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**SENATE BILL No. 250**

**AM025005 has been incorporated into January 23, 2026 printing.**

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**Synopsis:** Regulation of hemp.

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SB 250—LS 7117/DI 107



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January 23, 2026

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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## SENATE BILL No. 250

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

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

- 1 SECTION 1. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
- 4 **tetrahydrocannabinol, including hemp derived cannabinoid**
- 5 **products, synthetic equivalents of the substances contained in the**
- 6 **plant or in the resinous extractives of Cannabis, and synthetic**
- 7 **substances, derivates, and their isomers with a similar chemical**
- 8 **structure and pharmacological activity.**
- 9 SECTION 2. IC 7.1-5-7-0.5 IS ADDED TO THE INDIANA
- 10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 11 [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. This chapter does not apply**
- 12 **to a substance that meets all of the following requirements:**
- 13 (1) **The substance contains cannabidiol or cannabigerol.**
- 14 (2) **The substance does not contain THC or any other**
- 15 **cannabinoids.**

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

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

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

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

11               (3) transport an alcoholic beverage **or a product containing**  
12               **THC** on a public highway when not accompanied by at least one

13               (1) of the minor's parents or guardians.

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

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

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

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

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

32                 (2) a Level 6 felony if the consumption, ingestion, or use of the  
33                 alcoholic beverage **or product containing THC** is the  
34                 proximate cause of the serious bodily injury or death of any  
35                 person.

36               (c) A person who knowingly or intentionally:

37                 (1) rents property; or

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

39               for the purpose of allowing or enabling a minor to consume an  
40               alcoholic beverage **or a product containing THC** on the property  
41               commits a Class C infraction. However, the violation is a Class B  
42               misdemeanor if the person has a prior unrelated adjudication or

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1 conviction for a violation of this section within the previous five (5)  
2 years.

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

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

11 (2) either:

12 (A) rents property; or

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

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

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

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

30 SECTION 7. IC 7.1-5-7-18 IS ADDED TO THE INDIANA CODE  
31 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
32 1, 2026]: **Sec. 18. (a) A law enforcement officer vested with full**  
33 **police powers and duties may engage an individual who is:**

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (d) In addition to an audit conducted in accordance with

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

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

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

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

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

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

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

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

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

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

41 SECTION 11. IC 15-15-13-12, AS AMENDED BY P.L. 156-2020,  
 42 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 NOVEMBER 12, 2026]: Sec. 12. The state seed commissioner is  
2 responsible for the following:

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

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

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

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

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- 1 subsection (a):
- 2 (1) Revocation of a certificate holder's certificate or license
- 3 holder's license for a period not to exceed seven (7) years.
- 4 (2) Suspension of a certificate holder's certificate or license
- 5 holder's license for a period not to exceed seven (7) years.
- 6 (3) Censure of a certificate holder or license holder.
- 7 (4) Issuance of a letter of reprimand.
- 8 (5) Assessment of a civil penalty against the certificate holder or
- 9 license holder in accordance with the following:
- 10 (A) The civil penalty may not exceed five hundred dollars
- 11 (\$500) per day per violation.
- 12 (B) If the certificate holder or license holder fails to pay the
- 13 civil penalty within the time specified by the department of
- 14 homeland security, the department of homeland security
- 15 may suspend the certificate holder's certificate or license
- 16 holder's license without additional proceedings.
- 17 (6) Placement of a certificate holder or license holder on
- 18 probation status and requirement of the certificate holder or
- 19 license holder to:
- 20 (A) report regularly to the department of homeland security
- 21 upon the matters that are the basis of probation;
- 22 (B) limit practice to those areas prescribed by the
- 23 department of homeland security;
- 24 (C) continue or renew professional education approved by
- 25 the department of homeland security until a satisfactory
- 26 degree of skill has been attained in those areas that are the
- 27 basis of the probation; or
- 28 (D) perform or refrain from performing any acts, including
- 29 community restitution or service without compensation, that
- 30 the department of homeland security considers appropriate
- 31 to the public interest or to the rehabilitation or treatment of
- 32 the certificate holder or license holder.
- 33 The department of homeland security may withdraw or modify
- 34 this probation if the department of homeland security finds after
- 35 a hearing that the deficiency that required disciplinary action is
- 36 remedied or that changed circumstances warrant a modification
- 37 of the order.
- 38 (c) If an applicant or a certificate holder or license holder has
- 39 engaged in or knowingly cooperated in fraud or material deception to
- 40 obtain a certificate or license, including cheating on the certification or
- 41 licensure examination, the department of homeland security may
- 42 rescind the certificate or license if it has been granted, void the

