-48-4-13
 29 (repealed) or IC 35-45-1-5, if the common nuisance involves a
 30 controlled substance.
 31 (11) An offense relating to registration, labeling, and
 32 prescription forms under IC 35-48-4-14.
 33 (h) A decision of the department of homeland security under
 34 subsections (b) through (g) may be appealed to the commission under
 35 IC 4-21.5-3-7.
 36 (i) The department of homeland security may temporarily suspend
 37 a certificate holder's certificate or license holder's license under
 38 IC 4-21.5-4 before a final adjudication or during the appeals process if
 39 the department of homeland security finds that a certificate holder or
 40 license holder would represent a clear and immediate danger to the
 41 public's health, safety, or property if the certificate holder or license
 42 holder were allowed to continue to practice.

SB 250—LS 7117/DI 107



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

6 (k) The department of homeland security shall conduct a
 7 factfinding investigation as the department of homeland security
 8 considers proper in relation to the complaint.

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

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

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

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

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

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

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

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

38 SECTION 4 ~~5~~ [7]. IC 22-15-5-16, AS AMENDED BY
 39 P.L.186-2025, SECTION 123, IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) A practitioner
 41 shall comply with the standards established under this licensing
 42 program. A practitioner is subject to the exercise of the disciplinary

SB 250—LS 7117/DI 107



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1 sanctions under IC 22-12-7-7 if the department finds that a practitioner
2 has:

3 (1) engaged in or knowingly cooperated in fraud or material
4 deception in order to obtain a license to practice, including
5 cheating on a licensing examination;

6 (2) engaged in fraud or material deception in the course of
7 professional services or activities;

8 (3) advertised services or goods in a false or misleading manner;

9 (4) falsified or knowingly allowed another person to falsify
10 attendance records or certificates of completion of continuing
11 education courses provided under this chapter;

12 (5) been convicted of a crime that has a direct bearing on the
13 practitioner's ability to continue to practice competently;

14 (6) knowingly violated a state statute or rule or federal statute or
15 regulation regulating the profession for which the practitioner is
16 licensed;

17 (7) continued to practice although the practitioner has become
18 unfit to practice due to:

19 (A) professional incompetence;

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 severe dependency on alcohol
24 or other drugs that endanger the public by impairing a
25 practitioner's ability to practice safely;

26 (8) engaged in a course of lewd or immoral conduct in
27 connection with the delivery of services to the public;

28 (9) allowed the practitioner's name or a license issued under this
29 chapter to be used in connection with an individual or business
30 who renders services beyond the scope of that individual's or
31 business's training, experience, or competence;

32 (10) had disciplinary action taken against the practitioner or the
33 practitioner's license to practice in another state or jurisdiction
34 on grounds similar to those under this chapter;

35 (11) assisted another person in committing an act that would
36 constitute a ground for disciplinary sanction under this chapter;
37 or

38 (12) allowed a license issued by the department to be:

39 (A) used by another person; or

40 (B) displayed to the public when the license has expired, is
41 inactive, is invalid, or has been revoked or suspended.

42 For purposes of subdivision (10), a certified copy of a record of

SB 250—LS 7117/DI 107



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1 disciplinary action constitutes prima facie evidence of a disciplinary
2 action in another jurisdiction.

3 (b) If an applicant or a practitioner has engaged in or knowingly
4 cooperated in fraud or material deception to obtain a license to
5 practice, including cheating on the licensing examination, the
6 department may rescind the license if it has been granted, void the
7 examination or other fraudulent or deceptive material, and prohibit the
8 applicant from reapplying for the license for a length of time
9 established by the department.

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

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

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

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

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

SB 250—LS 7117/DI 107



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- 1 committed before July 1, 2014) or a Level 6 felony (for a crime
- 2 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 3 (7) Possession of paraphernalia as a Class D felony (for a crime
- 4 committed before July 1, 2014) or a Level 6 felony (for a crime
- 5 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
- 6 its amendment on July 1, 2015).
- 7 (8) Possession of marijuana, hash oil, hashish, or salvia as a
- 8 Class D felony (for a crime committed before July 1, 2014) or a
- 9 Level 6 felony (for a crime committed after June 30, 2014) under
- 10 IC 35-48-4-11.
- 11 (9) A felony offense under IC 35-48-4 involving possession of a
- 12 synthetic drug (as defined in IC 35-31.5-2-321), possession of a
- 13 controlled substance analog (as defined in IC 35-48-1.1-8), or
- 14 possession of a synthetic drug lookalike substance (as defined in
- 15 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:
- 16 (A) Class D felony for a crime committed before July 1,
- 17 2014; or
- 18 (B) Level 6 felony for a crime committed after June 30,
- 19 2014;
- 20 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 21 (10) Maintaining a common nuisance under IC 35-48-4-13
- 22 (repealed) or IC 35-45-1-5, if the common nuisance involves a
- 23 controlled substance.
- 24 (11) An offense relating to registration, labeling, and
- 25 prescription forms under IC 35-48-4-14.
- 26 (g) The department shall deny, revoke, or suspend a license issued
- 27 under this chapter if the individual who holds the license is convicted
- 28 of any of the following:
- 29 (1) Dealing in a controlled substance resulting in death under
- 30 IC 35-42-1-1.5.
- 31 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 32 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 33 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 34 (5) Dealing in a schedule I, II, or III controlled substance under
- 35 IC 35-48-4-2.
- 36 (6) Dealing in a schedule IV controlled substance under
- 37 IC 35-48-4-3.
- 38 (7) Dealing in a schedule V controlled substance under
- 39 IC 35-48-4-4.
- 40 (8) Dealing in a substance represented to be a controlled
- 41 substance under IC 35-48-4-4.5 (repealed).
- 42 (9) Knowingly or intentionally manufacturing, advertising,