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1 examination or other fraudulent or deceptive material, and prohibit the  
 2 applicant from reapplying for the certificate or license for a length of  
 3 time established by the department of homeland security.

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

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

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

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

- 33 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 34 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 35 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~  
 36 **IC 35-48-4-7(b)**.
- 37 (4) Fraudulently obtaining a controlled substance under  
 38 ~~IC 35-48-4-7(e)~~. **IC 35-48-4-7(d)**.
- 39 (5) Manufacture of paraphernalia as a Class D felony (for a  
 40 crime committed before July 1, 2014) or 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

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

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1 under this chapter, the department of homeland security must initiate  
2 an investigation against the person.

3 (k) The department of homeland security shall conduct a  
4 factfinding investigation as the department of homeland security  
5 considers proper in relation to the complaint.

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

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

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

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

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

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

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

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

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

- 41 (1) engaged in or knowingly cooperated in fraud or material  
42 deception in order to obtain a license to practice, including

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

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

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

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

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

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

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

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- 1 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
2 its amendment on July 1, 2015).
- 3 (8) Possession of marijuana, hash oil, hashish, or salvia as a  
4 Class D felony (for a crime committed before July 1, 2014) or a  
5 Level 6 felony (for a crime committed after June 30, 2014) under  
6 IC 35-48-4-11.
- 7 (9) A felony offense under IC 35-48-4 involving possession of a  
8 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
9 controlled substance analog (as defined in IC 35-48-1.1-8), or  
10 possession of a synthetic drug lookalike substance (as defined in  
11 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:
- 12 (A) Class D felony for a crime committed before July 1,  
13 2014; or
- 14 (B) Level 6 felony for a crime committed after June 30,  
15 2014;
- 16 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 17 (10) Maintaining a common nuisance under IC 35-48-4-13  
18 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
19 controlled substance.
- 20 (11) An offense relating to registration, labeling, and  
21 prescription forms under IC 35-48-4-14.
- 22 (g) The department shall deny, revoke, or suspend a license issued  
23 under this chapter if the individual who holds the license is convicted  
24 of any of the following:
- 25 (1) Dealing in a controlled substance resulting in death under  
26 IC 35-42-1-1.5.
- 27 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 28 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 29 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 30 (5) Dealing in a schedule I, II, or III controlled substance under  
31 IC 35-48-4-2.
- 32 (6) Dealing in a schedule IV controlled substance under  
33 IC 35-48-4-3.
- 34 (7) Dealing in a schedule V controlled substance under  
35 IC 35-48-4-4.
- 36 (8) Dealing in a substance represented to be a controlled  
37 substance under IC 35-48-4-4.5 (repealed).
- 38 (9) Knowingly or intentionally manufacturing, advertising,  
39 distributing, or possessing with intent to manufacture, advertise,  
40 or distribute a substance represented to be a controlled substance  
41 under IC 35-48-4-4.6.
- 42 (10) Dealing in a counterfeit substance under IC 35-48-4-5.

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

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1 (4) Photo duplication.  
 2 (5) Witness attendance and mileage fees.  
 3 (6) Postage.  
 4 (7) Expert witnesses.  
 5 (8) Depositions.  
 6 (9) Notarizations.