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SB 250—LS 7117/DI 107



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

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SB 250—LS 7117/DI 107



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- 1 amount assessed. The costs are limited to costs for the following:
- 2 (1) Court reporters.
- 3 (2) Transcripts.
- 4 (3) Certification of documents.
- 5 (4) Photo duplication.
- 6 (5) Witness attendance and mileage fees.
- 7 (6) Postage.
- 8 (7) Expert witnesses.
- 9 (8) Depositions.
- 10 (9) Notarizations.

11 SECTION 4~~6~~[8]. IC 24-4-21 IS REPEALED [EFFECTIVE
 12 JULY 1, 2026]. (Distribution of Low THC Hemp Extract).

13 SECTION 4~~7~~[9]. IC 24-4-22 IS REPEALED [EFFECTIVE
 14 JULY 1, 2026]. (Low THC Hemp Extract Sales).

15 SECTION ~~48~~[50]. IC 24-5-0.5-3, AS AMENDED BY
 16 P.L.104-2024, SECTION 42, IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A supplier may
 18 not commit an unfair, abusive, or deceptive act, omission, or practice
 19 in connection with a consumer transaction. Such an act, omission, or
 20 practice by a supplier is a violation of this chapter whether it occurs
 21 before, during, or after the transaction. An act, omission, or practice
 22 prohibited by this section includes both implicit and explicit
 23 misrepresentations.

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

- 28 (1) That such subject of a consumer transaction has sponsorship,
 29 approval, performance, characteristics, accessories, uses, or
 30 benefits it does not have which the supplier knows or should
 31 reasonably know it does not have.
- 32 (2) That such subject of a consumer transaction is of a particular
 33 standard, quality, grade, style, or model, if it is not and if the
 34 supplier knows or should reasonably know that it is not.
- 35 (3) That such subject of a consumer transaction is new or
 36 unused, if it is not and if the supplier knows or should reasonably
 37 know that it is not.
- 38 (4) That such subject of a consumer transaction will be supplied
 39 to the public in greater quantity than the supplier intends or
 40 reasonably expects.
- 41 (5) That replacement or repair constituting the subject of a
 42 consumer transaction is needed, if it is not and if the supplier

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SB 250—LS 7117/DI 107



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knows or should reasonably know that it is not.
(6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.
(7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.
(8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.
(9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.
(10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.
(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.
(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:
(A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;
(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);
(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750);

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SB 250—LS 7117/DI 107



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- 1 and
- 2 (D) the supplier knew or reasonably should have known that
- 3 the cost would exceed the estimate in the amounts specified
- 4 in clause (A).
- 5 (13) That the replacement or repair constituting the subject of a
- 6 consumer transaction is needed, and that the supplier disposes of
- 7 the part repaired or replaced earlier than seventy-two (72) hours
- 8 after both:
- 9 (A) the customer has been notified that the work has been
- 10 completed; and
- 11 (B) the part repaired or replaced has been made available
- 12 for examination upon the request of the customer.
- 13 (14) Engaging in the replacement or repair of the subject of a
- 14 consumer transaction if the consumer has not authorized the
- 15 replacement or repair, and if the supplier knows or should
- 16 reasonably know that it is not authorized.
- 17 (15) The act of misrepresenting the geographic location of the
- 18 supplier by listing an alternate business name or an assumed
- 19 business name (as described in IC 23-0.5-3-4) in a local
- 20 telephone directory if:
- 21 (A) the name misrepresents the supplier's geographic
- 22 location;
- 23 (B) the listing fails to identify the locality and state of the
- 24 supplier's business;
- 25 (C) calls to the local telephone number are routinely
- 26 forwarded or otherwise transferred to a supplier's business
- 27 location that is outside the calling area covered by the local
- 28 telephone directory; and
- 29 (D) the supplier's business location is located in a county
- 30 that is not contiguous to a county in the calling area covered
- 31 by the local telephone directory.
- 32 (16) The act of listing an alternate business name or assumed
- 33 business name (as described in IC 23-0.5-3-4) in a directory
- 34 assistance data base if:
- 35 (A) the name misrepresents the supplier's geographic
- 36 location;
- 37 (B) calls to the local telephone number are routinely
- 38 forwarded or otherwise transferred to a supplier's business
- 39 location that is outside the local calling area; and
- 40 (C) the supplier's business location is located in a county
- 41 that is not contiguous to a county in the local calling area.
- 42 (17) The violation by a supplier of IC 24-3-4 concerning

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SB 250—LS 7117/DI 107



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- 1 cigarettes for import or export.
- 2 (18) The act of a supplier in knowingly selling or reselling a
- 3 product to a consumer if the product has been recalled, whether
- 4 by the order of a court or a regulatory body, or voluntarily by the
- 5 manufacturer, distributor, or retailer, unless the product has been
- 6 repaired or modified to correct the defect that was the subject of
- 7 the recall.
- 8 (19) The violation by a supplier of 47 U.S.C. 227, including any
- 9 rules or regulations issued under 47 U.S.C. 227.
- 10 (20) The violation by a supplier of the federal Fair Debt
- 11 Collection Practices Act (15 U.S.C. 1692 et seq.), including any
- 12 rules or regulations issued under the federal Fair Debt Collection
- 13 Practices Act (15 U.S.C. 1692 et seq.).
- 14 **(21) A violation of IC 7.1-8 (concerning the manufacture,**
- 15 **distribution, and sale of hemp derived cannabinoid**
- 16 **products), as set forth in IC 7.1-8-20-5.**
- 17 ~~(21)~~ **(22)** A violation of IC 24-5-7 (concerning health spa
- 18 services), as set forth in IC 24-5-7-17.
- 19 ~~(22)~~ **(23)** A violation of IC 24-5-8 (concerning business
- 20 opportunity transactions), as set forth in IC 24-5-8-20.
- 21 ~~(23)~~ **(24)** A violation of IC 24-5-10 (concerning home consumer
- 22 transactions), as set forth in IC 24-5-10-18.
- 23 ~~(24)~~ **(25)** A violation of IC 24-5-11 (concerning real property
- 24 improvement contracts), as set forth in IC 24-5-11-14.
- 25 ~~(25)~~ **(26)** A violation of IC 24-5-12 (concerning telephone
- 26 solicitations), as set forth in IC 24-5-12-23.
- 27 ~~(26)~~ **(27)** A violation of IC 24-5-13.5 (concerning buyback motor
- 28 vehicles), as set forth in IC 24-5-13.5-14.
- 29 ~~(27)~~ **(28)** A violation of IC 24-5-14 (concerning automatic
- 30 dialing-announcing devices), as set forth in IC 24-5-14-13.
- 31 ~~(28)~~ **(29)** A violation of IC 24-5-15 (concerning credit services
- 32 organizations), as set forth in IC 24-5-15-11.
- 33 ~~(29)~~ **(30)** A violation of IC 24-5-16 (concerning unlawful motor
- 34 vehicle subleasing), as set forth in IC 24-5-16-18.
- 35 ~~(30)~~ **(31)** A violation of IC 24-5-17 (concerning environmental
- 36 marketing claims), as set forth in IC 24-5-17-14.
- 37 ~~(31)~~ **(32)** A violation of IC 24-5-19 (concerning deceptive
- 38 commercial solicitation), as set forth in IC 24-5-19-11.
- 39 ~~(32)~~ **(33)** A violation of IC 24-5-21 (concerning prescription
- 40 drug discount cards), as set forth in IC 24-5-21-7.
- 41 ~~(33)~~ **(34)** A violation of IC 24-5-23.5-7 (concerning real estate
- 42 appraisals), as set forth in IC 24-5-23.5-9.

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SB 250—LS 7117/DI 107



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- 1 ~~(34)~~ **(35)** A violation of IC 24-5-26 (concerning identity theft),
- 2 as set forth in IC 24-5-26-3.
- 3 ~~(35)~~ **(36)** A violation of IC 24-5.5 (concerning mortgage rescue
- 4 fraud), as set forth in IC 24-5.5-6-1.
- 5 ~~(36)~~ **(37)** A violation of IC 24-8 (concerning promotional gifts
- 6 and contests), as set forth in IC 24-8-6-3.
- 7 ~~(37)~~ **(38)** A violation of IC 21-18.5-6 (concerning
- 8 representations made by a postsecondary credit bearing
- 9 proprietary educational institution), as set forth in
- 10 IC 21-18.5-6-22.5.
- 11 ~~(38)~~ **(39)** A violation of IC 24-5-15.5 (concerning collection
- 12 actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.
- 13 ~~(39)~~ **(40)** A violation of IC 24-14 (concerning towing services),
- 14 as set forth in IC 24-14-10-1.
- 15 ~~(40)~~ **(41)** A violation of IC 24-5-14.5 (concerning misleading or
- 16 inaccurate caller identification information), as set forth in
- 17 IC 24-5-14.5-12.
- 18 ~~(41)~~ **(42)** A violation of IC 24-5-27 (concerning intrastate inmate
- 19 calling services), as set forth in IC 24-5-27-27.
- 20 ~~(42)~~ **(43)** A violation of IC 15-21 (concerning sales of dogs by
- 21 retail pet stores), as set forth in IC 15-21-7-4.
- 22 ~~(43)~~ **(44)** A violation of IC 24-4-23 (concerning the security of
- 23 information collected and transmitted by an adult oriented
- 24 website operator), as set forth in IC 24-4-23-14.
- 25 (c) Any representations on or within a product or its packaging or
- 26 in advertising or promotional materials which would constitute a
- 27 deceptive act shall be the deceptive act both of the supplier who places
- 28 such representation thereon or therein, or who authored such materials,
- 29 and such other suppliers who shall state orally or in writing that such
- 30 representation is true if such other supplier shall know or have reason
- 31 to know that such representation was false.
- 32 (d) If a supplier shows by a preponderance of the evidence that an
- 33 act resulted from a bona fide error notwithstanding the maintenance of
- 34 procedures reasonably adopted to avoid the error, such act shall not be
- 35 deceptive within the meaning of this chapter.
- 36 (e) It shall be a defense to any action brought under this chapter
- 37 that the representation constituting an alleged deceptive act was one
- 38 made in good faith by the supplier without knowledge of its falsity and
- 39 in reliance upon the oral or written representations of the manufacturer,
- 40 the person from whom the supplier acquired the product, any testing
- 41 organization, or any other person provided that the source thereof is
- 42 disclosed to the consumer.