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

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

14 (2) "Independent testing laboratory" means a laboratory:  
 15 (A) with respect to which no person having a direct or  
 16 indirect interest in the laboratory also has a direct or  
 17 indirect interest in a facility that:  
 18 (i) processes, distributes, or sells ~~low THC hemp~~  
 19 ~~extract; or a substantially similar substance in another~~  
 20 ~~jurisdiction; hemp derived cannabinoid products;~~  
 21 (ii) cultivates, processes, distributes, dispenses, or sells  
 22 **hemp (as defined in IC 35-48-8-3) or marijuana;** or  
 23 (iii) cultivates, processes, or distributes hemp; and  
 24 (B) that is accredited as a testing laboratory to International  
 25 Organization for Standardization (ISO) 17025 by a third  
 26 party accrediting body such as the American Association for  
 27 Laboratory Accreditation (A2LA) or Assured Calibration  
 28 and Laboratory Accreditation Select Services (ACLASS).

29 (3) ~~"Low THC hemp extract" has the meaning set forth in~~  
 30 ~~IC 35-48-1.1-27. "Hemp derived cannabinoid product" has~~  
 31 ~~the meaning set forth in IC 35-38-8-4.~~  
 32 SECTION 15. IC 24-4-21-2, AS ADDED BY P.L.153-2018,  
 33 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 NOVEMBER 12, 2026]: Sec. 2. A person may distribute ~~low THC~~  
 35 **hemp extract a hemp derived cannabinoid product** in Indiana only  
 36 if the product:  
 37 (1) has been approved by the federal Food and Drug  
 38 Administration or the federal Drug Enforcement Agency as a  
 39 prescription or over the counter drug; or  
 40 (2) meets the requirements of this chapter.

41 SECTION 16. IC 24-4-21-3, AS AMENDED BY P.L.190-2019,  
 42 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 NOVEMBER 12, 2026]: Sec. 3. A person may distribute ~~low THC~~  
2 ~~hemp extract~~ **a hemp derived cannabinoid product** in Indiana only  
3 if the distributor has a certificate of analysis prepared by an  
4 independent testing laboratory showing:

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

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

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

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

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

- 26 (A) batch identification number;
- 27 (B) product name;
- 28 (C) batch date;
- 29 (D) expiration date, which must be not more than two (2)  
30 years from the date of manufacture;
- 31 (E) batch size;
- 32 (F) total quantity produced;
- 33 (G) ingredients used, including the:
  - 34 (i) ingredient name;
  - 35 (ii) name of the company that manufactured the  
36 ingredient;
  - 37 (iii) company or product identification number or code,  
38 if applicable; and
  - 39 (iv) ingredient lot number; and

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

42 (2) The batch number.

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

3 (4) The expiration date.

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

6 (6) The manufacturer.

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

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

13 SECTION 18. IC 24-4-21-5, AS ADDED BY P.L.153-2018,  
14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 NOVEMBER 12, 2026]: Sec. 5. ~~This section applies after June 30,~~  
16 ~~2018.~~ A person who distributes ~~low THC hemp extract~~ **a hemp**  
17 **derived cannabinoid product** in violation of this chapter commits a  
18 Class B infraction. However, the offense is a Class A infraction if the  
19 person has a prior unrelated judgment for a violation of this chapter.  
20 These penalties are in addition to any criminal penalties that may be  
21 imposed for unlawful possession or distribution of a controlled  
22 substance.

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

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

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

37 SECTION 21. IC 25-1-1.1-2, AS AMENDED BY P.L.186-2025,  
38 SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 NOVEMBER 12, 2026]: Sec. 2. Notwithstanding  
40 IC 25-1-7, a board, a commission, or a committee may suspend, deny,  
41 or revoke a license or certificate issued under this title by the board, the  
42 commission, or the committee without an investigation by the office of

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1 the attorney general if the individual who holds the license or  
 2 certificate is convicted of any of the following and the board,  
 3 commission, or committee determines, after the individual has  
 4 appeared in person, that the offense affects the individual's ability to  
 5 perform the duties of the profession:

- 6 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.  
 7 (2) Possession of methamphetamine under IC 35-48-4-6.1.  
 8 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~.  
 9 **IC 35-48-4-7(b)**.  
 10 (4) Fraudulently obtaining a controlled substance under  
 11 ~~IC 35-48-4-7(e)~~. **IC 35-48-4-7(d)**.  
 12 (5) Manufacture of paraphernalia as a Class D felony (for a  
 13 crime committed before July 1, 2014) or a Level 6 felony (for a  
 14 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).  
 15 (6) Dealing in paraphernalia as a Class D felony (for a crime  
 16 committed before July 1, 2014) or a Level 6 felony (for a crime  
 17 committed after June 30, 2014) under IC 35-48-4-8.5(b).  
 18 (7) Possession of paraphernalia as a Class D felony (for a crime  
 19 committed before July 1, 2014) or a Level 6 felony (for a crime  
 20 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
 21 its amendment on July 1, 2015).  
 22 (8) Possession of marijuana, hash oil, hashish, or salvia as a  
 23 Class D felony (for a crime committed before July 1, 2014) or a  
 24 Level 6 felony (for a crime committed after June 30, 2014) under  
 25 IC 35-48-4-11.  
 26 (9) A felony offense under IC 35-48-4 involving possession of a  
 27 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
 28 controlled substance analog (as defined in IC 35-48-1.1-8), or  
 29 possession of a synthetic drug lookalike substance (as defined in  
 30 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:  
 31 (A) Class D felony for a crime committed before July 1,  
 32 2014; or  
 33 (B) Level 6 felony for a crime committed after June 30,  
 34 2014;  
 35 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).  
 36 (10) Maintaining a common nuisance under IC 35-48-4-13  
 37 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
 38 controlled substance.  
 39 (11) An offense relating to registration, labeling, and  
 40 prescription forms under IC 35-48-4-14.  
 41 (12) A sex crime under IC 35-42-4.  
 42 (13) A felony that reflects adversely on the individual's fitness to

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1 hold a professional license.

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

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

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

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

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

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

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

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

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

41 SECTION 31. IC 35-46-1-11.7, AS AMENDED BY  
 42 P.L.163-2025, SECTION 66, IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 11.7. (a) A  
 2 retail establishment in which tobacco products **and products**  
 3 **containing tetrahydrocannabinol (THC)** account for at least  
 4 eighty-five percent (85%) of the retail establishment's gross sales may  
 5 not allow an individual who is less than twenty-one (21) years of age  
 6 to enter the retail establishment.

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

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

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

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

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

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

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

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

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

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

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

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

40 SECTION 32. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025,  
 41 SECTION 249, IS AMENDED TO READ AS FOLLOWS  
 42 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 7. "Controlled substance"

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1 means a drug, substance, or immediate precursor in schedule I, II, III,  
2 IV, or V under:

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

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

7 SECTION 33. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025,  
8 SECTION 249, IS AMENDED TO READ AS FOLLOWS  
9 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 8. (a) "Controlled  
10 substance analog" means a substance that, due to its chemical structure  
11 and potential for abuse or misuse, meets the following criteria:

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

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

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

21 (1) a controlled substance;

22 (2) a legend drug;