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SB 250—LS 7117/DI 107



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

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

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

18 SECTION ~~49~~[51]. IC 24-5-0.5-4, AS AMENDED BY
19 P.L.186-2025, SECTION 133, IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A person relying
21 upon an uncured or incurable deceptive act may bring an action for the
22 damages actually suffered as a consumer as a result of the deceptive act
23 or five hundred dollars (\$500), whichever is greater. The court may
24 increase damages for a willful deceptive act in an amount that does not
25 exceed the greater of:

26 (1) three (3) times the actual damages of the consumer suffering
27 the loss; or

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

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

41 (b) Any person who is entitled to bring an action under subsection
42 (a) on the person's own behalf against a supplier for damages for a

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SB 250—LS 7117/DI 107



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

21 (c) The attorney general may bring an action to enjoin an unfair,
 22 abusive, or deceptive act, omission, or practice in connection with a
 23 consumer transaction, including a deceptive act described in section
 24 3(b)(20) of this chapter, notwithstanding subsections (a) and (b).
 25 However, the attorney general may seek to enjoin patterns of incurable
 26 deceptive acts with respect to consumer transactions in real property.
 27 In addition, the court may:

- 28 (1) issue an injunction;
- 29 (2) order the supplier to make payment of the money unlawfully
 30 received from the aggrieved consumers to be held in escrow for
 31 distribution to aggrieved consumers;
- 32 (3) for a knowing violation against a senior consumer, increase
 33 the amount of restitution ordered under subdivision (2) in any
 34 amount up to three (3) times the amount of damages incurred or
 35 value of property or assets lost;
- 36 (4) order the supplier to pay to the state the reasonable costs of
 37 the attorney general's investigation and prosecution, expert fees,
 38 and court fees related to the action;
- 39 (5) provide for the appointment of a receiver; and
- 40 (6) order the department of state revenue to suspend the
 41 supplier's registered retail merchant certificate, subject to the
 42 requirements and prohibitions contained in IC 6-2.5-8-7(a)(5),

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SB 250—LS 7117/DI 107



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1 if the court finds that a violation of this chapter involved the sale
2 or solicited sale of a synthetic drug (as defined in
3 IC 35-31.5-2-321), a synthetic drug lookalike substance (as
4 defined in IC 35-31.5-2-321.5 (repealed)) (before July 1, 2019),
5 a controlled substance analog (as defined in IC 35-48-1.1-8), or
6 a substance represented to be a controlled substance (as
7 described in IC 35-48-4-4.6).

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

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

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

29 (g) If a court finds any person has knowingly violated section 3 or
30 10 of this chapter, other than section 3(b)(19), 3(b)(20), or ~~3(b)(40)~~
31 **3(b)(41)** of this chapter, the attorney general, in an action pursuant to
32 subsection (c), may recover from the person on behalf of the state a
33 civil penalty of a fine not exceeding five thousand dollars (\$5,000) per
34 violation.

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

- 39 (1) For a knowing or intentional violation, one thousand five
40 hundred dollars (\$1,500).
- 41 (2) For a violation other than a knowing or intentional violation,
42 five hundred dollars (\$500).

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

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

8 (j) An offer to cure is:
9 (1) not admissible as evidence in a proceeding initiated under
10 this section unless the offer to cure is delivered by a supplier to
11 the consumer or a representative of the consumer before the
12 supplier files the supplier's initial response to a complaint; and
13 (2) only admissible as evidence in a proceeding initiated under
14 this section to prove that a supplier is not liable for attorney's
15 fees under subsection (k).

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

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

25 (l) If a court finds that a person has knowingly violated section
26 3(b)(20) of this chapter, the attorney general, in an action under
27 subsection (c), may recover from the person on behalf of the state a
28 civil penalty not exceeding one thousand dollars (\$1,000) per
29 consumer. In determining the amount of the civil penalty in any action
30 by the attorney general under this subsection, the court shall consider,
31 among other relevant factors, the frequency and persistence of
32 noncompliance by the debt collector, the nature of the noncompliance,
33 and the extent to which the noncompliance was intentional. A person
34 may not be held liable in any action by the attorney general for a
35 violation of section 3(b)(20) of this chapter if the person shows by a
36 preponderance of evidence that the violation was not intentional and
37 resulted from a bona fide error, notwithstanding the maintenance of
38 procedures reasonably adapted to avoid the error. A person may not be
39 held liable in any action for a violation of this chapter for contacting a
40 person other than the debtor, if the contact is made in compliance with
41 the Fair Debt Collection Practices Act.