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

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

30 **or**

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

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

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

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

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- 1 (2) one (1) hydrogen for a halogen;  
 2 (3) one (1) halogen for a hydrogen; or  
 3 (4) an alkyl group added or deleted:  
 4 (A) as a side chain to or from a molecule; or  
 5 (B) from a side chain of a molecule.
- 6 SECTION 34. IC 35-48-1.1-21 IS REPEALED [EFFECTIVE  
 7 NOVEMBER 12, 2026]. Sec. 21: "Hashish" does not include low THC  
 8 hemp extract.
- 9 SECTION 35. IC 35-48-1.1-22 IS REPEALED [EFFECTIVE  
 10 NOVEMBER 12, 2026]. Sec. 22: "Hash oil" does not include low THC  
 11 hemp extract.
- 12 SECTION 36. IC 35-48-1.1-27 IS REPEALED [EFFECTIVE  
 13 NOVEMBER 12, 2026]. Sec. 27: (a) "Low THC hemp extract" means  
 14 a substance or compound that:  
 15 (1) is derived from or contains any part of the plant *Cannabis*  
 16 *sativa* L. that meets the definition of hemp under IC 15-15-13-6;  
 17 (2) contains not more than three-tenths percent (0.3%) total  
 18 delta-9-tetrahydrocannabinol (THC), including precursors, by  
 19 weight; and  
 20 (3) contains no other controlled substances.
- 21 (b) The term does not include:  
 22 (1) the harvested reproductive organ, whether immature or  
 23 mature, of the female hemp plant; or  
 24 (2) smokable hemp.
- 25 SECTION 37. IC 35-48-1.1-29, AS ADDED BY P.L.186-2025,  
 26 SECTION 249, IS AMENDED TO READ AS FOLLOWS  
 27 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 29. (a) "Marijuana" means  
 28 any part of the plant genus *Cannabis* whether growing or not; the seeds  
 29 thereof; the resin extracted from any part of the plant, including hashish  
 30 and hash oil; any compound, manufacture, salt, derivative, mixture, or  
 31 preparation of the plant, its seeds or resin.
- 32 (b) The term does not include:  
 33 (1) the mature stalks of the plant;  
 34 (2) fiber produced from the stalks;  
 35 (3) oil or cake made from the seeds of the plant;  
 36 (4) any other compound, manufacture, salt, derivative, mixture,  
 37 or preparation of the mature stalks (except the resin extracted  
 38 therefrom);  
 39 (5) the sterilized seed of the plant which is incapable of  
 40 germination;  
 41 (6) hemp (as defined by IC 15-15-13-6);  
 42 (7) low THC hemp extract; or

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- 1           ~~(8) smokable hemp;~~
- 2           **(1) a hemp derived cannabinoid product (as defined in**
- 3           **IC 35-48-8-4); or**
- 4           **(2) industrial hemp monitored and licensed with the state**
- 5           **seed commissioner under IC 15-15-13.**

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

- 14           (1) hemp bud; and
- 15           (2) hemp flower.
- 16           (b) The term does not include:
- 17           (1) a hemp plant that is; or
- 18           (2) parts of a hemp plant that are;
- 19           grown or handled by a licensee **governed by IC 15-15-13** and for
- 20           processing or manufacturing into a ~~legal~~ **hemp derived cannabinoid**
- 21           product.

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

- 26           ~~(a)~~ **(b)** A person who:
- 27           (1) knowingly or intentionally:
- 28           (A) manufactures;
- 29           (B) finances the manufacture of;
- 30           (C) delivers; or
- 31           (D) finances the delivery of;
- 32           a controlled substance or controlled substance analog, pure or
- 33           adulterated, classified in schedule I, except marijuana, hash oil,
- 34           hashish, or salvia, or a controlled substance, or controlled
- 35           substance analog, pure or adulterated, classified in schedule II or
- 36           III; or
- 37           (2) possesses, with intent to:
- 38           (A) manufacture;
- 39           (B) finance the manufacture of;
- 40           (C) deliver; or
- 41           (D) finance the delivery of;
- 42           a controlled substance or controlled substance analog, pure or

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1 adulterated, classified in schedule I, except marijuana, hash oil,  
2 hashish, or salvia, or a controlled substance, or controlled  
3 substance analog, pure or adulterated, classified in schedule II or  
4 III;

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

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

9 (1) there is evidence in addition to the weight of the drug that the  
10 person intended to manufacture, finance the manufacture of,  
11 deliver, or finance the delivery of the drug; or

12 (2) the amount of the drug involved is at least twenty-eight (28)  
13 grams.

14 ~~(c)~~ (d) The offense is a Level 5 felony if:

15 (1) the amount of the drug involved is at least one (1) gram but  
16 less than five (5) grams; or

17 (2) the amount of the drug involved is less than one (1) gram and  
18 an enhancing circumstance applies.

19 ~~(d)~~ (e) The offense is a Level 4 felony if:

20 (1) the amount of the drug involved is at least five (5) grams but  
21 less than ten (10) grams; or

22 (2) the amount of the drug involved is at least one (1) gram but  
23 less than five (5) grams and an enhancing circumstance applies.

24 ~~(e)~~ (f) The offense is a Level 3 felony if:

25 (1) the amount of the drug involved is at least ten (10) grams but  
26 less than twenty-eight (28) grams; or

27 (2) the amount of the drug involved is at least five (5) grams but  
28 less than ten (10) grams and an enhancing circumstance applies.

29 ~~(f)~~ (g) The offense is a Level 2 felony if:

30 (1) the amount of the drug involved is at least twenty-eight (28)  
31 grams; or

32 (2) the amount of the drug involved is at least ten (10) grams but  
33 less than twenty-eight (28) grams and an enhancing  
34 circumstance applies.

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

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

42 ~~(a)~~ (b) A person who, without a valid prescription or order of a

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1 practitioner acting in the course of the practitioner's professional  
 2 practice, knowingly or intentionally possesses a:  
 3 (1) controlled substance or controlled substance analog (pure or  
 4 adulterated), classified in schedule I, except marijuana, hashish,  
 5 or salvia; or  
 6 (2) controlled substance or controlled substance analog (pure or  
 7 adulterated), classified in schedule II, III, or IV;  
 8 commits possession of a controlled substance, a Class A misdemeanor,  
 9 except as provided in subsection ~~(b)~~: **(c)**.  
 10 ~~(b)~~ **(c)** The offense is a Level 6 felony if the person commits the  
 11 offense and an enhancing circumstance applies.  
 12 ~~(c)~~ **(d)** A person who, without a valid prescription or order of a  
 13 practitioner acting in the course of the practitioner's professional  
 14 practice, knowingly or intentionally obtains:  
 15 (1) more than four (4) ounces of schedule V controlled  
 16 substances containing codeine in any given forty-eight (48) hour  
 17 period unless pursuant to a prescription;  
 18 (2) a schedule V controlled substance pursuant to written or  
 19 verbal misrepresentation; or  
 20 (3) possession of a schedule V controlled substance other than  
 21 by means of a prescription or by means of signing an exempt  
 22 narcotic register maintained by a pharmacy licensed by the  
 23 Indiana state board of pharmacy;  
 24 commits a Class A misdemeanor.  
 25 **(e) It is a defense to a prosecution under this section that the**  
 26 **substance is THC hemp extract and the person meets the**  
 27 **requirements of IC 35-48-8-9.**  
 28 SECTION 41. IC 35-48-4-10, AS AMENDED BY P.L.153-2018,  
 29 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 NOVEMBER 12, 2026]: Sec. 10. (a) A person who:  
 31 (1) knowingly or intentionally:  
 32 (A) manufactures;  
 33 (B) finances the manufacture of;  
 34 (C) delivers; or  
 35 (D) finances the delivery of;  
 36 marijuana, hash oil, hashish, or salvia, pure or adulterated; or  
 37 (2) possesses, with intent to:  
 38 (A) manufacture;  
 39 (B) finance the manufacture of;  
 40 (C) deliver; or  
 41 (D) finance the delivery of;  
 42 marijuana, hash oil, hashish, or salvia, pure or adulterated;

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

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

5 (1) there is evidence in addition to the weight of the drug that the  
6 person intended to manufacture, finance the manufacture of,  
7 deliver, or finance the delivery of the drug; or

8 (2) the amount of the drug involved is at least:

9 (A) ten (10) pounds, if the drug is marijuana; or

10 (B) three hundred (300) grams, if the drug is hash oil,  
11 hashish, or salvia.

12 (c) The offense is a Level 6 felony if:

13 (1) the person has a prior conviction for a drug offense and the  
14 amount of the drug involved is:

15 (A) less than thirty (30) grams of marijuana; or

16 (B) less than five (5) grams of hash oil, hashish, or salvia;  
17 or

18 (2) the amount of the drug involved is:

19 (A) at least thirty (30) grams but less than ten (10) pounds  
20 of marijuana; or

21 (B) at least five (5) grams but less than three hundred (300)  
22 grams of hash oil, hashish, or salvia.