42 (m) If a court finds that a person has knowingly or intentionally

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SB 250—LS 7117/DI 107



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

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

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

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

41 SECTION 5 ~~↔~~ [2]. IC 25-1-1.1-2, AS AMENDED BY
 42 P.L.186-2025, SECTION 134, IS AMENDED TO READ AS

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SB 250—LS 7117/DI 107



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1 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. Notwithstanding
 2 IC 25-1-7, a board, a commission, or a committee may suspend, deny,
 3 or revoke a license or certificate issued under this title by the board, the
 4 commission, or the committee without an investigation by the office of
 5 the attorney general if the individual who holds the license or
 6 certificate is convicted of any of the following and the board,
 7 commission, or committee determines, after the individual has
 8 appeared in person, that the offense affects the individual's ability to
 9 perform the duties of the profession:

10 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

11 (2) Possession of methamphetamine under IC 35-48-4-6.1.

12 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~
 13 IC 35-48-4-7(b).

14 (4) Fraudulently obtaining a controlled substance under
 15 ~~IC 35-48-4-7(c)~~; IC 35-48-4-7(d).

16 (5) Manufacture of paraphernalia as a Class D felony (for a
 17 crime committed before July 1, 2014) or a Level 6 felony (for a
 18 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).

19 (6) Dealing in paraphernalia as a Class D felony (for a crime
 20 committed before July 1, 2014) or a Level 6 felony (for a crime
 21 committed after June 30, 2014) under IC 35-48-4-8.5(b).

22 (7) Possession of paraphernalia as a Class D felony (for a crime
 23 committed before July 1, 2014) or a Level 6 felony (for a crime
 24 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
 25 its amendment on July 1, 2015).

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

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

35 (A) Class D felony for a crime committed before July 1,
 36 2014; or

37 (B) Level 6 felony for a crime committed after June 30,
 38 2014;

39 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

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

SB 250—LS 7117/DI 107



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1 (11) An offense relating to registration, labeling, and
 2 prescription forms under IC 35-48-4-14.
 3 (12) A sex crime under IC 35-42-4.
 4 (13) A felony that reflects adversely on the individual's fitness to
 5 hold a professional license.
 6 SECTION 5-~~4~~-~~3~~[3]. IC 34-30-2.1-72, AS ADDED BY
 7 P.L.105-2022, SECTION 12, IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 72. IC 7.1-5-10-15
 9 (Concerning ~~alcoholic beverage~~ a permittee or permittee's agent
 10 refusing to ~~serve~~ **provide** alcoholic beverages **or products**
 11 **containing THC** to certain persons).
 12 SECTION 5-~~4~~-~~4~~[4]. IC 34-30-2.1-73, AS ADDED BY
 13 P.L.105-2022, SECTION 12, IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 73. IC 7.1-5-10-15.5
 15 (Concerning persons who furnish an alcoholic beverage **or a product**
 16 **containing THC** for damages caused by an impaired or intoxicated
 17 person).
 18 SECTION 5-~~3~~-~~5~~[5]. IC 35-31.5-2-61.5 IS ADDED TO THE
 19 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2026]: **Sec. 61.5. "Container", for purposes**
 21 **of IC 35-48-8, has the meaning set forth in IC 35-48-8-2.**
 22 SECTION 5-~~4~~-~~6~~[6]. IC 35-31.5-2-152.2 IS ADDED TO THE
 23 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2026]: **Sec. 152.2. "Hemp", for purposes of**
 25 **this title, has the meaning set forth in IC 35-48-8-3.**
 26 SECTION 5-~~5~~-~~7~~[7]. IC 35-31.5-2-152.3 IS ADDED TO THE
 27 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2026]: **Sec. 152.3. "Hemp derived**
 29 **cannabinoid product", for purposes of this title, has the meaning**
 30 **set forth in IC 35-48-8-4.**
 31 SECTION 5-~~6~~-~~8~~[8]. IC 35-31.5-2-169.3 IS ADDED TO THE
 32 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2026]: **Sec. 169.3. "Industrial hemp", for**
 34 **purposes of this title, has the meaning set forth in IC 35-48-8-5.**
 35 SECTION 5-~~7~~-~~9~~[9]. IC 35-31.5-2-176.1 IS ADDED TO THE
 36 INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2026]: **Sec. 176.1. "Intermediate hemp**
 38 **derived cannabinoid product", for purposes of IC 35-48-8, has the**
 39 **meaning set forth in IC 35-48-8-6.**
 40 SECTION ~~5-8~~-~~60~~[60]. IC 35-31.5-2-189.9 IS REPEALED
 41 [EFFECTIVE JULY 1, 2026]. ~~Sec. 189.9. "Low THC hemp extract",~~
 42 ~~for purposes of IC 35-48; has the meaning set forth in IC 35-48-1.1-27.~~

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1 SECTION ~~59~~[61]. IC 35-46-1-11.7, AS AMENDED BY
2 P.L.163-2025, SECTION 66, IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11.7. (a) A retail
4 establishment in which tobacco products **and products containing**
5 **tetrahydrocannabinol (THC)** account for at least eighty-five percent
6 (85%) of the retail establishment's gross sales may not allow an
7 individual who is less than twenty-one (21) years of age to enter the
8 retail establishment.

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

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

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

16 (2) A sign printed in letters and numbers at least one-half (1/2)
17 inch high that displays a toll free phone number for assistance to
18 callers in quitting smoking, as determined by the Indiana
19 department of health.

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

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

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

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

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

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

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

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

42 SECTION 6~~6~~[2]. IC 35-48-1.1-7, AS ADDED BY

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SB 250—LS 7117/DI 107



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1 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. "Controlled
3 substance" means a drug, substance, or immediate precursor in
4 schedule I, II, III, IV, or V under:

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

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

9 SECTION 6~~4~~³. IC 35-48-1.1-8, AS ADDED BY
10 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) "Controlled
12 substance analog" means a substance that, due to its chemical structure
13 and potential for abuse or misuse, meets the following criteria:

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

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

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

- 23 (1) a controlled substance;
- 24 (2) a legend drug;
- 25 (3) a substance for which there is an approved new drug
26 application;
- 27 (4) any compound, mixture, or preparation that contains any
28 controlled substance, that is not for administration to a human
29 being or an animal, and that is packaged in a form or
30 concentration, or with adulterants or denaturants, such that as
31 packaged it does not present any significant potential for abuse;

32 **or**

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

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

39 (c) For purposes of subsection (a), "substantially similar", as it
40 applies to the chemical structure of a substance, means that the
41 chemical structure of the substance, when compared to the structure of
42 a controlled substance, has a single difference in the structural formula

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SB 250—LS 7117/DI 107



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- 1 that substitutes one (1) atom or functional group for another, including:
- 2 (1) one (1) halogen for another halogen;
- 3 (2) one (1) hydrogen for a halogen;
- 4 (3) one (1) halogen for a hydrogen; or
- 5 (4) an alkyl group added or deleted:
- 6 (A) as a side chain to or from a molecule; or
- 7 (B) from a side chain of a molecule.

8 SECTION 6 ~~↔~~ [4]. IC 35-48-1.1-27 IS REPEALED [EFFECTIVE
 9 JULY 1, 2026]. Sec. 27: (a) "Low THC hemp extract" means a
 10 substance or compound that:

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

- 17 (b) The term does not include:
- 18 (1) the harvested reproductive organ, whether immature or
- 19 mature, of the female hemp plant; or
- 20 (2) smokable hemp.

21 SECTION 6 ~~↔~~ [5]. IC 35-48-1.1-29, AS ADDED BY
 22 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 29. (a) "Marijuana"
 24 means any part of the plant genus *Cannabis* whether growing or not;
 25 the seeds thereof; the resin extracted from any part of the plant,
 26 including hashish and hash oil; any compound, manufacture, salt,
 27 derivative, mixture, or preparation of the plant, its seeds or resin.

- 28 (b) The term does not include:
- 29 (1) the mature stalks of the plant;
- 30 (2) fiber produced from the stalks;
- 31 (3) oil or cake made from the seeds of the plant;
- 32 (4) any other compound, manufacture, salt, derivative, mixture,
- 33 or preparation of the mature stalks (except the resin extracted
- 34 therefrom);
- 35 (5) the sterilized seed of the plant which is incapable of
- 36 germination;
- 37 (6) hemp (as defined by IC 15-15-13-6);
- 38 (7) low THC hemp extract; or
- 39 (8) smokable hemp.

- 40 (1) a hemp derived cannabinoid product (as defined in
- 41 IC 35-48-8-4); or
- 42 (2) industrial hemp monitored and licensed with the state

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seed commissioner under IC 15-15-13.

SECTION 6↔[6]. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 38. (a) Except as provided in subsection (b), "smokable hemp" means a product containing ~~not more than three-tenths percent (0.3%)~~ **any amount of tetrahydrocannabinol** (THC), including precursors and derivatives of THC, in a form that allows THC to be introduced into the human body by inhalation of smoke. The term includes:

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

(b) The term does not include:

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

grown or handled by a licensee **governed by IC 15-15-13 and for processing or manufacturing into a legal hemp derived cannabinoid** **product under IC 7.1-8.**

SECTION 6↔[7]. IC 35-48-2-1, AS AMENDED BY P.L.84-2010, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The board shall administer this article and may recommend to the general assembly the addition, deletion, or rescheduling of all substances listed in the schedules in sections 4, 6, 8, 10, and 12 of this chapter by submitting in an electronic format under IC 5-14-6 a report of such recommendations to the legislative council. In making a determination regarding a substance, the board shall consider the following:

- (1) The actual or relative potential for abuse.
- (2) The scientific evidence of its pharmacological effect, if known.
- (3) The state of current scientific knowledge regarding the substance.
- (4) The history and current pattern of abuse.
- (5) The scope, duration, and significance of abuse.
- (6) The risk to public health.
- (7) The potential of the substance to produce psychic or physiological dependence liability.
- (8) Whether the substance is an immediate precursor of a substance already controlled under this article.

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

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SB 250—LS 7117/DI 107



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1 (c) If the board finds that a substance is an immediate precursor,
2 substances which are precursors of the controlled precursor shall not
3 be subject to control solely because they are precursors of the
4 controlled precursor.

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

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

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

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

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

34 SECTION ~~6-6~~ [8]. IC 35-48-4-2, AS AMENDED BY
35 P.L.61-2020, SECTION 9, IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a) This section does not apply**
37 **to a hemp derived cannabinoid product as defined in IC 35-48-8-4.**

- 38 (a) (b) A person who:
39 (1) knowingly or intentionally:
40 (A) manufactures;
41 (B) finances the manufacture of;
42 (C) delivers; or

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SB 250—LS 7117/DI 107



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

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1 grams; or
2 (2) the amount of the drug involved is at least ten (10) grams but
3 less than twenty-eight (28) grams and an enhancing
4 circumstance applies.

5 SECTION ~~6~~[9]. IC 35-48-4-7, AS AMENDED BY
6 P.L.61-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) **This section does not apply**
8 **to a hemp derived cannabinoid product as defined in IC 35-48-8-4.**

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

12 (1) controlled substance or controlled substance analog (pure or
13 adulterated), classified in schedule I, except marijuana, hashish,
14 or salvia; or

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

17 commits possession of a controlled substance, a Class A misdemeanor,
18 except as provided in subsection (b): (c).

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

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

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

27 (2) a schedule V controlled substance pursuant to written or
28 verbal misrepresentation; or

29 (3) possession of a schedule V controlled substance other than
30 by means of a prescription or by means of signing an exempt
31 narcotic register maintained by a pharmacy licensed by the
32 Indiana state board of pharmacy;

33 commits a Class A misdemeanor.

34 SECTION ~~68~~[70]. IC 35-48-4-10, AS AMENDED BY
35 P.L.153-2018, SECTION 25, IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A person who:

37 (1) knowingly or intentionally:

38 (A) manufactures;

39 (B) finances the manufacture of;

40 (C) delivers; or

41 (D) finances the delivery of;

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

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

SB 250—LS 7117/DI 107



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- 1 (A) person is a retailer;
- 2 (B) marijuana, hash oil, hashish, or salvia is packaged in a
- 3 manner that appears to be ~~low THC hemp extract~~; **a hemp**
- 4 **derived cannabinoid product**; and
- 5 (C) person knew or reasonably should have known that the
- 6 product was marijuana, hash oil, hashish, or salvia.

7 SECTION ~~69~~ [71]. IC 35-48-4-11, AS AMENDED BY
 8 P.L.153-2018, SECTION 26, IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) A person who:
 10 (1) knowingly or intentionally possesses (pure or adulterated)
 11 marijuana, hash oil, hashish, or salvia;
 12 (2) knowingly or intentionally grows or cultivates marijuana; or
 13 (3) knowing that marijuana is growing on the person's premises,
 14 fails to destroy the marijuana plants;
 15 commits possession of marijuana, hash oil, hashish, or salvia, a Class
 16 B misdemeanor, except as provided in subsections (b) through (c).

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

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

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

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

31 SECTION 7 ~~4~~ [2]. IC 35-48-8 IS ADDED TO THE INDIANA
 32 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2026]:

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

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

38 **Sec. 1. The terms defined in sections 2 through 6 of this**
 39 **chapter apply only to this chapter and if cited in another statute**
 40 **concerning hemp.**

41 **Sec. 2. (a) "Container" means the innermost wrapping,**
 42 **packaging, or vessel in direct contact with a final hemp derived**

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cannabinoid product in which the final hemp derived cannabinoid product is enclosed for retail sale to consumers, including a jar, bottle, bag, box, packet, can, carton, or cartridge.

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

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

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

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

(c) The term does not include:

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

(2) any intermediate hemp derived cannabinoid products containing:

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

(B) cannabinoids that:

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

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

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

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

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

(3) any intermediate hemp derived cannabinoid products which are marketed or sold as a final product or directly to

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- 1 an end consumer for personal or household use;
- 2 (4) any final hemp derived cannabinoid products containing:
 - 3 (A) cannabinoids that are not capable of being naturally
 - 4 produced by a Cannabis sativa L. plant;
 - 5 (B) cannabinoids that:
 - 6 (i) are capable of being naturally produced by a
 - 7 Cannabis sativa L. plant; and
 - 8 (ii) were synthesized or manufactured outside the
 - 9 plant; or
 - 10 (C) greater than four-tenths (0.4) milligram combined
 - 11 total per container of:
 - 12 (i) total tetrahydrocannabinols (including
 - 13 tetrahydrocannabinolic acid); and
 - 14 (ii) any other cannabinoids that have similar effects,
 - 15 or are marketed to have similar effects, on humans
 - 16 or animals as a tetrahydrocannabinol, as
 - 17 determined by the United States Secretary of
 - 18 Health and Human Services; or
 - 19 (5) smokable hemp.
- 20 Sec. 4. "Hemp derived cannabinoid product" means a product
- 21 derived from, or made by, processing hemp plants or hemp plant
- 22 parts including derivatives, extracts, cannabinoids, isomers, acids,
- 23 salts, and salts of isomers.
- 24 (b) The term includes any intermediate or final product
- 25 derived from hemp, other than industrial hemp, that:
 - 26 (1) contains cannabinoids in any form; and
 - 27 (2) is intended for human or animal use through any means
 - 28 of application or administration including:
 - 29 (A) inhalation;
 - 30 (B) ingestion; or
 - 31 (C) topical application.
 - 32 (c) The term includes cannabidiol, a CBD product, or a
 - 33 product that contains a cannabidiol.
 - 34 (d) The term does not include:
 - 35 (1) smokable hemp (as defined in IC 35-48-1.1-38);
 - 36 (2) products that contain a total tetrahydrocannabinol
 - 37 concentration of more than three-tenths of one percent
 - 38 (0.3%) on a dry weight basis; or
 - 39 (3) a drug that is the subject of an application approved
 - 40 under subsection (c) or (j) of Section 505 of the federal Food,
 - 41 Drug, and Cosmetic Act (21 U.S.C. 355).
 - 42 Sec. 5. "Industrial hemp" means hemp:

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SB 250—LS 7117/DI 107



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- 1 (1) grown for the use of the stalk of the plant fiber produced
- 2 from the stalk, or any other noncannabinoid derivative,
- 3 mixture, preparation, or manufacture of the stalk;
- 4 (2) grown for the use of the whole grain, oil, cake, nut, hull,
- 5 or other noncannabinoid compound, derivative, mixture,
- 6 preparation, or manufacture of the seeds of the plant;
- 7 (3) grown for purposes of producing microgreens or other
- 8 edible hemp leaf products for human consumption that are
- 9 derived from an immature hemp plant that is grown from
- 10 seeds that do not exceed the threshold for total
- 11 tetrahydrocannabinols concentration of three-tenths of one
- 12 percent (0.3%) in the plant on a dry weight basis;
- 13 (4) that is a plant that does not enter the stream of commerce
- 14 and is intended to support hemp research at an institution of
- 15 higher education, as defined in 20 U.S.C. 1001, or an
- 16 independent research institute; or
- 17 (5) grown for the use of a viable seed of the plant produced
- 18 solely for the production or manufacture of any material
- 19 described in subdivisions (1) through (4).

20 **Sec. 6. "Intermediate hemp derived cannabinoid product"**
 21 **means a hemp derived cannabinoid product that:**

- 22 (1) is not yet in the final form or preparation and is marketed
- 23 or intended to be used or consumed by a human or animal;
- 24 or
- 25 (2) is a powder, liquid, tablet, oil, or other product form that
- 26 is intended or marketed to be mixed, dissolved, formulated,
- 27 or added to or prepared with or into any other substance
- 28 prior to administration or consumption.

29 **Sec. 7. A person who:**

- 30 (1) is a retailer under IC 7.1-8;
- 31 (2) knowingly or intentionally sells marijuana that is
- 32 packaged in a manner that appears to be a hemp derived
- 33 cannabinoid product; and
- 34 (3) knew or reasonably should have known that the product
- 35 was marijuana;

36 **commits a Level 5 felony.**

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

- 39 (1) knowingly or intentionally:
 - 40 (A) manufactures;
 - 41 (B) finances the manufacture of;
 - 42 (C) delivers;

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1 (D) finances the delivery of; or
 2 (E) sells;
 3 hemp derived cannabinoid product; or
 4 (2) possesses, with intent to:
 5 (A) manufacture;
 6 (B) finance the manufacture of;
 7 (C) deliver;
 8 (D) finance the delivery of; or
 9 (E) sell;
 10 hemp derived cannabinoid product;
 11 commits unlicensed dealing in hemp derived cannabinoid product,
 12 a Class A misdemeanor, except as provided in subsections (b)
 13 through (d).
 14 (b) A person may be convicted of an offense under subsection
 15 (a)(2) only if:
 16 (1) there is evidence in addition to the weight of the drug that
 17 the person intended to manufacture, finance the
 18 manufacture of, deliver, finance the delivery of, or sell, the
 19 hemp derived cannabinoid product; or
 20 (2) the amount of the hemp derived cannabinoid product
 21 involved is at least ten (10) pounds.
 22 (c) The offense is a Level 6 felony if the person has a prior
 23 conviction for an offense under this section and the amount of the
 24 hemp derived cannabinoid product involved is less than ten (10)
 25 pounds.
 26 (d) The offense is a Level 5 felony if the person has a prior
 27 conviction for a dealing offense under this section and either:
 28 (1) the amount of the hemp derived cannabinoid product
 29 involved is less than ten (10) pounds; or
 30 (2) the offense involved a sale to a minor.
 31 SECTION 7-~~4~~[3]. IC 35-52-7-39, AS ADDED BY
 32 P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime
 34 concerning alcohol **and products containing THC**.
 35 SECTION 7-~~2~~[4]. IC 35-52-7-40, AS ADDED BY
 36 P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime
 38 concerning alcohol **and products containing THC**.
 39 SECTION 7-~~3~~[5]. IC 35-52-7-98 IS ADDED TO THE
 40 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2026]: Sec. 98. IC 7.1-8-15-5 defines a crime
 42 concerning hemp derived cannabinoid product certificate of

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SB 250—LS 7117/DI 107



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

SECTION 7<5>[7]. IC 35-52-7-100 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 100. IC 7.1-8-20-2 defines crimes regarding hemp derived cannabinoid products permits.**

SECTION 7<6>[8]. IC 35-52-7-101 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 101. IC 7.1-8-20-3 defines a crime concerning the sale of hemp derived cannabinoid products over the Internet.**

SECTION 7<7>[9]. IC 35-52-7-102 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 102. IC 7.1-8-20-4 defines a crime concerning recalled hemp derived cannabinoid products.**

SECTION <78>[80]. [EFFECTIVE JULY 1, 2026] (a) **The state seed commissioner shall adopt rules under IC 4-22-2, to comply with this act by July 1, 2027.**

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

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

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