23 (d) The offense is a Level 5 felony if:

24 (1) the person has a prior conviction for a drug dealing offense  
25 and the amount of the drug involved is:

26 (A) at least thirty (30) grams but less than ten (10) pounds  
27 of marijuana; or

28 (B) at least five (5) grams but less than three hundred (300)  
29 grams of hash oil, hashish, or salvia;

30 (2) the:

31 (A) amount of the drug involved is:

32 (i) at least ten (10) pounds of marijuana; or

33 (ii) at least three hundred (300) grams of hash oil,  
34 hashish, or salvia; or

35 (B) offense involved a sale to a minor; or

36 (3) the:

37 (A) person is a retailer;

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

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

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

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

- 7 (1) knowingly or intentionally possesses (pure or adulterated)
- 8 marijuana, hash oil, hashish, or salvia;
- 9 (2) knowingly or intentionally grows or cultivates marijuana; or
- 10 (3) knowing that marijuana is growing on the person's premises,
- 11 fails to destroy the marijuana plants;

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

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

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

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

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

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

31 SECTION 43. IC 35-48-8 IS ADDED TO THE INDIANA CODE  
32 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
33 NOVEMBER 12, 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 this chapter apply only to this**  
39 **article unless cited in another statute concerning hemp.**

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

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1 product is enclosed for retail sale to consumers, including a jar,  
2 bottle, bag, box, packet, can, carton, or cartridge.

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

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

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

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

17 (c) The term does not include:

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

22 (2) any intermediate hemp derived cannabinoid products  
23 containing:

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

26 (B) cannabinoids that:  
27 (i) are capable of being naturally produced by the  
28 *Cannabis sativa L.* plant; and  
29 (ii) were synthesized or manufactured outside the  
30 plant; or

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

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

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

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

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

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1           **Drug, and Cosmetic Act (21 U.S.C. 355).**  
2           **Sec. 5. "Industrial hemp" means hemp:**  
3           (1) grown for the use of the stalk of the plant fiber produced  
4           from the stalk, or any other noncannabinoid derivative,  
5           mixture, preparation, or manufacture of the stalk;  
6           (2) grown for the use of the whole grain, oil, cake, nut, hull,  
7           or other noncannabinoid compound, derivative, mixture,  
8           preparation, or manufacture of the seeds of the plant;  
9           (3) grown for purposes of producing microgreens or other  
10          edible hemp leaf products for human consumption that are  
11          derived from an immature hemp plant that is grown from  
12          seeds that do not exceed the threshold for total  
13          tetrahydrocannabinols concentration of three-tenths of one  
14          percent (0.3%) in the plant on a dry weight basis;  
15          (4) that is a plant that does not enter the stream of commerce  
16          and is intended to support hemp research at an institution of  
17          higher education, as defined in 20 U.S.C. 1001, or an  
18          independent research institute; or  
19          (5) grown for the use of a viable seed of the plant produced  
20          solely for the production or manufacture of any material  
21          described in subdivisions (1) through (4).  
22          **Sec. 6. "Intermediate hemp derived cannabinoid product"**  
23          **means a hemp derived cannabinoid product that:**  
24          (1) is not yet in the final form or preparation and is marketed  
25          or intended to be used or consumed by a human or animal;  
26          or  
27          (2) is a powder, liquid, tablet, oil, or other product form that  
28          is intended or marketed to be mixed, dissolved, formulated,  
29          or added to or prepared with or into any other substance  
30          prior to administration or consumption.  
31          **Sec. 7. (a) "THC hemp extract" means a substance or**  
32          **compound that:**  
33          (1) is derived from or contains any part of the plant  
34          *Cannabis sativa L.* that meets the definition of "hemp"  
35          under IC 15-15-13-6;  
36          (2) contains not more than three-tenths of one percent  
37          (0.3%) total delta-9-tetrahydrocannabinol (THC), including  
38          precursors, by weight; and  
39          (3) contains no other controlled substances.  
40          **(b) The term does not include:**  
41          (1) the harvested reproductive organ, whether immature or  
42          mature, of the female hemp plant; or

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1           (2) smokable hemp.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42           SECTION 45. IC 35-52-7-40, AS ADDED BY P.L.169-2014,

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1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning  
3 alcohol **and products containing THC.**

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SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY