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## SENATE BILL No. 250

Proposed Changes to January 23, 2026 printing by AM025005

### DIGEST OF PROPOSED AMENDMENT

Permits and seed commissioner. Removes provisions relating to permits and provisions relating to the seed commissioner (except for those that are conforming amendments) and makes other changes. Makes the effective date mirror the federal date (November 12, 2026), except for provisions dealing with minors. Grandfathers in persons who legally sold THC hemp extract before January 1, 2026, for purposes of selling out of state only. Makes other changes and conforming amendments.

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, derivatives, and their isomers with a similar chemical**
- 8 **structure and pharmacological activity.**
- 9 SECTION 2. IC 7. ~~1-3-23-2,~~ 1-5-7-0.5 IS ADDED TO THE
- 10 INDIANA CODE AS ~~AMENDED BY P.L.285-2019,~~ [A NEW]
- 11 SECTION ~~45, IS AMENDED~~ TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2026]: [Sec. 2. (a) Except as otherwise
- 13 provided in IC 7.1-8 for purposes of IC 7.1-8, the commission may:
- 14 — (1) fine or suspend or revoke the permit or certificate of; or
- 15 — (2) fine and suspend or revoke the permit or certificate of;
- 16 a permittee for the violation of a provision of this title or of a rule

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~~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~~  
[0.5. This chapter does not apply to a substance that meets all] 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~~>[requirements:

(1) The substance contains cannabidiol or cannabigerol.

(2) The substance does not contain THC or any other cannabinoids.

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

SECTION 3]. 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;

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1 (2) consume an alcoholic beverage **or a product containing**  
 2 **THC**; or  
 3 (3) transport an alcoholic beverage **or a product containing**  
 4 **THC** on a public highway when not accompanied by at least one  
 5 (1) of the minor's parents or guardians.  
 6 (b) If a minor is found to have violated subsection (a)(2) or (a)(3)  
 7 while operating a vehicle, the court may order the minor's driving  
 8 privileges suspended for up to one (1) year. However, if the minor is  
 9 less than eighteen (18) years of age, the court shall order the minor's  
 10 driving privileges suspended for at least sixty (60) days.  
 11 (c) The court shall deliver any order suspending a minor's driving  
 12 privileges under this section to the bureau of motor vehicles, which  
 13 shall suspend the minor's driving privileges under IC 9-24-18-12.2 for  
 14 the period ordered by the court.  
 15 SECTION ~~4~~ [4]. IC 7.1-5-7-8, AS AMENDED BY P.L.32-2019,  
 16 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2026]: Sec. 8. (a) It is a Class B misdemeanor for a person to  
 18 recklessly, knowingly, or intentionally sell, barter, exchange, provide,  
 19 or furnish an alcoholic beverage **or a product containing THC** to a  
 20 minor.  
 21 (b) However, the offense described in subsection (a) is:  
 22 (1) a Class A misdemeanor if the person has a prior unrelated  
 23 conviction under this section; and  
 24 (2) a Level 6 felony if the consumption, ingestion, or use of the  
 25 alcoholic beverage **or product containing THC** is the  
 26 proximate cause of the serious bodily injury or death of any  
 27 person.  
 28 (c) A person who knowingly or intentionally:  
 29 (1) rents property; or  
 30 (2) provides or arranges for the use of property;  
 31 for the purpose of allowing or enabling a minor to consume an  
 32 alcoholic beverage **or a product containing THC** on the property  
 33 commits a Class C infraction. However, the violation is a Class B  
 34 misdemeanor if the person has a prior unrelated adjudication or  
 35 conviction for a violation of this section within the previous five (5)  
 36 years.  
 37 (d) This section shall not be construed to impose civil liability  
 38 upon any postsecondary educational institution, including public and  
 39 private universities and colleges, business schools, vocational schools,  
 40 and schools for continuing education, or its agents for injury to any  
 41 person or property sustained in consequence of a violation of this  
 42 section unless the institution or its agent:

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- 1 (1) sells, barter, exchanges, provides, or furnishes an alcoholic
- 2 beverage **or a product containing THC** to a minor; or
- 3 (2) either:
- 4 (A) rents property; or
- 5 (B) provides or arranges for the use of property;
- 6 for the purpose of allowing or enabling a minor to consume an
- 7 alcoholic beverage **or a product containing THC** on the
- 8 property.

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

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

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

- 28 (1) **at least sixteen (16) years of age; and**
- 29 (2) **less than twenty-one (21) years of age;**
- 30 **to receive or purchase a product that contains any amount of THC**
- 31 **as part of an enforcement action**~~<under this article>~~.
- 32 (b) **The initial or contemporaneous receipt or purchase of a**
- 33 **product that contains any amount of THC must:**
- 34 (1) **occur under the direction of a law enforcement officer**
- 35 **vested with full police powers and duties; and**
- 36 (2) **be a part of the enforcement action.**

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

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1 — (b) In any civil proceeding in which damages are sought from a  
 2 permittee or a permittee's agent for the refusal to serve a person an  
 3 alcoholic beverage ~~or a product containing THC~~, it is a complete  
 4 defense if the permittee or agent reasonably believed that the person  
 5 was intoxicated or was otherwise not entitled to be served an alcoholic  
 6 beverage ~~or a product containing THC~~;  
 7 — (c) After charges have been filed against a person for a violation  
 8 of subsection (a), the prosecuting attorney shall notify the commission  
 9 of the charges filed.  
 10 — SECTION 10. IC 7.1-5-10-15.5 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) As used in this  
 12 section, "furnish" includes barter, deliver, sell, exchange, provide, or  
 13 give away.  
 14 — (b) A person who furnishes an alcoholic beverage ~~or a product~~  
 15 ~~containing THC~~ to a person is not liable in a civil action for damages  
 16 caused by the impairment or intoxication of the person who was  
 17 furnished the alcoholic beverage ~~or product containing THC~~ unless:  
 18 — (1) the person furnishing the alcoholic beverage ~~or product~~  
 19 ~~containing THC~~ had actual knowledge that the person to whom  
 20 the alcoholic beverage ~~or product containing THC~~ was  
 21 furnished was visibly intoxicated at the time the alcoholic  
 22 beverage ~~or product containing THC~~ was furnished; and  
 23 — (2) the intoxication of the person to whom the alcoholic beverage  
 24 ~~or product containing THC~~ was furnished was a proximate  
 25 cause of the death, injury, or damage alleged in the complaint.  
 26 — (c) If a person who is at least twenty-one (21) years of age suffers  
 27 injury or death proximately caused by the person's voluntary  
 28 intoxication, the:  
 29 — (1) person;  
 30 — (2) person's dependents;  
 31 — (3) person's personal representative; or  
 32 — (4) person's heirs;  
 33 may not assert a claim for damages for personal injury or death against  
 34 a person who furnished an alcoholic beverage ~~or a product containing~~  
 35 ~~THC~~ that contributed to the person's intoxication, unless subsections  
 36 (b)(1) and (b)(2) apply.  
 37 — SECTION 11. IC 7.1-7-3-4 IS ADDED TO THE INDIANA CODE  
 38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 39 1, 2026]: Sec. 4. An e-liquid that is a hemp derived cannabinoid  
 40 product is subject to this article and IC 7.1-8.  
 41 — SECTION 12. IC 7.1-8 IS ADDED TO THE INDIANA CODE AS  
 42 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,

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~~2026];~~  
~~ARTICLE 8. HEMP-DERIVED CANNABINOID PRODUCTS~~  
~~Chapter 1. Applicability, Purpose, and Effective Date~~  
~~Sec. 1. This article is effective October 1, 2026.~~  
~~Sec. 2. (a) This article does not limit the powers or duties of the commission under IC 7.1-2.~~  
~~(b) This article may not be construed to restrict or limit any law under IC 35-48.~~  
~~Sec. 3. The purpose of this article is to promote the health and safety of hemp-derived cannabinoid products by:~~  
~~(1) ensuring hemp-derived cannabinoid products sold in Indiana meet federal laws and regulations;~~  
~~(2) creating a permitting scheme for hemp-derived cannabinoid products in Indiana so that hemp-derived cannabinoid products may be sold and have law enforcement oversight; and~~  
~~(3) requiring persons distributing hemp-derived cannabinoid products in Indiana to have valid permits and to submit an applicable certificate of analysis to the commission.~~  
~~Sec. 4. The definitions in IC 35-48-8 apply throughout this chapter.~~  
~~Sec. 5. A product that purports to be a hemp-derived cannabinoid product, but is in violation of this article, is to be treated as marijuana (as defined in IC 35-48-1.1-29).~~  
~~Chapter 2. Definitions~~  
~~Sec. 1. The definitions in this chapter apply throughout this article:~~  
~~Sec. 2. "Batch" means a specific quantity of a specific product containing cannabinoids derived from hemp that is:~~  
~~(1) manufactured at the same time;~~  
~~(2) manufactured using the same:~~  
~~(A) methods;~~  
~~(B) equipment; and~~  
~~(C) ingredients;~~  
~~that are uniform and intended to meet specifications for identity, strength, purity, and composition; and~~  
~~(3) manufactured, packaged, and labeled according to a single batch production record that is:~~  
~~(A) executed; and~~  
~~(B) documented.~~  
~~Sec. 3. "CBD product" means a product that contains a cannabidiol or cannabigerol but does not contain~~

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- 1 ~~tetrahydrocannabinol, any other cannabinoids, or any other~~  
 2 ~~controlled substances.~~  
 3 ~~— Sec. 3.5. "Container" has the meaning set forth in~~  
 4 ~~IC 35-48-8-2.~~  
 5 ~~— Sec. 4. (a) "Hemp derived cannabinoid product" has the~~  
 6 ~~meaning set forth in IC 35-48-8-4.~~  
 7 ~~— Sec. 5. "Hemp distributor" means a person who distributes~~  
 8 ~~hemp derived cannabinoid products and has a permit under~~  
 9 ~~IC 7.1-8-10.~~  
 10 ~~— Sec. 6. "Hemp manufacturer" means a person who produces~~  
 11 ~~hemp derived cannabinoid products and has a permit under~~  
 12 ~~IC 7.1-8-9.~~  
 13 ~~— Sec. 7. "Hemp retailer" means a person who sells or dispenses~~  
 14 ~~a hemp derived cannabinoid product and has a permit under~~  
 15 ~~IC 7.1-8-11.~~  
 16 ~~— Sec. 8. "Law enforcement officer" has the meaning set forth~~  
 17 ~~in IC 35-31.5-2-185.~~  
 18 ~~— Sec. 9. "Marijuana" has the meaning set forth in~~  
 19 ~~IC 35-48-1.1-29.~~  
 20 ~~— Sec. 10. "Permit holder" means a person who holds a valid~~  
 21 ~~permit issued under this article.~~  
 22 ~~— Chapter 3. Commission Duties~~  
 23 ~~— Sec. 1. The commission shall enforce and administer this~~  
 24 ~~article:~~  
 25 ~~— Sec. 2. The commission shall:~~  
 26 ~~— (1) issue permits under this article;~~  
 27 ~~— (2) assess fees to permit holders;~~  
 28 ~~— (3) approve or deny permit applications;~~  
 29 ~~— (4) create an online data base for permit information;~~  
 30 ~~certificate of analysis information, and other information~~  
 31 ~~related to hemp derived cannabinoid products in Indiana;~~  
 32 ~~— (5) monitor all permit holders;~~  
 33 ~~— (6) monitor all hemp derived cannabinoid products~~  
 34 ~~manufactured, distributed, and retailed in Indiana;~~  
 35 ~~— (7) test all hemp derived cannabinoid products as necessary~~  
 36 ~~to ensure compliance with this article;~~  
 37 ~~— (8) train excise officers to implement and enforce this article;~~  
 38 ~~and~~  
 39 ~~— (9) create an affidavit for purposes of IC 7.1-8-6-1(a).~~  
 40 ~~— Sec. 3. The commission may audit the records of a permit~~  
 41 ~~holder at any time to ensure compliance with:~~  
 42 ~~— (1) this article;~~

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- 1 ~~— (2) rules adopted by the commission;~~
- 2 ~~— (3) permit requirements; and~~
- 3 ~~— (4) permit conditions.~~
- 4 ~~— Sec. 4. (a) The commission may inspect a permit holder's:~~
  - 5 ~~— (1) records;~~
  - 6 ~~— (2) property, including vehicles;~~
  - 7 ~~— (3) hemp; and~~
  - 8 ~~— (4) hemp derived cannabinoid products.~~
- 9 ~~— (b) The commission may conduct an inspection under this~~
- 10 ~~section independently or in cooperation with:~~
  - 11 ~~— (1) the state police department;~~
  - 12 ~~— (2) a federal law enforcement agency; or~~
  - 13 ~~— (3) a local law enforcement agency.~~
- 14 ~~— Chapter 4. Prescription Drugs~~
- 15 ~~— Sec. 1. This article does not apply to the sale or possession of~~
- 16 ~~the following:~~
  - 17 ~~— (1) Marinol.~~
  - 18 ~~— (2) Syndros.~~
  - 19 ~~— (3) Cesamet.~~
  - 20 ~~— (4) Epidiolex.~~
- 21 ~~— Sec. 2. An individual who is less than twenty-one (21) years of~~
- 22 ~~age may purchase and possess a CBD product.~~
- 23 ~~— Chapter 5. Permit Applications~~
- 24 ~~— Sec. 1. The commission may:~~
  - 25 ~~— (1) consider;~~
  - 26 ~~— (2) approve;~~
  - 27 ~~— (3) deny; or~~
  - 28 ~~— (4) renew;~~
- 29 ~~an application to manufacture, distribute, or sell a hemp derived~~
- 30 ~~cannabinoid product.~~
- 31 ~~— Sec. 2. If an applicant intentionally misstates a material fact in~~
- 32 ~~an application for a permit under this chapter, the commission~~
- 33 ~~shall deny the application.~~
- 34 ~~— Sec. 3. (a) An application for a permit under this article must~~
- 35 ~~include the following:~~
  - 36 ~~— (1) The name of the applicant.~~
  - 37 ~~— (2) The address of the premises to which the permit will be~~
  - 38 ~~applicable.~~
  - 39 ~~— (3) A nonrefundable fee of two hundred fifty dollars (\$250).~~
  - 40 ~~— (4) The name under which the applicant transacts or intends~~
  - 41 ~~to transact business.~~
  - 42 ~~— (5) The address of the applicant.~~

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- 1 ~~— (6) An express statement of the applicant that the applicant~~
- 2 ~~consents for the duration of the permit term and one (1) year~~
- 3 ~~after the permit expires, to the entrance, inspection, and~~
- 4 ~~search and seizure by a law enforcement officer, without a~~
- 5 ~~warrant, of the licensed premises and vehicles to determine~~
- 6 ~~whether the applicant is complying with this article. The~~
- 7 ~~applicant's consent required by this section is renewed and~~
- 8 ~~continued by the retention of a permit or its use by the~~
- 9 ~~applicant.~~
- 10 ~~— (7) A signed statement by the applicant, under the penalties~~
- 11 ~~of perjury, that the individual applying for the permit has~~
- 12 ~~not been convicted, in the previous five (5) years, of:~~
- 13 ~~— (A) a federal crime having a sentence of at least one (1)~~
- 14 ~~year;~~
- 15 ~~— (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony~~
- 16 ~~under Indiana law;~~
- 17 ~~— (C) a drug related Level 6 felony or misdemeanor;~~
- 18 ~~— (D) a crime in a state other than Indiana having a~~
- 19 ~~penalty equal to the penalty for a Level 1, Level 2, Level~~
- 20 ~~3, Level 4, or Level 5 felony; or~~
- 21 ~~— (E) a drug related felony or misdemeanor in a state~~
- 22 ~~other than Indiana.~~
- 23 ~~— (8) A written consent for the state police department to~~
- 24 ~~conduct a state or national criminal history background~~
- 25 ~~check of the applicant.~~
- 26 ~~— (b) The commission shall deposit an application fee received~~
- 27 ~~under subsection (a)(3) in the hemp derived cannabinoid products~~
- 28 ~~fund established by IC 7.1-8-16.~~
- 29 ~~— Sec. 4. (a) Upon receipt of a permit application under this~~
- 30 ~~chapter, the commission shall forward a copy of the application to~~
- 31 ~~the state police department.~~
- 32 ~~— (b) The state police department shall do the following:~~
- 33 ~~— (1) Perform a state or national criminal history background~~
- 34 ~~check of the applicant.~~
- 35 ~~— (2) Determine if the applicant was convicted, in the previous~~
- 36 ~~five (5) years, of:~~
- 37 ~~— (A) a federal crime having a sentence of at least one (1)~~
- 38 ~~year;~~
- 39 ~~— (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony~~
- 40 ~~under Indiana law;~~
- 41 ~~— (C) a drug related Level 6 felony or misdemeanor;~~
- 42 ~~— (D) a crime in a state other than Indiana having a~~

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~~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 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~~

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

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1 ~~both:~~  
2 ~~— (1) manufacturing and distribution permits;~~  
3 ~~— (2) manufacturing and retail permits; or~~  
4 ~~— (3) distribution and retail permits.~~  
5 ~~— Sec. 3. A person who has been approved to be a hemp permit~~  
6 ~~holder must conspicuously display the holder's hemp permit on the~~  
7 ~~holder's premises, and keep the permit posted and displayed, as~~  
8 ~~soon as the commission has approved the permit and as long as the~~  
9 ~~permit is valid.~~  
10 ~~— Sec. 4. The commission shall not issue more than one (1) type~~  
11 ~~of permit under this article to a person.~~  
12 ~~— Chapter 7. Deposit of Permits~~  
13 ~~— Sec. 1. (a) If a permit holder is unable to immediately operate~~  
14 ~~the business for which the permit was issued, the permit holder~~  
15 ~~shall deposit the permit with the commission, subject to the~~  
16 ~~commission's approval. The commission may approve the deposit~~  
17 ~~of the permit for the following terms:~~  
18 ~~— (1) An initial term of deposit that expires twenty-four (24)~~  
19 ~~months after the date of the commission's approval.~~  
20 ~~— (2) An extension of the term of deposit that expires twelve~~  
21 ~~(12) months after the date the initial term of deposit under~~  
22 ~~subdivision (1) expires.~~  
23 ~~— (3) An extension of the term of deposit that expires twelve~~  
24 ~~(12) months after the date the initial term of deposit under~~  
25 ~~subdivision (2) expires.~~  
26 ~~— (4) An extension of the term of deposit that expires twelve~~  
27 ~~(12) months after the date the initial term of deposit under~~  
28 ~~subdivision (3) expires.~~  
29 ~~— (b) If the permit has not expired or reverted to the~~  
30 ~~commission, a permit holder may withdraw a permit that is~~  
31 ~~deposited with the commission and make the permit active at any~~  
32 ~~time before the term of deposit expires, subject to any~~  
33 ~~requirements of the commission.~~  
34 ~~— Sec. 2. (a) A permit reverts to the commission if:~~  
35 ~~— (1) a term of deposit under section 1(a) of this chapter~~  
36 ~~expires without the commission approving an extension of~~  
37 ~~the term; and~~  
38 ~~— (2) the permit is not active.~~  
39 ~~— (b) At least ninety (90) days before the date that a term of~~  
40 ~~deposit expires, the commission shall provide written notice to the~~  
41 ~~permit holder of the date that:~~  
42 ~~— (1) the term of deposit expires; and~~

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~~(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 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~~

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1 ~~— (2) if the permit holder's request is approved:~~  
2 ~~— (A) the date that the term of deposit expires; and~~  
3 ~~— (B) any fees that are due and payable by the permit~~  
4 ~~holder.~~  
5 ~~A person adversely affected by the commission's determination~~  
6 ~~under this chapter may seek judicial review of the determination~~  
7 ~~under IC 4-21.5.~~  
8 ~~— Chapter 8. Suspension, Revocation, and Reinstatement of~~  
9 ~~Permits~~  
10 ~~— Sec. 1. (a) The commission may suspend or revoke a hemp~~  
11 ~~permit if the permit holder fails to pay a civil penalty ordered by~~  
12 ~~the commission.~~  
13 ~~— (b) Before enforcing the imposition of a civil penalty or~~  
14 ~~suspending or revoking a hemp permit, the commission shall:~~  
15 ~~— (1) provide written notice of the alleged violation to the~~  
16 ~~permit holder; and~~  
17 ~~— (2) conduct a hearing.~~  
18 ~~— (c) If the commission:~~  
19 ~~— (1) imposes a civil penalty; or~~  
20 ~~— (2) suspends or revokes a hemp permit;~~  
21 ~~the commission shall issue a written notice to the permit holder~~  
22 ~~within ten (10) business days.~~  
23 ~~— (d) The commission shall suspend a hemp permit for ninety~~  
24 ~~(90) days if the commission finds by a preponderance of the~~  
25 ~~evidence that the permit holder has committed a crime or that a~~  
26 ~~crime was committed on the premises of the hemp permit holder.~~  
27 ~~— Sec. 2. (a) If a permit has expired or been suspended under this~~  
28 ~~article, the commission may not reinstate or renew the permit until~~  
29 ~~the permit holder has paid all civil penalties imposed by the~~  
30 ~~commission.~~  
31 ~~— (b) The failure to pay a civil penalty described in subsection~~  
32 ~~(a), after ninety (90) days, is a Class B infraction.~~  
33 ~~— (c) If the commission has revoked a hemp permit, the~~  
34 ~~commission may not reinstate or renew the permit until at least~~  
35 ~~one hundred eighty (180) days after the revocation. The~~  
36 ~~commission may reinstate an expired or revoked permit if the~~  
37 ~~applicant demonstrates that the applicant will:~~  
38 ~~— (1) exercise due diligence on the applicant's premises; and~~  
39 ~~— (2) properly supervise and train the applicant's employees or~~  
40 ~~agents that will handle the hemp derived cannabinoid~~  
41 ~~products.~~  
42 ~~— (d) If a permit is reinstated or renewed under this section, the~~

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~~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:~~

~~— 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~~

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1 ~~for a hemp-derived cannabinoid products distributor permit.~~  
2 ~~— (b) The commission shall charge seven hundred fifty dollars~~  
3 ~~(\$750) for a hemp distributor permit annually.~~  
4 ~~— (c) A hemp distributor may only sell hemp-derived~~  
5 ~~cannabinoid products to a hemp retail permit holder.~~  
6 ~~— (d) A hemp distributor may only buy hemp-derived~~  
7 ~~cannabinoid products from a hemp manufacturer permit holder.~~  
8 ~~— Chapter 11. Retail Permits~~  
9 ~~— Sec. 1. (a) A hemp retail permit holder under this chapter may~~  
10 ~~only purchase hemp-derived cannabinoid products from a hemp~~  
11 ~~distributor holding a valid hemp distributor permit issued by the~~  
12 ~~commission:~~  
13 ~~— (b) A person may only purchase hemp-derived cannabinoid~~  
14 ~~products from a hemp distributor if the person holds a hemp retail~~  
15 ~~permit.~~  
16 ~~— (c) A person may only sell:~~  
17 ~~— (1) a hemp-derived cannabinoid product; and~~  
18 ~~— (2) a CBD product;~~  
19 ~~to a member of the public if the person holds a valid hemp-derived~~  
20 ~~cannabinoid products retail permit issued by the commission.~~  
21 ~~— Sec. 2. (a) The commission may issue a hemp-derived~~  
22 ~~cannabinoid products retail permit to a person who:~~  
23 ~~— (1) intends to sell hemp-derived cannabinoid products; and~~  
24 ~~— (2) meets the commission's requirements for a hemp-derived~~  
25 ~~cannabinoid products retail permit.~~  
26 ~~— (b) The commission shall charge five hundred fifty dollars~~  
27 ~~(\$550) for a hemp-derived cannabinoid products retail permit~~  
28 ~~annually. The commission shall deposit this fee in the hemp-derived~~  
29 ~~cannabinoid products fund established by IC 7.1-8-16.~~  
30 ~~— Sec. 3. (a) It is a Class C infraction for a hemp retail permit~~  
31 ~~holder or an employee or agent of a hemp retail permit holder to~~  
32 ~~recklessly, knowingly, or intentionally sell, barter, exchange,~~  
33 ~~provide, or furnish another person who is or reasonably appears~~  
34 ~~to be less than forty (40) years of age a hemp-derived cannabinoid~~  
35 ~~product without first requiring the person to produce:~~  
36 ~~— (1) a driver's license;~~  
37 ~~— (2) an identification card issued under IC 9-24-16-1 or a~~  
38 ~~similar card issued under the laws of another state or the~~  
39 ~~federal government; or~~  
40 ~~— (3) a government issued document;~~  
41 ~~bearing the person's photograph and birth date showing that the~~  
42 ~~person is at least twenty-one (21) years of age.~~

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1 ~~— (b) A hemp retail permit holder does not need to request the~~  
2 ~~identification of an individual to purchase a CBD product, as~~  
3 ~~defined in IC 7.1-8-2-3.~~  
4 ~~— Sec. 4. A hemp retail permit holder must pay state sales tax on~~  
5 ~~all products that the retail permit holder sells.~~  
6 ~~— Sec. 5. A hemp retail permit holder may not operate from a~~  
7 ~~location that is within one thousand (1,000) feet of the perimeter of:~~  
8 ~~— (1) a school;~~  
9 ~~— (2) a playground;~~  
10 ~~— (3) a child care center;~~  
11 ~~— (4) a library; or~~  
12 ~~— (5) a government owned or operated property.~~  
13 ~~— Sec. 6. A hemp retail permit holder shall prohibit the onsite~~  
14 ~~consumption of hemp derived cannabinoid products on the hemp~~  
15 ~~permit holder's premises.~~  
16 ~~— Sec. 7. A hemp retail permit holder may not deliver hemp~~  
17 ~~derived cannabinoid products to any customer.~~  
18 ~~— Sec. 8. The sale of hemp derived cannabinoid products on the~~  
19 ~~Internet is expressly prohibited. Unless specifically granted~~  
20 ~~authority by a statute passed by the general assembly, the~~  
21 ~~commission shall not allow the operation of or authorize online sale~~  
22 ~~of hemp derived cannabinoid products.~~  
23 ~~— Chapter 12. Carrier Permits~~  
24 ~~— Sec. 1. (a) The commission may issue a hemp carrier permit to~~  
25 ~~a person who:~~  
26 ~~— (1) intends to transport hemp or hemp derived cannabinoid~~  
27 ~~products:~~  
28 ~~— (A) between a hemp grower, licensed under~~  
29 ~~IC 15-15-13-7 and a hemp manufacturer;~~  
30 ~~— (B) between a hemp manufacturer and a hemp~~  
31 ~~distributor;~~  
32 ~~— (C) between a hemp distributor and a hemp retailer; or~~  
33 ~~— (D) between Indiana and another state; and~~  
34 ~~— (2) meets the commission's requirements for a hemp carrier~~  
35 ~~permit.~~  
36 ~~— (b) A person transporting industrial hemp, as defined in~~  
37 ~~IC 35-48-8-5, is exempt under this article but must obtain a hemp~~  
38 ~~handler permit under IC 15-15-13-7 to transport industrial hemp.~~  
39 ~~— Sec. 2. (a) An applicant for a carrier permit under this chapter~~  
40 ~~must submit to the commission the description of the applicant's~~  
41 ~~vehicle including:~~  
42 ~~— (1) the date of manufacture of the vehicle;~~

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- 1 ~~— (2) the vehicle's approximate weight;~~
- 2 ~~— (3) the vehicle's vehicle identification number (VIN);~~
- 3 ~~— (4) the vehicle's license plate number;~~
- 4 ~~— (5) the vehicle's capacity; and~~
- 5 ~~— (6) other information that the commission requires by rule.~~
- 6 ~~— (b) An applicant for a carrier permit under this chapter must~~
- 7 ~~submit a surety bond in a penal sum of a minimum of five thousand~~
- 8 ~~dollars (\$5,000), executed by the applicant and payable to the state~~
- 9 ~~of Indiana, to the commission. The bond shall be conditioned that~~
- 10 ~~the applicant will not violate a provision of this title, or a rule or~~
- 11 ~~regulation of the commission. The commission shall duly execute~~
- 12 ~~and approve the bond.~~
- 13 ~~— (c) A separate carrier permit is required for each vehicle that~~
- 14 ~~is used to transport hemp derived cannabinoid products.~~
- 15 ~~— (d) The driver of the vehicle transporting hemp derived~~
- 16 ~~cannabinoid products must possess the carrier permit.~~
- 17 ~~— (e) If a driver fails to possess a carrier permit while~~
- 18 ~~transporting hemp or hemp derived cannabinoid products, a law~~
- 19 ~~enforcement officer may seize, embargo, or retain any hemp~~
- 20 ~~derived cannabinoid products in the vehicle.~~
- 21 ~~— Sec. 3. The commission shall adopt rules under IC 4-22-2 to~~
- 22 ~~require an applicant for a carrier permit under this chapter to~~
- 23 ~~demonstrate reliability and responsibility.~~
- 24 ~~— Sec. 4. (a) The commission shall charge a fee of two hundred~~
- 25 ~~fifty dollars (\$250) for a hemp carrier permit annually.~~
- 26 ~~— (b) The commission shall deposit a fee received under~~
- 27 ~~subsection (a) in the hemp derived cannabinoid products fund~~
- 28 ~~established by IC 7.1-8-16.~~
- 29 ~~— Chapter 13. Labeling~~
- 30 ~~— Sec. 1. (a) A hemp manufacturer may only sell a hemp derived~~
- 31 ~~cannabinoid product to a hemp distributor if the hemp derived~~
- 32 ~~cannabinoid product is labeled in accordance with this chapter.~~
- 33 ~~— (b) A hemp distributor may only distribute a hemp derived~~
- 34 ~~cannabinoid product to a hemp retailer if the hemp derived~~
- 35 ~~cannabinoid product is labeled in accordance with this chapter.~~
- 36 ~~— (c) A hemp retailer may only sell a hemp derived cannabinoid~~
- 37 ~~product to a member of the public if the container or packaging of~~
- 38 ~~the hemp derived cannabinoid product contains a label that is in~~
- 39 ~~accordance with this chapter.~~
- 40 ~~— (d) If a person violates this chapter:~~
- 41 ~~— (1) a law enforcement officer shall seize any improperly~~
- 42 ~~labeled products; and~~

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- 1 ~~— (2) the commission may revoke the person's permit issued~~
- 2 ~~under this article:~~
- 3 ~~— (e) A product seized under subsection (d)(1) is presumed to be~~
- 4 ~~marijuana as defined in IC 35-48-1.1-29:~~
- 5 ~~— Sec. 2. (a) A label on a hemp derived cannabinoid product~~
- 6 ~~must be conspicuous and include the following information:~~
- 7 ~~— (1) The batch number:~~
- 8 ~~— (2) The hemp derived cannabinoid product permit number:~~
- 9 ~~— (3) If at the manufacturing stage, the hemp manufacturer's~~
- 10 ~~permit number:~~
- 11 ~~— (4) If at the distribution stage, the hemp manufacturer's and~~
- 12 ~~the distributor's permit numbers:~~
- 13 ~~— (5) If at the retail stage, the hemp manufacturer's permit~~
- 14 ~~number, the hemp distributor's permit number, and the~~
- 15 ~~hemp retailer's permit number:~~
- 16 ~~— (6) The weight of the product:~~
- 17 ~~— (7) Test results from a Hemp Analytical Testing Laboratory~~
- 18 ~~registered with the federal Drug Enforcement~~
- 19 ~~Administration, indicating the:~~
- 20 ~~— (A) percentage amount of each cannabinoid strain;~~
- 21 ~~including THC and cannabidiol, present in the hemp~~
- 22 ~~derived cannabinoid product; and~~
- 23 ~~— (B) number of milligrams of each cannabinoid strain;~~
- 24 ~~including THC and cannabidiol, present in the hemp~~
- 25 ~~derived cannabinoid product:~~
- 26 ~~— (8) A QR code that links to the commission's online data base~~
- 27 ~~with the certificate of analysis for the testing of the hemp~~
- 28 ~~derived cannabinoid product:~~
- 29 ~~— (9) Except as provided in subsection (b), that the product is~~
- 30 ~~legally available only to an individual who is at least~~
- 31 ~~twenty-one (21) years of age:~~
- 32 ~~— (10) The following statement: "THE STATE OF INDIANA~~
- 33 ~~HEALTH WARNING: Hemp derived cannabinoid products~~
- 34 ~~can be addictive and impair an individual's ability to drive~~
- 35 ~~a motor vehicle or operate heavy machinery. Smoking can~~
- 36 ~~lead to an increased risk for cancer, tachycardia;~~
- 37 ~~hypertension, heart attack, and lung infection. These~~
- 38 ~~products may also affect the health of a pregnant woman and~~
- 39 ~~the unborn child. KEEP OUT OF THE REACH OF~~
- 40 ~~CHILDREN.":~~
- 41 ~~— (b) Subsection (a)(9) does not apply to CBD products, as~~
- 42 ~~defined in IC 7.1-8-2-3:~~

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1 ~~— Chapter 14. Containers~~  
 2 ~~— Sec. 1. As used in this chapter, "container" has the meaning~~  
 3 ~~set forth in IC 35-48-8-2.~~  
 4 ~~— Sec. 2. A person may not manufacture, sell, or distribute a~~  
 5 ~~hemp derived cannabinoid product unless the product is contained~~  
 6 ~~in child resistant packaging.~~  
 7 ~~— Sec. 3. (a) If the commission discovers any hemp derived~~  
 8 ~~cannabinoid product sold or distributed in violation of this article,~~  
 9 ~~the commission may seize and take possession of the product. The~~  
 10 ~~commission shall destroy all products seized under this subsection.~~  
 11 ~~— (b) The commission may impose a civil penalty on any person~~  
 12 ~~who sells or distributes a hemp derived cannabinoid product in~~  
 13 ~~violation of this article. However, the civil penalty may not exceed~~  
 14 ~~the greater of:~~  
 15 ~~— (1) five hundred percent (500%) of the retail value of the~~  
 16 ~~product sold or distributed in violation of this chapter; or~~  
 17 ~~— (2) five thousand dollars (\$5,000);~~  
 18 ~~— Chapter 15. Laboratories~~  
 19 ~~— Sec. 1. (a) The state police department shall publish on the~~  
 20 ~~department's website the list of Hemp Analytical Testing~~  
 21 ~~Laboratories registered with the federal Drug Enforcement~~  
 22 ~~Administration licensed to test hemp for THC concentration in~~  
 23 ~~Indiana.~~  
 24 ~~— (b) The commission shall notify the state police department if~~  
 25 ~~a laboratory listed under subsection (a) has failed to comply with~~  
 26 ~~this article.~~  
 27 ~~— (c) The state police department shall delete a laboratory from~~  
 28 ~~the list described in subsection (a) after receiving a notification~~  
 29 ~~under subsection (b).~~  
 30 ~~— Sec. 2. A hemp manufacturer must test each hemp derived~~  
 31 ~~cannabinoid product that the hemp manufacturer produces at a~~  
 32 ~~Hemp Analytical Testing Laboratory registered with the federal~~  
 33 ~~Drug Enforcement Administration and listed on the state police~~  
 34 ~~department's website.~~  
 35 ~~— Sec. 3. A hemp manufacturer must submit the following to the~~  
 36 ~~commission:~~  
 37 ~~— (1) The certificate of analysis for each product tested by a~~  
 38 ~~laboratory under section 2 of this chapter.~~  
 39 ~~— (2) The name of the laboratory that tested the product.~~  
 40 ~~— (3) The license number of the laboratory that tested the~~  
 41 ~~product.~~  
 42 ~~— (4) A draft of a label that complies with IC 7.1-8-13.~~

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- 1 ~~— (5) The address of the hemp manufacturer.~~  
 2 ~~— (6) The percentage of every cannabinoid contained in the~~  
 3 ~~product.~~  
 4 ~~— (7) The terpenoid type and concentration used.~~  
 5 ~~— (8) The residual solvents and processing chemicals used.~~  
 6 ~~— (9) Any residual pesticides used.~~  
 7 ~~— (10) Any heavy metals contained the product.~~  
 8 ~~— (11) Any microbial impurities in the product.~~  
 9 ~~— (12) Any mycotoxins present in the product.~~  
 10 ~~— (13) Any water activity.~~  
 11 ~~— (14) Any yeast and mold in the product.~~  
 12 ~~— (15) A statement indicating whether vitamin E acetate is in~~  
 13 ~~the product.~~  
 14 ~~— (16) The hemp grower's license number.~~  
 15 ~~— Sec. 4. The commission shall publish information compiled~~  
 16 ~~under section 3 of this chapter in the commission's data base for~~  
 17 ~~hemp derived cannabinoid products and post this information on~~  
 18 ~~the commission's website.~~  
 19 ~~— Sec. 5. (a) A hemp manufacturer, a hemp distributor, or a~~  
 20 ~~hemp retailer may not sell a hemp derived cannabinoid product~~  
 21 ~~that is not properly tested under section 2 of this chapter.~~  
 22 ~~— (b) A person who knowingly or intentionally falsifies or alters~~  
 23 ~~a certificate of analysis is subject to criminal prosecution under~~  
 24 ~~IC 35-43-5-4.~~  
 25 ~~— (c) A hemp derived cannabinoid product with a falsified or~~  
 26 ~~altered certificate of analysis is to be considered marijuana (as~~  
 27 ~~defined in IC 35-48-1.1-29).~~  
 28 ~~— Sec. 6. (a) A laboratory testing hemp under this chapter must~~  
 29 ~~submit to the hemp manufacturer each certificate of analysis that~~  
 30 ~~it performs.~~  
 31 ~~— (b) The commission shall adopt rules under IC 4-22-2 to~~  
 32 ~~implement this chapter.~~  
 33 ~~— Chapter 16. Hemp Derived Cannabinoid Products Fund~~  
 34 ~~— Sec. 1. (a) The hemp derived cannabinoid products fund is~~  
 35 ~~established as a dedicated fund administered by the state budget~~  
 36 ~~agency.~~  
 37 ~~— (b) All money received by the commission for deposit in the~~  
 38 ~~hemp derived cannabinoid products fund shall be deposited in the~~  
 39 ~~fund.~~  
 40 ~~— (c) The commission shall deposit in the fund all:~~  
 41 ~~— (1) fees for permits received under this article; and~~  
 42 ~~— (2) application fees received under this article.~~

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- 1 ~~— (d) No portion of the fund shall revert to the state general fund~~
- 2 ~~at the end of a state fiscal year. However, if the fund is abolished;~~
- 3 ~~its contents shall revert to the state general fund.~~
- 4 ~~— (e) All money accruing in the fund is continuously~~
- 5 ~~appropriated for the purposes in this chapter.~~
- 6 ~~— Sec. 2. In each state fiscal year, the prior state fiscal year~~
- 7 ~~collections accrued to the fund shall be used by the commission as~~
- 8 ~~follows:~~
- 9 ~~— (1) Seventy percent (70%) by the commission for the~~
- 10 ~~administration of the purposes of this article.~~
- 11 ~~— (2) Twenty percent (20%) pursuant to the hemp derived~~
- 12 ~~products law enforcement program as described in section 3~~
- 13 ~~of this chapter.~~
- 14 ~~— (3) Five percent (5%) to the division of mental health and~~
- 15 ~~addiction to provide funding for the 988 suicide and crisis~~
- 16 ~~hotline.~~
- 17 ~~— (4) Five percent (5%) to the state general fund.~~
- 18 ~~— Sec. 3. (a) The hemp derived cannabinoid products law~~
- 19 ~~enforcement program is established and shall be administered by~~
- 20 ~~the commission.~~
- 21 ~~— (b) The state budget agency may distribute funds as part of the~~
- 22 ~~hemp derived cannabinoid products law enforcement program as~~
- 23 ~~follows:~~
- 24 ~~— (1) To the state police department for the following:~~
- 25 ~~— (A) Funding ARIDE training at the Indiana state police~~
- 26 ~~department academy.~~
- 27 ~~— (B) Purchasing oral fluid testing material for roadside~~
- 28 ~~hemp and cannabis testing.~~
- 29 ~~— (C) The destruction of confiscated or illegal hemp~~
- 30 ~~derived cannabinoid products.~~
- 31 ~~— (D) Funding other items necessary to enforce this~~
- 32 ~~article.~~
- 33 ~~— (2) To local law enforcement agencies for oral fluid testing~~
- 34 ~~material for roadside hemp and cannabis testing.~~
- 35 ~~— (3) To prosecuting attorneys for the following:~~
- 36 ~~— (A) Training programs.~~
- 37 ~~— (B) Legal and court costs associated with the~~
- 38 ~~prosecution of violations related to hemp derived~~
- 39 ~~cannabinoid products or marijuana.~~
- 40 ~~— (C) Other items necessary to enforce this article.~~
- 41 ~~— Chapter 17. Advertising~~
- 42 ~~— Sec. 1. (a) A permit holder under this article shall not engage~~

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

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1 ~~— Sec. 1. The commission may do spot testing of hemp derived~~  
2 ~~cannabinoid products to ensure compliance with this article.~~  
3 ~~— Sec. 2. (a) If the commission tests a hemp derived cannabinoid~~  
4 ~~product that:~~  
5 ~~— (1) was manufactured, distributed, or sold by a permit~~  
6 ~~holder; or~~  
7 ~~— (2) is for sale by a permit holder;~~  
8 ~~the permit holder shall pay the commissioner two hundred fifty~~  
9 ~~dollars (\$250) for each test.~~  
10 ~~— (b) The commission shall adopt rules under IC 4-22-2~~  
11 ~~concerning the recall of hemp derived cannabinoid products due~~  
12 ~~to:~~  
13 ~~— (1) improper or false labeling; or~~  
14 ~~— (2) health and safety concerns.~~  
15 ~~— (c) The commission may adopt a rule under IC 4-22-2 to~~  
16 ~~increase the fee described in subsection (a) if the testing costs~~  
17 ~~exceed the fee.~~  
18 ~~— Chapter 19. Enforcement Actions~~  
19 ~~— Sec. 1. If the commission, the state police department, a federal~~  
20 ~~law enforcement agency, or a local law enforcement agency finds~~  
21 ~~that a permit holder possesses a product that purports to be a~~  
22 ~~hemp derived cannabinoid product and does not meet the~~  
23 ~~requirements of this article, the product is considered to be~~  
24 ~~marijuana (as defined in IC 35-48-1.1-29). The commission, state~~  
25 ~~police department, federal law enforcement agency, or local law~~  
26 ~~enforcement agency may:~~  
27 ~~— (1) detain, seize, or embargo the product;~~  
28 ~~— (2) seize the building containing the product; and~~  
29 ~~— (3) seize the vehicle used to transport or store the product.~~  
30 ~~— Chapter 20. Crimes~~  
31 ~~— Sec. 1. (a) A person who knowingly or intentionally~~  
32 ~~transports hemp derived cannabinoid products:~~  
33 ~~— (1) between a hemp manufacturer and a hemp distributor;~~  
34 ~~or~~  
35 ~~— (2) between a hemp distributor and a hemp retailer;~~  
36 ~~without holding a valid hemp derived cannabinoid products carrier~~  
37 ~~permit commits a Class B misdemeanor.~~  
38 ~~— (b) A person who knowingly or intentionally transports a~~  
39 ~~hemp derived cannabinoid product into or through Indiana that~~  
40 ~~was manufactured outside of Indiana commits a Class A~~  
41 ~~misdemeanor.~~  
42 ~~— (c) The commission may revoke the person's hemp carrier~~

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1 ~~permit for violating this section:~~

2 ~~— Sec. 2. A law enforcement agency may seize hemp or hemp~~  
 3 ~~derived cannabinoid products that are being transported in~~  
 4 ~~violation of this article:~~

5 ~~— Sec. 3. (a) It is unlawful for a person to possess an article,~~  
 6 ~~instrument, imitation, or counterfeit of a permit issued under this~~  
 7 ~~article, other than a permit lawfully issued to the person and which~~  
 8 ~~the person is lawfully entitled to possess:~~

9 ~~— (b) It is unlawful for a person to display an imitation or~~  
 10 ~~counterfeit of a permit issued under this article for the purpose of~~  
 11 ~~defrauding the state of the payment of a tax or permit fee imposed~~  
 12 ~~by this title:~~

13 ~~— (c) A person who knowingly or intentionally violates~~  
 14 ~~subsection (a) or (b) commits a Class A misdemeanor. However,~~  
 15 ~~the offense is a Level 6 felony after the first offense.~~

16 ~~— Sec. 4. A person who knowingly or intentionally sells or offers~~  
 17 ~~to sell a hemp derived cannabinoid product over the Internet or by~~  
 18 ~~delivery commits a Class A misdemeanor:~~

19 ~~— Sec. 5. A person who knowingly or intentionally sells a hemp~~  
 20 ~~derived cannabinoid product that has been recalled under~~  
 21 ~~IC 7.1-8-18 commits a Class B misdemeanor:~~

22 ~~— Sec. 6. A person who knowingly or intentionally violates this~~  
 23 ~~article commits a deceptive act that is actionable by the attorney~~  
 24 ~~general under IC 24-5-0.5 and is subject to the penalties listed in~~  
 25 ~~IC 24-5-0.5.~~

26 ~~— SECTION 13. IC 9-13-2-86, AS AMENDED BY P.L.186-2025,~~  
 27 ~~SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
 28 ~~JULY 1, 2026]: Sec. 86. "Intoxicated" means under the influence of:~~

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

41 ~~so that there is an impaired condition of thought and action and the loss~~  
 42 ~~of normal control of a person's faculties:~~

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1 ~~SECTION 14. IC 9-13-2-160.5 IS ADDED TO THE INDIANA~~  
 2 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 3 ~~[EFFECTIVE JULY 1, 2026]: Sec. 160.5. "Schedule I drug", for~~  
 4 ~~purposes of this title, includes marijuana (as defined in~~  
 5 ~~IC 35-48-1.1-29), hemp (as defined in IC 35-48-8-3), and~~  
 6 ~~tetrahydrocannabinol (as defined in IC 7.1-1-3-46.5).~~

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

11 ~~(b) The state seed commissioner shall share information~~  
 12 ~~regarding the hemp program established under this chapter with~~  
 13 ~~the state police department.~~

14 ~~(c) The state seed commissioner shall report and provide to the~~  
 15 ~~United States Secretary of Agriculture required information under~~  
 16 ~~7 CFR 990.7 within thirty (30) days of the information being~~  
 17 ~~received.~~

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

22 ~~(b) Any state hemp grow programs may not operate above~~  
 23 ~~federal restrictions or limitations.~~

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

27 ~~SECTION 17. IC 15-15-13-3, AS AMENDED BY P.L.190-2019;~~  
 28 ~~SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
 29 ~~JULY 1, 2026]: Sec. 3. As used in this chapter, "crop" means any hemp~~  
 30 ~~grown under a single hemp grower's license issued under this~~  
 31 ~~chapter.~~

32 ~~SECTION 18. IC 15-15-13-3.5 IS ADDED TO THE INDIANA~~  
 33 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 34 ~~[EFFECTIVE JULY 1, 2026]: Sec. 3.5. "Grow site" means any place~~  
 35 ~~or location, either indoors or outdoors, where a hemp crop is~~  
 36 ~~legally grown.~~

37 ~~SECTION 19. IC 15-15-13-4, AS AMENDED BY P.L.190-2019;~~  
 38 ~~SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
 39 ~~JULY 1, 2026]: Sec. 4. As used in this chapter, "grower" means:~~

40 ~~(1) an individual, a partnership, a company, or a corporation that~~  
 41 ~~produces grows hemp; for commercial purposes; or~~

42 ~~(2) a person, as part of a hemp research program conducted by~~

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- 1 a state educational institution (as defined by IC 21-7-13-32).  
 2 — SECTION 20. IC 15-15-13-5, AS AMENDED BY P.L.190-2019,  
 3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 4 JULY 1, 2026]: Sec. 5. (a) As used in this chapter, "handler" means an  
 5 individual, a partnership, a company, or a corporation that receives  
 6 **industrial hemp** for scientific research, or for processing into  
 7 **agricultural commodities, industrial hemp, products, or agricultural**  
 8 **hemp seed:**  
 9 — (b) **The term does not include a person processing or handling**  
 10 **hemp derived cannabinoid products under IC 7.1-8.**  
 11 — SECTION ~~21~~ [8]. IC 15-15-13-6, AS AMENDED BY  
 12 P.L.190-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS  
 13 [EFFECTIVE ~~JULY~~ [NOVEMBER] 1 [2], 2026]: Sec. 6. As used in  
 14 this chapter, "hemp" means the plant *Cannabis sativa* L. and any part  
 15 of that plant, including the seeds thereof and all derivatives, extracts,  
 16 cannabinoids, isomers, acids, salts, and salts of isomers, whether  
 17 growing or not, with a delta-9-tetrahydrocannabinol concentration of  
 18 not more than three-tenths of one percent (0.3%) on a dry weight basis,  
 19 for any part of the *Cannabis sativa* L. plant. **has the meaning set forth**  
 20 **in IC 35-48-8-3.**  
 21 ~~SECTION 22. IC 15-15-13-6.3 IS ADDED TO THE INDIANA~~  
 22 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 23 ~~[EFFECTIVE JULY 1, 2026]: Sec. 6.3. As used in this chapter,~~  
 24 ~~"remediate" means the process of rendering noncompliant hemp~~  
 25 ~~compliant by:~~  
 26 — (1) **removing and destroying flower material, while retaining**  
 27 **stalk, stems, leaf material, and seeds; or**  
 28 — (2) **shredding the entire plant into a biomass like material;**  
 29 **then retesting the shredded biomass material for compliance.**  
 30 > SECTION ~~23~~ [9]. IC 15-15-13-6.5, AS AMENDED BY  
 31 P.L.186-2025, SECTION 104, IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER] 1 [2], 2026]: Sec.  
 33 6.5. As used in this chapter, "hemp ~~derived cannabinoid~~ product"  
 34 ~~means a product derived from, or made by,~~  
 35 ~~processing hemp plants or plant parts including~~  
 36 ~~derivatives, extracts, cannabinoids, isomers, acids,~~  
 37 ~~salts, and salts of isomers. However, the term~~  
 38 ~~does not include:~~  
 39 ~~(1) smokable hemp (as defined by~~  
 40 ~~IC 35-48-1 [IC 35-48-1].1-38); or~~  
 41 ~~(2) products that contain a total~~  
 42 ~~delta-9-tetrahydrocannabinol concentration of more than~~

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three-tenths of one percent (0.3%) by weight. **has the meaning set forth in IC 35-48-8-4.**

SECTION 24. IC 15-15-13-6.6 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.6. As used in this chapter, "industrial hemp" has the meaning set forth in IC 35-48-8-5.**

SECTION 25. IC 15-15-13-6.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.7. As used in this chapter, "industrial hemp production site" means a location where industrial hemp may be processed, stored, staged, delivered, or received.**

SECTION 26. IC 15-15-13-6.8 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.8. As used in this chapter, "licensee" means a person who is licensed by the state seed commissioner under this chapter including:**

- (1) a grower;**
- (2) a handler; or**
- (3) a grower and a handler.**

SECTION 27. IC 15-15-13-6.9 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.9. As used in this chapter, "lot" means a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety or strain of cannabis throughout the area.**

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

- ~~(1) hemp; and~~
- ~~(2) agricultural hemp seed.~~ **implement this chapter.**

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

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1 **hemp or to handle industrial hemp.**

2 **(c) The state seed commissioner may issue the following hemp**  
3 **licenses:**

4 **(1) A hemp grower's license, to a person who conducts the**  
5 **activities of a grower including farming or propagating of**  
6 **hemp.**

7 **(2) A hemp handler's license, to a person who transports**  
8 **industrial hemp, in any quantity, stage, and for any purpose.**

9 **(d) A hemp handler is exempt from having to obtain a carrier**  
10 **permit under IC 7.1-8-12.**

11 **(e) The state seed commissioner may issue both licenses listed**  
12 **under subsection (c) to the same person. The possession of one (1)**  
13 **license does not mean a person possesses the other license.**

14 **(f) A hemp grower's or hemp handler's license does not allow**  
15 **the person holding the license to produce hemp derived**  
16 **cannabinoid products under IC 7.1-8.**

17 **(g) An application for a hemp license or agricultural hemp seed**  
18 **production license under this chapter must include the following:**

19 **(1) The name and address of the applicant.**

20 **(2) The name and address of the hemp operation business of the**  
21 **applicant.**

22 **(3) The global positioning system coordinates, including the**  
23 **geospatial decimal format, and legal description of the property**  
24 **used for the hemp operation, following:**

25 **(A) Site by field.**

26 **(B) Storage site.**

27 **(C) Receiving site.**

28 **(D) Staging site.**

29 **(E) Sites similar to the sites listed in clauses (A) through**  
30 **(D).**

31 **(4) If the hemp license or agricultural hemp seed production**  
32 **license application is made by a grower, the acreage size of the**  
33 **field where the hemp will be grown.**

34 **(5) A statement signed by the applicant, under penalty of perjury,**  
35 **that the person applying for the hemp license or agricultural**  
36 **hemp seed production license has not been convicted, of a drug**  
37 **related felony or misdemeanor in the previous ten (10) within**  
38 **five (5) years of the application date, of:**

39 **(A) a federal crime having a sentence of at least one (1)**  
40 **year;**

41 **(B) a felony drug related misdemeanor under Indiana**  
42 **law; or**

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**(C) a crime in a state other than Indiana having a penalty equal to the penalty for a felony; for which the applicant's conviction has not been expunged under IC 35-38-9.**

(6) A written consent allowing the state police department to conduct a state or national criminal history background check.

(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 [tetrahydrocannabinol (THC) concentration of more than] three-tenths of one percent (0.3%) ~~<total THC.~~

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

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~~in Indiana;~~

~~(4) does not have lawful status, as defined in IC 9-13-2-92.3;~~

~~(5) has been convicted within five (5) years of the application date of:~~

~~(A) a federal crime having a sentence of at least one (1) year;~~

~~(B) a felony or a drug-related misdemeanor under Indiana law; or~~

~~(C) a crime in a state other than Indiana having a penalty equal to the penalty for a felony;~~

~~and the conviction has not been expunged under IC 35-38-9;~~

~~or~~

~~(6) is non-compos mentis.~~

~~SECTION 30. IC 15-15-13-7.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:~~ Sec. 7.6. (a) ~~A licensee shall ensure that their employees, volunteers, family members, or others servicing a hemp production site, and subject to the management of the licensee, comply with the requirements of Indiana law.~~

~~(b) A licensee may not conduct any hemp activity on property owned by, leased from, or previously submitted in a hemp application by any person if the state seed commissioner denied the person's hemp license application or revoked the person's hemp license for any of the following reasons:~~

~~(1) The failure to obtain a criminal background check.~~

~~(2) The failure to comply with an order from the state seed commissioner.~~

~~(c) A licensee must report hemp crop acreage to the Farm Services Agency (FSA) and to the Agricultural Marketing Service, including the following:~~

~~(1) Street address, if available, and geospatial location for each production or grow site where hemp will be grown or handled.~~

~~(2) Outdoor acreage or indoor square footage dedicated to the growing of hemp.~~

~~(3) License number of the grower.~~

~~(4) The purpose of the crop as fiber, grain, CBD, or another specified use.~~

~~(d) A grower who is aware that a hemp crop grown under their license exceeds the acceptable hemp THC level, whether notified by the state seed commissioner or not, must:~~

~~(1) secure the crop;~~

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

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1 application and the criminal history background check.  
 2 ~~— (b) (c) If the state seed commissioner determines that all the~~  
 3 ~~requirements under this chapter have been met and that a license~~  
 4 ~~should be granted to the applicant, the state seed commissioner shall~~  
 5 ~~approve the application for issuance of a license.~~  
 6 ~~— (d) The state seed commissioner must approve an application~~  
 7 ~~before an applicant can conduct any hemp activity.~~  
 8 ~~— (e) (e) A hemp license or agricultural hemp seed production~~  
 9 ~~license under this chapter expires on December 31 of the year for~~  
 10 ~~which the license was issued, unless revoked. A hemp license or~~  
 11 ~~agricultural hemp seed production license may be renewed in~~  
 12 ~~accordance with rules adopted by the state seed commissioner and is~~  
 13 ~~nontransferable.~~  
 14 ~~— (f) A license is nontransferable.~~  
 15 ~~— (g) A license may be renewed annually.~~  
 16 ~~— SECTION 32 > [by weight.~~  
 17 SECTION 10]. IC 15-15-13-9, AS AMENDED BY P.L.190-2019,  
 18 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 ~~<JULY>~~ [NOVEMBER] 1[2], 2026]: Sec. 9. ◊(a) ◊An  
 20 ◊agricultural ◊hemp ◊seed ◊production ◊license ◊issued  
 21 ◊under ◊this ◊chapter ◊authorizes ◊a ◊grower ◊or ◊handler  
 22 ◊to ◊produce ◊and ◊handle ◊agricultural ◊hemp ◊seed ◊for  
 23 ◊sale ◊to ◊licensed ◊hemp ◊growers ◊and ◊handlers. ◊A  
 24 ◊seller ◊of ◊agricultural ◊hemp ◊seed ◊shall ◊ensure ◊that  
 25 ◊the ◊seed ◊complies ◊with ◊any ◊standards ◊set ◊by  
 26 ◊the ◊state ◊seed ◊commissioner. ◊The ◊state ◊seed  
 27 ◊commissioner ◊shall ◊make ◊available ◊to ◊growers  
 28 ◊information ◊that ◊identifies ◊sellers ◊of ◊agricultural  
 29 ◊hemp ◊seed.  
 30 ◊(b) ~~<(a)>~~ A person who sells agricultural hemp seed to a grower  
 31 must be a seed distributor who has a permit under IC 15-15-1-34.  
 32 ◊(c) ~~<(b)>~~ All ◊growers ◊and ◊handlers ◊must ◊keep  
 33 ~~<All>~~ records ◊in ◊accordance ◊with ◊rules ~~<adopted by the~~  
 34 ~~state seed commissioner. related to hemp, industrial hemp, and~~  
 35 ~~agricultural hemp seed must be retained>~~ [adopted] by the state seed  
 36 commissioner ~~<, an applicant, and a licensee for at least five (5) years>~~.  
 37 Upon at least three (3) days notice, the state seed commissioner may  
 38 audit the required records during normal business hours. The state seed  
 39 commissioner may conduct ◊an ~~<audit periodic>~~ audit ~~<=>~~ ~~<on a~~  
 40 ~~licensee>~~ for the purpose of ensuring compliance with:  
 41 (1) this chapter;  
 42 (2) rules adopted by the state seed commissioner; or

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1 (3) hemp license or agricultural hemp seed production license  
 2 requirements, terms, and conditions.  
 3 (d) In addition to an audit conducted in  
 4 accordance with subsection (c), the state seed  
 5 commissioner may inspect independently, or in cooperation with the  
 6 state police department, a federal law enforcement agency, or a local  
 7 law enforcement agency, any hemp crop during the crop's growth phase  
 8 and take a representative composite sample for field analysis. If a crop  
 9 contains an average ~~delta-9-tetrahydrocannabinol~~ **[THC]** total  
 10 **tetrahydrocannabinol (THC)** concentration exceeding three-tenths  
 11 of one percent (0.3%) on a dry weight basis, the state seed  
 12 commissioner may detain, seize, or embargo the crop.  
 13 (e) The state seed commissioner may revoke a license issued under  
 14 this chapter to a person that fails to cooperate with:  
 15 (1) the state seed commissioner;  
 16 (2) the state police;  
 17 (3) a federal law enforcement agency; or  
 18 (4) a local law enforcement agency;  
 19 ~~(5) a person making~~ **[in]** an ~~official~~ inspection **[.]** or **[ in the ]**  
 20 taking of a sample ~~of a hemp crop during the crop's growth~~  
 21 ~~phase:~~  
 22 ~~in an inspection, or in the taking of a sample, under subsection (d).~~  
 23 ~~(f) The state seed commissioner may revoke the license of a~~  
 24 ~~licensee that grows, sells, or distributes hemp for the following:~~  
 25 ~~(1) The licensee has not:~~  
 26 ~~(A) complied with the requirements under this chapter;~~  
 27 ~~or~~  
 28 ~~(B) submitted reports required by the state seed~~  
 29 ~~commissioner.~~  
 30 ~~(2) The licensee falsified information.~~  
 31 ~~(3) The licensee failed to follow labeling requirements.~~  
 32 ~~(4) The licensee is convicted of violating any Indiana law.~~  
 33 ~~(g) If the state seed commissioner revokes a license, the state~~  
 34 ~~seed commissioner shall issue a letter within ten (10) business days~~  
 35 ~~to the licensee concerning the revocation.~~  
 36 ~~(f) (h)~~ **[, under subsection (d).**  
 37 **(f)** A failure to cooperate described in subsection (e) constitutes  
 38 probable cause for the state seed commissioner, state police, federal  
 39 law enforcement agency, or local law enforcement agency to search the  
 40 premises of the licensee's hemp operation.  
 41 (g) ~~(i)~~ If the state police department, a federal law  
 42 enforcement agency, or a local law enforcement agency cooperates

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1 with the state seed commissioner in the detention, seizure, or embargo  
2 of a crop under this section:

- 3 (1) the state police department, federal law enforcement agency,  
4 or local law enforcement agency; and
- 5 (2) any officer or employee of the state police department,  
6 federal law enforcement agency, or local law enforcement  
7 agency who is involved in the detention, seizure, or embargo;  
8 is immune from civil liability for the detention, seizure, or embargo.

9 ~~◇(h) ~~(h)~~~~ The state seed commissioner may order a hemp crop  
10 that is detained, seized, or embargoed for noncompliance with this  
11 chapter to be destroyed by the owner. However, except as prohibited  
12 by federal law, the grower may appeal to the state seed commissioner  
13 for the hemp crop to be diverted to a willing licensed processor for  
14 processing and sale for industrial use. A hemp crop that is detained,  
15 seized, or embargoed may not be used for cannabidiol, other extracts,  
16 oil, food, or cosmetic products that are used for humans or animals.

17 ~~◇(i) ~~(i)~~~~ A grower shall reimburse the state seed commissioner  
18 for the cost of testing conducted on the grower's crop under this  
19 section.

20 SECTION ~~33-IC-15-15-13-9.5, AS ADDED BY P.L.190-2019;~~  
21 ~~SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
22 ~~JULY 1, 2026]: Sec. 9.5. (a) A person who is a handler licensed under~~  
23 ~~this section may distribute clones and other nonseed propagative~~  
24 ~~materials of a hemp plant using the person's own labeling, if the~~  
25 ~~distributor does the following:~~

- 26 ~~— (1) Complies with the requirements of this chapter.~~
- 27 ~~— (2) Reports the variety and quantity of each variety of the~~  
28 ~~propagative material of plant sold.~~
- 29 ~~— (3) Pays the inspection fee on the basis of the report.~~
- 30 ~~— (4) Labels the propagative material with the information required~~  
31 ~~by the state seed commissioner.~~
- 32 ~~— (5) Keeps records to accurately determine the named varieties~~  
33 ~~and the number of plants of each variety distributed.~~
- 34 ~~— (6) Grants the state seed commissioner or the state seed~~  
35 ~~commissioner's authorized representative access to examine the~~  
36 ~~handler's records and verify the quantity and each variety of~~  
37 ~~propagative material distributed.~~
- 38 ~~— (7) Report, under oath, to the state seed commissioner on forms~~  
39 ~~furnished by the state seed commissioner each variety and~~  
40 ~~quantity of propagative material sold during each semiannual~~  
41 ~~period.~~
- 42 ~~— (8) Any other information or conditions stated in the application.~~

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1 ~~— (b) The state seed commissioner may revoke a handler's license if~~  
 2 ~~the commissioner determines any of the following:~~  
 3 ~~— (1) That the licensee has not complied with the requirements~~  
 4 ~~under this chapter.~~  
 5 ~~— (2) The report required in subsection (a) has not been submitted~~  
 6 ~~and is more than ten (10) days late.~~  
 7 ~~— (3) The report required in subsection (a) contained false~~  
 8 ~~information.~~  
 9 ~~— (4) The labeling requirements under this chapter have not been~~  
 10 ~~met.~~  
 11 ~~— (c) If the inspection fee has not been paid and is more than ten (10)~~  
 12 ~~days late, the state seed commissioner shall assess a late fee.~~  
 13 ~~— (d) Each year the:~~  
 14 ~~— (1) report required under subsection (a)(7); and~~  
 15 ~~— (2) inspection fees required under this chapter;~~  
 16 ~~for the period beginning on January 1 and ending on June 30 and for~~  
 17 ~~the period beginning on July 1 and ending on December 31 are due not~~  
 18 ~~more than thirty (30) days after the end of the semiannual period.~~  
 19 ~~— (e) A person holding a hemp handler's license must have in~~  
 20 ~~their immediate possession, while transporting industrial hemp, a~~  
 21 ~~physical document indicating that they have a handler license and~~  
 22 ~~must provide the following to law enforcement when asked:~~  
 23 ~~— (1) Evidence of a valid hemp handler license from the state~~  
 24 ~~seed commissioner.~~  
 25 ~~— (2) A valid driver's license that includes the driver's photo~~  
 26 ~~and current legal address.~~  
 27 ~~— (3) An invoice or delivery document identifying the person to~~  
 28 ~~whom the industrial hemp is to be delivered, including the~~  
 29 ~~person's the full address and telephone number, and the~~  
 30 ~~variety and quantity of the industrial hemp.~~  
 31 ~~— (4) A valid certificate of analysis issued by a state seed~~  
 32 ~~commissioner approved laboratory showing the total THC~~  
 33 ~~for the industrial hemp transported.~~  
 34 ~~— SECTION 34. IC 15-15-13-10 IS REPEALED [EFFECTIVE~~  
 35 ~~JULY 1, 2026]. Sec. 10. The amount of any fees charged growers and~~  
 36 ~~handlers by the state seed commissioner under this chapter must be~~  
 37 ~~sufficient to cover the cost of the administration of this chapter;~~  
 38 ~~including the cost of conducting audits and testing.~~  
 39 ~~— SECTION 35. IC 15-15-13-10.1 IS ADDED TO THE INDIANA~~  
 40 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 41 ~~[EFFECTIVE JULY 1, 2026]: Sec. 10.1. (a) A licensee shall pay an~~  
 42 ~~annual fee of ten thousand dollars (\$10,000) for a license issued~~

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~~under this chapter.~~

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

~~— SECTION 36. 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:~~

~~— (1) the license number of the grower that produced the hemp; and~~

~~— (2) the license number of the hemp handler;~~

~~in the licensing documents described in subsection (a).~~

~~— SECTION 37 > [11]. IC 15-15-13-12, AS AMENDED BY P.L.156-2020, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE <JULY> [NOVEMBER] 1 [2], 2026]: Sec. 12. The state seed commissioner is responsible for the following:~~

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

~~SECTION <38> IC 15-15-13-13, AS AMENDED BY P.L.190-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) Subject to section 13.5 of this chapter, in addition to any other liability or penalty provided by law, the state seed commissioner may revoke or refuse to~~

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1 ~~issue or renew a hemp license or an agricultural hemp seed production~~  
 2 ~~license and may impose a civil penalty for a violation of:~~  
 3 ~~—— (1) a license requirement;~~  
 4 ~~—— (2) license terms or conditions; or~~  
 5 ~~—— (3) a rule relating to growing or handling hemp; or~~  
 6 ~~—— (4) section 19 of this chapter.~~  
 7 ~~—— (b) The state seed commissioner may not impose a civil penalty~~  
 8 ~~under this section that exceeds two thousand five hundred dollars~~  
 9 ~~(\$2,500).~~  
 10 ~~—— (c) The state seed commissioner may revoke or refuse to issue or~~  
 11 ~~renew a hemp license or an agricultural hemp seed production license~~  
 12 ~~for a violation of any rule of the state seed commissioner that pertains~~  
 13 ~~to agricultural operations or activities other than hemp growing or~~  
 14 ~~handling.~~  
 15 ~~—— (d) Any civil penalties collected under this section shall be~~  
 16 ~~transferred to the Indiana state department of agriculture and used for~~  
 17 ~~hemp marketing and research purposes. **retained by the state seed**~~  
 18 ~~**commissioner to pay expenses to implement this chapter.**~~  
 19 ~~—— (e) In addition to payment of any civil penalty imposed under this~~  
 20 ~~section, a person who commits a violation described in subsection (a)~~  
 21 ~~shall reimburse the state seed commissioner for any costs incurred by~~  
 22 ~~the state seed commissioner for laboratory testing of material~~  
 23 ~~pertaining to the violation.~~  
 24 ~~—— SECTION 39. IC 15-15-13-13.5, AS AMENDED BY~~  
 25 ~~P.L.156-2020, SECTION 64, IS AMENDED TO READ AS~~  
 26 ~~FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.5. (a) Except as~~  
 27 ~~provided in subsection (b), the state seed commissioner shall give a~~  
 28 ~~person who negligently violates this chapter a reasonable time,~~  
 29 ~~determined by the state seed commissioner, **ten (10) days** to correct the~~  
 30 ~~violation without imposing a penalty under section 13 of this chapter.~~  
 31 ~~However, the state seed commissioner may require the person who~~  
 32 ~~committed the violation to comply with a corrective action plan~~  
 33 ~~determined by the state seed commissioner and report to the state seed~~  
 34 ~~commissioner on compliance with the corrective action plan.~~  
 35 ~~—— (b) A person who commits a negligent violation of this chapter~~  
 36 ~~three (3) times in a five (5) year period shall immediately be ineligible~~  
 37 ~~to produce hemp for five (5) **ten (10)** years.~~  
 38 ~~—— (c) If the state seed commissioner believes ~~determines~~ that a~~  
 39 ~~person has knowingly or intentionally violated this chapter, the state~~  
 40 ~~seed commissioner shall notify:~~  
 41 ~~—— (1) the superintendent of the state police department; and~~  
 42 ~~—— (2) **the sheriff of the county in which the violation occurred;**~~

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**and**

~~— (2) (3) the prosecuting attorney of the county in which the violation occurred;~~

~~of the violation **within forty-eight (48) hours of making the determination.**~~

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

~~— SECTION 40. IC 15-15-13-15, AS AMENDED BY P.L.190-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) Before December 31, 2019, **July 1, 2027**, the state seed commissioner, after consultation with the governor, the director of the state department of agriculture, and the superintendent of the state police department, shall submit a **an updated** plan that monitors and regulates the production of hemp to the United States Department of Agriculture. If the United States Department of Agriculture disapproves the plan, the state seed commissioner shall submit an amended plan to the United States Department of Agriculture.~~

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

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

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

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

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

- ~~— (1) governor;~~
- ~~— (2) legislative council; and~~
- ~~— (3) budget committee;~~

~~in such form as the state board of accounts requires, showing the total receipts and expenditures of all fees received under this chapter, **by**~~

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~~December 31 of each year. The report must also include general information regarding how many licenses are issued under this chapter and how many acres of land are used in hemp production under this chapter. The budget committee shall review this report annually.~~

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

~~— SECTION 42. IC 15-15-13-18 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 18. (a) A person who sells hemp in Indiana must:~~

~~— (1) be licensed in Indiana and in the jurisdiction where the hemp was grown; and~~

~~— (2) provide the buyer with a receipt that contains the seller's name, place of business, and license number and quantity of hemp sold.~~

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

~~— SECTION 43. IC 15-15-13-19 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 19. (a) Hemp bud (as defined in IC 35-48-1.1-23) and hemp flower (as defined in IC 35-48-1.1-24) may be sold only to a processor licensed under this chapter.~~

~~— (b) The state seed commissioner may impose a civil penalty under section 13 of this chapter for a violation of subsection (a).~~

~~— SECTION 44. IC 15-15-13-19.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19.1. An industrial hemp product that is manufactured into a hemp derived cannabinoid product as defined in IC 35-48-8-4, is subject to IC 7.1-8 and not this chapter.~~

~~— SECTION 45. IC 15-15-13-21 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 21. A county, city, town, or township may not adopt or enforce an ordinance restricting or regulating:~~

~~— (1) the growth, production, or processing of hemp; or~~

~~— (2) any subject regulated by this chapter.~~

~~— SECTION 46 > [12]. IC 16-31-3-14, AS AMENDED BY P.L.186-2025, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE <JULY> [NOVEMBER] 1 [2], 2026]: Sec. 14. (a) A person holding a certificate or license issued under this article must comply with the applicable standards and rules established under this article. A certificate holder or license holder is subject to disciplinary sanctions under subsection (b) if the department of homeland security determines that the certificate holder or license holder:~~

~~(1) engaged in or knowingly cooperated in fraud or material~~

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

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

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

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

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

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

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

38 (f) Except as provided under subsection (a), subsection (g), and  
 39 section 14.5 of this chapter, a certificate or license may not be denied,  
 40 revoked, or suspended because the applicant, certificate holder, or  
 41 license holder has been convicted of an offense. The acts from which  
 42 the applicant's, certificate holder's, or license holder's conviction

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1 resulted may be considered as to whether the applicant or certificate  
2 holder or license holder should be entrusted to serve the public in a  
3 specific capacity.

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

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

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

10 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~  
11 **IC 35-48-4-7(b).**

12 (4) Fraudulently obtaining a controlled substance under  
13 ~~IC 35-48-4-7(c).~~ **IC 35-48-4-7(d).**

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

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

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

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

28 (9) A felony offense under IC 35-48-4 involving:

29 (A) possession of a synthetic drug (as defined in  
30 IC 35-31.5-2-321);

31 (B) possession of a synthetic drug lookalike substance (as  
32 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,  
33 2019)) as a:

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

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

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

39 or

40 (C) possession of a controlled substance analog (as defined  
41 in IC 35-48-1.1-8).

42 (10) Maintaining a common nuisance under IC 35-48-4-13

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- 1 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
 2 controlled substance.
- 3 (11) An offense relating to registration, labeling, and  
 4 prescription forms under IC 35-48-4-14.
- 5 (h) A decision of the department of homeland security under  
 6 subsections (b) through (g) may be appealed to the commission under  
 7 IC 4-21.5-3-7.
- 8 (i) The department of homeland security may temporarily suspend  
 9 a certificate holder's certificate or license holder's license under  
 10 IC 4-21.5-4 before a final adjudication or during the appeals process if  
 11 the department of homeland security finds that a certificate holder or  
 12 license holder would represent a clear and immediate danger to the  
 13 public's health, safety, or property if the certificate holder or license  
 14 holder were allowed to continue to practice.
- 15 (j) On receipt of a complaint or information alleging that a person  
 16 certified or licensed under this chapter or IC 16-31-3.5 has engaged in  
 17 or is engaging in a practice that is subject to disciplinary sanctions  
 18 under this chapter, the department of homeland security must initiate  
 19 an investigation against the person.
- 20 (k) The department of homeland security shall conduct a  
 21 factfinding investigation as the department of homeland security  
 22 considers proper in relation to the complaint.
- 23 (l) The department of homeland security may reinstate a certificate  
 24 or license that has been suspended under this section if the department  
 25 of homeland security is satisfied that the applicant is able to practice  
 26 with reasonable skill, competency, and safety to the public. As a  
 27 condition of reinstatement, the department of homeland security may  
 28 impose disciplinary or corrective measures authorized under this  
 29 chapter.
- 30 (m) The department of homeland security may not reinstate a  
 31 certificate or license that has been revoked under this chapter.
- 32 (n) The department of homeland security must be consistent in the  
 33 application of sanctions authorized in this chapter. Significant  
 34 departures from prior decisions involving similar conduct must be  
 35 explained in the department of homeland security's findings or orders.
- 36 (o) A certificate holder may not surrender the certificate holder's  
 37 certificate, and a license holder may not surrender the license holder's  
 38 license, without the written approval of the department of homeland  
 39 security, and the department of homeland security may impose any  
 40 conditions appropriate to the surrender or reinstatement of a  
 41 surrendered certificate or license.
- 42 (p) For purposes of this section, "certificate holder" means a

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1 person who holds:  
 2 (1) an unlimited certificate;  
 3 (2) a limited or probationary certificate; or  
 4 (3) an inactive certificate.  
 5 (q) For purposes of this section, "license holder" means a person  
 6 who holds:  
 7 (1) an unlimited license;  
 8 (2) a limited or probationary license; or  
 9 (3) an inactive license.  
 10 SECTION ~~47~~[13]. IC 22-15-5-16, AS AMENDED BY  
 11 P.L.186-2025, SECTION 123, IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER] 1[2], 2026]: Sec.  
 13 16. (a) A practitioner shall comply with the standards established under  
 14 this licensing program. A practitioner is subject to the exercise of the  
 15 disciplinary sanctions under IC 22-12-7-7 if the department finds that  
 16 a practitioner has:  
 17 (1) engaged in or knowingly cooperated in fraud or material  
 18 deception in order to obtain a license to practice, including  
 19 cheating on a licensing examination;  
 20 (2) engaged in fraud or material deception in the course of  
 21 professional services or activities;  
 22 (3) advertised services or goods in a false or misleading manner;  
 23 (4) falsified or knowingly allowed another person to falsify  
 24 attendance records or certificates of completion of continuing  
 25 education courses provided under this chapter;  
 26 (5) been convicted of a crime that has a direct bearing on the  
 27 practitioner's ability to continue to practice competently;  
 28 (6) knowingly violated a state statute or rule or federal statute or  
 29 regulation regulating the profession for which the practitioner is  
 30 licensed;  
 31 (7) continued to practice although the practitioner has become  
 32 unfit to practice due to:  
 33 (A) professional incompetence;  
 34 (B) failure to keep abreast of current professional theory or  
 35 practice;  
 36 (C) physical or mental disability; or  
 37 (D) addiction to, abuse of, or severe dependency on alcohol  
 38 or other drugs that endanger the public by impairing a  
 39 practitioner's ability to practice safely;  
 40 (8) engaged in a course of lewd or immoral conduct in  
 41 connection with the delivery of services to the public;  
 42 (9) allowed the practitioner's name or a license issued under this

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1 chapter to be used in connection with an individual or business  
 2 who renders services beyond the scope of that individual's or  
 3 business's training, experience, or competence;  
 4 (10) had disciplinary action taken against the practitioner or the  
 5 practitioner's license to practice in another state or jurisdiction  
 6 on grounds similar to those under this chapter;  
 7 (11) assisted another person in committing an act that would  
 8 constitute a ground for disciplinary sanction under this chapter;  
 9 or  
 10 (12) allowed a license issued by the department to be:  
 11 (A) used by another person; or  
 12 (B) displayed to the public when the license has expired, is  
 13 inactive, is invalid, or has been revoked or suspended.  
 14 For purposes of subdivision (10), a certified copy of a record of  
 15 disciplinary action constitutes prima facie evidence of a disciplinary  
 16 action in another jurisdiction.  
 17 (b) If an applicant or a practitioner has engaged in or knowingly  
 18 cooperated in fraud or material deception to obtain a license to  
 19 practice, including cheating on the licensing examination, the  
 20 department may rescind the license if it has been granted, void the  
 21 examination or other fraudulent or deceptive material, and prohibit the  
 22 applicant from reapplying for the license for a length of time  
 23 established by the department.  
 24 (c) The department may deny licensure to an applicant who has  
 25 had disciplinary action taken against the applicant or the applicant's  
 26 license to practice in another state or jurisdiction or who has practiced  
 27 without a license in violation of the law. A certified copy of the record  
 28 of disciplinary action is conclusive evidence of the other jurisdiction's  
 29 disciplinary action.  
 30 (d) The department may order a practitioner to submit to a  
 31 reasonable physical or mental examination if the practitioner's physical  
 32 or mental capacity to practice safely and competently is at issue in a  
 33 disciplinary proceeding. Failure to comply with a department order to  
 34 submit to a physical or mental examination makes a practitioner liable  
 35 to temporary suspension under subsection (h).  
 36 (e) Except as provided under subsection (f) or (g), a license may  
 37 not be denied, revoked, or suspended because the applicant or holder  
 38 has been convicted of an offense. The acts from which the applicant's  
 39 or holder's conviction resulted may, however, be considered as to  
 40 whether the applicant or holder should be entrusted to serve the public  
 41 in a specific capacity.  
 42 (f) The department may deny, suspend, or revoke a license issued

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1 under this chapter if the individual who holds the license is convicted  
2 of any of the following:

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

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

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

6 **IC 35-48-4-7(b).**

7 (4) Fraudulently obtaining a controlled substance under  
8 ~~IC 35-48-4-7(b)~~ **IC 35-48-4-7(c)** (for a crime committed

9 before July 1, 2014) or ~~IC 35-48-4-7(c)~~ **IC 35-48-4-7(d)**  
10 (for a crime committed after June 30, 2014).

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

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

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

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

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

30 (A) Class D felony for a crime committed before July 1,  
31 2014; or

32 (B) Level 6 felony for a crime committed after June 30,  
33 2014;

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

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

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

40 (g) The department shall deny, revoke, or suspend a license issued  
41 under this chapter if the individual who holds the license is convicted  
42 of any of the following:

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- 1 (1) Dealing in a controlled substance resulting in death under
- 2 IC 35-42-1-1.5.
- 3 (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.
- 4 (3) Dealing in methamphetamine under IC 35-48-4-1.1.
- 5 (4) Manufacturing methamphetamine under IC 35-48-4-1.2.
- 6 (5) Dealing in a schedule I, II, or III controlled substance under
- 7 IC 35-48-4-2.
- 8 (6) Dealing in a schedule IV controlled substance under
- 9 IC 35-48-4-3.
- 10 (7) Dealing in a schedule V controlled substance under
- 11 IC 35-48-4-4.
- 12 (8) Dealing in a substance represented to be a controlled
- 13 substance under IC 35-48-4-4.5 (repealed).
- 14 (9) Knowingly or intentionally manufacturing, advertising,
- 15 distributing, or possessing with intent to manufacture, advertise,
- 16 or distribute a substance represented to be a controlled substance
- 17 under IC 35-48-4-4.6.
- 18 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 19 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 20 under IC 35-48-4-10.
- 21 (12) An offense under IC 35-48-4 involving the manufacture or
- 22 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 23 synthetic drug lookalike substance (as defined in
- 24 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 25 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 26 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 27 represented to be a controlled substance (as described in
- 28 IC 35-48-4-4.6).
- 29 (13) A violation of any federal or state drug law or rule related
- 30 to wholesale legend drug distributors licensed under
- 31 IC 25-26-14.
- 32 (h) The department may temporarily suspend a practitioner's
- 33 license under IC 4-21.5-4 before a final adjudication or during the
- 34 appeals process if the department finds that a practitioner represents a
- 35 clear and immediate danger to the public's health, safety, or property if
- 36 the practitioner is allowed to continue to practice.
- 37 (i) On receipt of a complaint or an information alleging that a
- 38 person licensed under this chapter has engaged in or is engaging in a
- 39 practice that jeopardizes the public health, safety, or welfare, the
- 40 department shall initiate an investigation against the person.
- 41 (j) Any complaint filed with the office of the attorney general
- 42 alleging a violation of this licensing program shall be referred to the

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1 department for summary review and for its general information and any  
2 authorized action at the time of the filing.

3 (k) The department shall conduct a fact finding investigation as the  
4 department considers proper in relation to the complaint.

5 (l) A practitioner may petition the department to accept the  
6 surrender of the practitioner's license. The practitioner may not  
7 surrender the practitioner's license without the written approval of the  
8 department, and the department may impose any conditions appropriate  
9 to the surrender or reinstatement of a surrendered license.

10 (m) A practitioner who has been subjected to disciplinary  
11 sanctions may be required by the commission to pay the costs of the  
12 proceeding. The practitioner's ability to pay shall be considered when  
13 costs are assessed. If the practitioner fails to pay the costs, a suspension  
14 may not be imposed solely upon the practitioner's inability to pay the  
15 amount assessed. The costs are limited to costs for the following:

- 16 (1) Court reporters.
- 17 (2) Transcripts.
- 18 (3) Certification of documents.
- 19 (4) Photo duplication.
- 20 (5) Witness attendance and mileage fees.
- 21 (6) Postage.
- 22 (7) Expert witnesses.
- 23 (8) Depositions.
- 24 (9) Notarizations.

25 SECTION ~~<48. IC 24-4-21 IS REPEALED [EFFECTIVE JULY~~  
26 ~~1, 2026]. (Distribution of Low THC Hemp Extract):~~

27 ~~—SECTION 49. IC 24-4-22 IS REPEALED [EFFECTIVE JULY 1,~~  
28 ~~2026]. (Low THC Hemp Extract Sales):~~

29 ~~—SECTION 50. IC 24-5-0.5-3> [14. IC 24-4-21-1], AS AMENDED~~  
30 ~~BY P.L. <104-2024> [186-2025], SECTION <42> [131], IS AMENDED~~  
31 ~~TO READ AS FOLLOWS [EFFECTIVE <JULY 1> [NOVEMBER 12,~~  
32 ~~2026]: Sec. 1. The following definitions apply throughout this chapter:~~

33 (1) "Certificate of analysis" means a certificate from an  
34 independent testing laboratory describing the results of the  
35 laboratory's testing of a sample.

36 (2) "Independent testing laboratory" means a laboratory:  
37 (A) with respect to which no person having a direct or  
38 indirect interest in the laboratory also has a direct or  
39 indirect interest in a facility that:

40 (i) processes, distributes, or sells low THC hemp  
41 extract, or a substantially similar substance in another  
42 jurisdiction; hemp derived cannabinoid products;

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(ii) cultivates, processes, distributes, dispenses, or sells hemp (as defined in IC 35-48-8-3) or marijuana; or  
(iii) cultivates, processes, or distributes hemp; and  
(B) that is accredited as a testing laboratory to International Organization for Standardization (ISO) 17025 by a third party accrediting body such as the American Association for Laboratory Accreditation (A2LA) or Assured Calibration and Laboratory Accreditation Select Services (ACLASS).  
(3) "Low THC hemp extract" has the meaning set forth in IC 35-48-1.1-27. "Hemp derived cannabinoid product" has the meaning set forth in IC 35-38-8-4.

SECTION 15. IC 24-4-21-2, AS ADDED BY P.L.153-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 2. A person may distribute low THC hemp extract a hemp derived cannabinoid product in Indiana only if the product:

- (1) has been approved by the federal Food and Drug Administration or the federal Drug Enforcement Agency as a prescription or over the counter drug; or
- (2) meets the requirements of this chapter.

SECTION 16. IC 24-4-21-3, AS AMENDED BY P.L.190-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12], 2026]: Sec. 3. ~~(a)~~ A ~~supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.~~

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

- ~~— (1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.~~
- ~~— (2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the supplier knows or should reasonably know that it is not.~~
- ~~— (3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.~~

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- 1 ~~(4) That such subject of a consumer transaction will be supplied~~
- 2 ~~to the public in greater quantity than the supplier intends or~~
- 3 ~~reasonably expects:~~
- 4 ~~(5) That replacement or repair constituting the subject of a~~
- 5 ~~consumer transaction is needed, if it is not and if the supplier~~
- 6 ~~knows or should reasonably know that it is not.~~
- 7 ~~(6) That a specific price advantage exists as to such subject of a~~
- 8 ~~consumer transaction, if it does not and if the supplier knows or~~
- 9 ~~should reasonably know that it does not.~~
- 10 ~~(7) That the supplier has a sponsorship, approval, or affiliation~~
- 11 ~~in such consumer transaction the supplier does not have, and~~
- 12 ~~which the supplier knows or should reasonably know that the~~
- 13 ~~supplier does not have:~~
- 14 ~~(8) That such consumer transaction involves or does not involve~~
- 15 ~~a warranty, a disclaimer of warranties, or other rights, remedies,~~
- 16 ~~or obligations, if the representation is false and if the supplier~~
- 17 ~~knows or should reasonably know that the representation is false:~~
- 18 ~~(9) That the consumer will receive a rebate, discount, or other~~
- 19 ~~benefit as an inducement for entering into a sale or lease in~~
- 20 ~~return for giving the supplier the names of prospective~~
- 21 ~~consumers or otherwise helping the supplier to enter into other~~
- 22 ~~consumer transactions, if earning the benefit, rebate, or discount~~
- 23 ~~is contingent upon the occurrence of an event subsequent to the~~
- 24 ~~time the consumer agrees to the purchase or lease:~~
- 25 ~~(10) That the supplier is able to deliver or complete the subject~~
- 26 ~~of the consumer transaction within a stated period of time, when~~
- 27 ~~the supplier knows or should reasonably know the supplier could~~
- 28 ~~not. If no time period has been stated by the supplier, there is a~~
- 29 ~~presumption that the supplier has represented that the supplier~~
- 30 ~~will deliver or complete the subject of the consumer transaction~~
- 31 ~~within a reasonable time, according to the course of dealing or~~
- 32 ~~the usage of the trade:~~
- 33 ~~(11) That the consumer will be able to purchase the subject of~~
- 34 ~~the consumer transaction as advertised by the supplier, if the~~
- 35 ~~supplier does not intend to sell it:~~
- 36 ~~(12) That the replacement or repair constituting the subject of a~~
- 37 ~~consumer transaction can be made by the supplier for the~~
- 38 ~~estimate the supplier gives a customer for the replacement or~~
- 39 ~~repair, if the specified work is completed and:~~
- 40 ~~(A) the cost exceeds the estimate by an amount equal to or~~
- 41 ~~greater than ten percent (10%) of the estimate;~~
- 42 ~~(B) the supplier did not obtain written permission from the~~

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- 1 customer to authorize the supplier to complete the work
- 2 even if the cost would exceed the amounts specified in
- 3 clause (A);
- 4 ~~(C) the total cost for services and parts for a single~~
- 5 ~~transaction is more than seven hundred fifty dollars (\$750);~~
- 6 ~~and~~
- 7 ~~(D) the supplier knew or reasonably should have known that~~
- 8 ~~the cost would exceed the estimate in the amounts specified~~
- 9 ~~in clause (A);~~
- 10 ~~(13) That the replacement or repair constituting the subject of a~~
- 11 ~~consumer transaction is needed, and that the supplier disposes of~~
- 12 ~~the part repaired or replaced earlier than seventy-two (72) hours~~
- 13 ~~after both:~~
- 14 ~~(A) the customer has been notified that the work has been~~
- 15 ~~completed; and~~
- 16 ~~(B) the part repaired or replaced has been made available~~
- 17 ~~for examination upon the request of the customer.~~
- 18 ~~(14) Engaging in the replacement or repair of the subject of a~~
- 19 ~~consumer transaction if the consumer has not authorized the~~
- 20 ~~replacement or repair, and if the supplier knows or should~~
- 21 ~~reasonably know that it is not authorized.~~
- 22 ~~(15) The act of misrepresenting the geographic location of the~~
- 23 ~~supplier by listing an alternate business name or an assumed~~
- 24 ~~business name (as described in IC 23-0.5-3-4) in a local~~
- 25 ~~telephone directory if:~~
- 26 ~~(A) the name misrepresents the supplier's geographic~~
- 27 ~~location;~~
- 28 ~~(B) the listing fails to identify the locality and state of the~~
- 29 ~~supplier's business;~~
- 30 ~~(C) calls to the local telephone number are routinely~~
- 31 ~~forwarded or otherwise transferred to a supplier's business~~
- 32 ~~location that is outside the calling area covered by the local~~
- 33 ~~telephone directory; and~~
- 34 ~~(D) the supplier's business location is located in a county~~
- 35 ~~that is not contiguous to a county in the calling area covered~~
- 36 ~~by the local telephone directory.~~
- 37 ~~(16) The act of listing an alternate business name or assumed~~
- 38 ~~business name (as described in IC 23-0.5-3-4) in a directory~~
- 39 ~~assistance data base if:~~
- 40 ~~(A) the name misrepresents the supplier's geographic~~
- 41 ~~location;~~
- 42 ~~(B) calls to the local telephone number are routinely~~

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forwarded or otherwise transferred to a supplier's business location that is outside the local calling area; and

~~(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.~~

~~(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.~~

~~(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.~~

~~(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.~~

~~(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).~~

~~(21) A violation of IC 7.1-8 (concerning the manufacture, distribution, and sale of~~ [person may distribute low THC hemp extract a hemp derived cannabinoid product in Indiana only if the distributor has a certificate of analysis prepared by an independent testing laboratory showing:

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

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

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

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

(1) A scannable bar code or QR code linked to a document that contains information with respect to the manufacture of the low

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THC hemp extract, hemp derived cannabinoid product, including the:

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

- (2) The batch number.
- (3) The Internet address of a web site website to obtain batch information.
- (4) The expiration date.
- (5) The number of milligrams of low THC hemp extract, hemp derived cannabinoid product.
- (6) The manufacturer.
- (7) The fact that the product contains not more than three-tenths percent (0.3%) total delta-9-tetrahydrocannabinol tetrahydrocannabinol (THC), including precursors, by weight.
- (b) Before July 1, 2018, low THC hemp extract may be distributed in Indiana without having met the requirements described in subsection (a):

SECTION 18. IC 24-4-21-5, AS ADDED BY P.L.153-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 5. This section applies after June 30, 2018: A person who distributes low THC hemp extract a] hemp derived cannabinoid <products>, as set forth in IC 7-1-8-20-5:

- ~~— (21) (22) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.~~
- ~~— (22) (23) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.~~
- ~~— (23) (24) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.~~

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- 1 ~~— (24) (25) A violation of IC 24-5-11 (concerning real property~~
- 2 ~~improvement contracts), as set forth in IC 24-5-11-14.~~
- 3 ~~— (25) (26) A violation of IC 24-5-12 (concerning telephone~~
- 4 ~~solicitations), as set forth in IC 24-5-12-23.~~
- 5 ~~— (26) (27) A violation of IC 24-5-13.5 (concerning buyback~~
- 6 ~~motor vehicles), as set forth in IC 24-5-13.5-14.~~
- 7 ~~— (27) (28) A violation of IC 24-5-14 (concerning automatic~~
- 8 ~~dialing-announcing devices), as set forth in IC 24-5-14-13.~~
- 9 ~~— (28) (29) A violation of IC 24-5-15 (concerning credit services~~
- 10 ~~organizations), as set forth in IC 24-5-15-11.~~
- 11 ~~— (29) (30) A violation of IC 24-5-16 (concerning unlawful~~
- 12 ~~motor vehicle subleasing), as set forth in IC 24-5-16-18.~~
- 13 ~~— (30) (31) A violation of IC 24-5-17 (concerning~~
- 14 ~~environmental marketing claims), as set forth in~~
- 15 ~~IC 24-5-17-14.~~
- 16 ~~— (31) (32) A violation of IC 24-5-19 (concerning deceptive~~
- 17 ~~commercial solicitation), as set forth in IC 24-5-19-11.~~
- 18 ~~— (32) (33) A violation of IC 24-5-21 (concerning prescription~~
- 19 ~~drug discount cards), as set forth in IC 24-5-21-7.~~
- 20 ~~— (33) (34) A violation of IC 24-5-23.5-7 (concerning real estate~~
- 21 ~~appraisals), as set forth in IC 24-5-23.5-9.~~
- 22 ~~— (34) (35) A violation of IC 24-5-26 (concerning identity theft);~~
- 23 ~~as set forth in IC 24-5-26-3.~~
- 24 ~~— (35) (36) A violation of IC 24-5-5 (concerning mortgage~~
- 25 ~~rescue fraud), as set forth in IC 24-5-5-6-1.~~
- 26 ~~— (36) (37) A violation of IC 24-8 (concerning promotional gifts~~
- 27 ~~and contests), as set forth in IC 24-8-6-3.~~
- 28 ~~— (37) (38) A violation of IC 21-18.5-6 (concerning~~
- 29 ~~representations made by a postsecondary credit bearing~~
- 30 ~~proprietary educational institution), as set forth in~~
- 31 ~~IC 21-18.5-6-22.5.~~
- 32 ~~— (38) (39) A violation of IC 24-5-15.5 (concerning collection~~
- 33 ~~actions of a plaintiff debt buyer), as set forth in~~
- 34 ~~IC 24-5-15.5-6.~~
- 35 ~~— (39) (40) A violation of IC 24-14 (concerning towing~~
- 36 ~~services), as set forth in IC 24-14-10-1.~~
- 37 ~~— (40) (41) A violation of IC 24-5-14.5 (concerning misleading~~
- 38 ~~or inaccurate caller identification information), as set forth~~
- 39 ~~in IC 24-5-14.5-12.~~
- 40 ~~— (41) (42) A violation of IC 24-5-27 (concerning intrastate~~
- 41 ~~inmate calling services), as set forth in IC 24-5-27-27.~~
- 42 ~~— (42) (43) A violation of IC 15-21 (concerning sales of dogs by~~

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~~retail pet stores), as set forth in IC 15-21-7-4.~~  
~~— (43) (44) A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.~~  
~~— (c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.~~  
~~— (d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning~~ [product in violation of this chapter commits a Class B infraction. However, the offense is a Class A infraction if the person has a prior unrelated judgment for a violation] ~~of this chapter.<~~  
~~— (e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is disclosed to the consumer.~~  
~~— (f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.~~  
~~— (g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.~~  
~~— (h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product~~

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~~completely incapable of serving its original purpose.~~  
~~— SECTION 51. IC 24-5-0.5-4> [ These penalties are in addition to any criminal penalties that may be imposed for unlawful possession or distribution of a controlled substance.~~

SECTION 19. IC 24-4-22-1, AS AMENDED BY P.L.186-2025, SECTION 13<=>[2], IS AMENDED TO READ AS FOLLOWS [EFFECTIVE <JULY>[NOVEMBER] 1[2], 2026]: Sec. <4. (a) A person relying upon an uncured or incurable deceptive act may bring an action for the damages actually suffered as a consumer as a result of the deceptive act or five hundred dollars (\$500), whichever is greater. The court may increase damages for a willful deceptive act in an amount that does not exceed the greater of:

- ~~— (1) three (3) times the actual damages of the consumer suffering the loss; or~~
- ~~— (2) one thousand dollars (\$1,000).~~

~~Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in an action under this subsection. This subsection does not apply to a consumer transaction in real property, including a claim or action involving a construction defect (as defined in IC 32-27-3-1(5)) brought against a construction professional (as defined in IC 32-27-3-1(4)), except for purchases of time shares and camping club memberships. This subsection does not apply with respect to a deceptive act described in section 3(b)(20) of this chapter. This subsection also does not apply to a violation of IC 24-4-7, IC 24-5-12, IC 24-5-14, or IC 24-5-14.5. Actual damages awarded to a person under this section have priority over any civil penalty imposed under this chapter.~~

~~— (b) Any person who is entitled to bring an action under subsection (a) on the person's own behalf against a supplier for damages for a deceptive act may bring a class action against such supplier on behalf of any class of persons of which that person is a member and which has been damaged by such deceptive act, subject to and under the Indiana Rules of Trial Procedure governing class actions, except as herein expressly provided. Except as provided in subsection (k), the court may award reasonable attorney's fees to the party that prevails in a class action under this subsection, provided that such fee shall be determined by the amount of time reasonably expended by the attorney and not by the amount of the judgment, although the contingency of the fee may be considered. Except in the case of an extension of time granted by the attorney general under IC 24-10-2-2(b) in an action subject to IC 24-10; any money or other property recovered in a class action under this subsection which cannot, with due diligence, be restored to consumers~~

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1 within one (1) year after the judgment becomes final shall be returned  
 2 to the party depositing the same. This subsection does not apply to a  
 3 consumer transaction in real property, except for purchases of time  
 4 shares and camping club memberships. This subsection does not apply  
 5 with respect to a deceptive act described in section 3(b)(20) of this  
 6 chapter. Actual damages awarded to a class have priority over any civil  
 7 penalty imposed under this chapter.  
 8 — (c) The attorney general may bring an action to enjoin an unfair,  
 9 abusive, or deceptive act, omission, or practice in connection with a  
 10 consumer transaction, including a deceptive act described in section  
 11 3(b)(20) of this chapter, notwithstanding subsections (a) and (b).  
 12 However, the attorney general may seek to enjoin patterns of incurable  
 13 deceptive acts with respect to consumer transactions in real property.  
 14 In addition, the court may:  
 15 — (1) issue an injunction;  
 16 — (2) order the supplier to make payment of the money unlawfully  
 17 received from the aggrieved consumers to be held in escrow for  
 18 distribution to aggrieved consumers;  
 19 — (3) for a knowing violation against a senior consumer, increase  
 20 the amount of restitution ordered under subdivision (2) in any  
 21 amount up to three (3) times the amount of damages incurred or  
 22 value of property or assets lost;  
 23 — (4) order the supplier to pay to the state the reasonable costs of  
 24 the attorney general's investigation and prosecution, expert fees,  
 25 and court fees related to the action;  
 26 — (5) provide for the appointment of a receiver; and  
 27 — (6) order the department of state revenue to suspend the  
 28 supplier's registered retail merchant certificate, subject to [1. As  
 29 used in this chapter, "low THC hemp extract" "hemp derived  
 30 cannabinoid product" has the meaning set forth in  
 31 IC 35-48-1.1-27. IC 35-48-8-4.  
 32 SECTION 20. IC 24-4-22-3, AS ADDED BY P.L.153-2018,  
 33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 NOVEMBER 12, 2026]: Sec. 3. (a) Except as provided in subsection  
 35 (b); A person may sell low THC hemp extract a hemp derived  
 36 cannabinoid product at retail only if the packaging complies with] the  
 37 requirements <and prohibitions contained in IC 6-2.5-8-7(a)(5), if the  
 38 court finds that a violation of this chapter involved the sale or solicited  
 39 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic  
 40 drug lookalike substance (as defined in IC 35-31.5-2-321.5 (repealed))  
 41 (before July 1, 2019), a controlled substance analog (as defined in  
 42 IC 35-48-1.1-8), or a substance represented to be a controlled

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~~substance (as described in IC 35-48-4-4.6).~~

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

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

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

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

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

~~— (1) For a knowing or intentional violation, one thousand five hundred dollars (\$1,500).~~

~~— (2) For a violation other than a knowing or intentional violation, five hundred dollars (\$500).~~

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

~~— (i) A senior consumer relying upon an unsecured or incurable deceptive act, including an act related to hypnotism, may bring an~~

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action to recover treble damages, if appropriate.

~~— (j) An offer to cure is:~~

~~— (1) not admissible as evidence in a proceeding initiated under this section unless the offer to cure is delivered by a supplier to the consumer or a representative of the consumer before the supplier files the supplier's initial response to a complaint; and~~

~~— (2) only admissible as evidence in a proceeding initiated under this section to prove that a supplier is not liable for attorney's fees under subsection (k).~~

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

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

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

~~— (m) If a court finds that a person has knowingly or intentionally violated section 3(b)(40) 3(b)(41) of this chapter, the attorney general, in an action under subsection (c), may recover from the person on behalf of the state a civil penalty in accordance with IC 24-5-14.5-12(b). As specified in IC 24-5-14.5-12(b), a civil penalty recovered under IC 24-5-14.5-12(b) shall be deposited in the consumer protection division telephone solicitation fund established by~~

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1 ~~IC 24-4.7-3-6 to be used for the administration and enforcement~~ of  
2 ~~IC 24-5-14.5. In addition to the recovery of a civil penalty in~~  
3 ~~accordance with IC 24-5-14.5-12(b), the attorney general may also~~  
4 ~~recover reasonable attorney fees and court costs from the person on~~  
5 ~~behalf of the state. Those funds shall also be deposited in the consumer~~  
6 ~~protection division telephone solicitation fund established by~~  
7 ~~IC 24-4.7-3-6.~~

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

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

32 ~~The time for bringing an action under subsection (c), as set forth in~~  
33 ~~section 5(b) of this chapter, applies to an action brought under this~~  
34 ~~subsection:~~

35 ~~— SECTION 52~~ [IC 24-4-21-4.  
36 (b) Before July 1, 2018, a person may sell low THC hemp extract  
37 at retail even if the packaging does not comply with the requirements  
38 of IC 24-4-21-4.

39 SECTION 21], IC 25-1-1.1-2, AS AMENDED BY P.L.186-2025,  
40 SECTION 134, IS AMENDED TO READ AS FOLLOWS  
41 [EFFECTIVE <JULY>[NOVEMBER] 1[2], 2026]: Sec. 2.  
42 Notwithstanding IC 25-1-7, a board, a commission, or a committee may

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- 1 suspend, deny, or revoke a license or certificate issued under this title
- 2 by the board, the commission, or the committee without an
- 3 investigation by the office of the attorney general if the individual who
- 4 holds the license or certificate is convicted of any of the following and
- 5 the board, commission, or committee determines, after the individual
- 6 has appeared in person, that the offense affects the individual's ability
- 7 to perform the duties of the profession:
- 8 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 9 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 10 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~
- 11 **> [ ] IC 35-48-4-7(b).**
- 12 (4) Fraudulently obtaining a controlled substance under
- 13 ~~IC 35-48-4-7(c).~~ **<> [ ] IC 35-48-4-7(d).**
- 14 (5) Manufacture of paraphernalia as a Class D felony (for a
- 15 crime committed before July 1, 2014) or a Level 6 felony (for a
- 16 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).
- 17 (6) Dealing in paraphernalia as a Class D felony (for a crime
- 18 committed before July 1, 2014) or a Level 6 felony (for a crime
- 19 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 20 (7) Possession of paraphernalia as a Class D felony (for a crime
- 21 committed before July 1, 2014) or a Level 6 felony (for a crime
- 22 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before
- 23 its amendment on July 1, 2015).
- 24 (8) Possession of marijuana, hash oil, hashish, or salvia as a
- 25 Class D felony (for a crime committed before July 1, 2014) or a
- 26 Level 6 felony (for a crime committed after June 30, 2014) under
- 27 IC 35-48-4-11.
- 28 (9) A felony offense under IC 35-48-4 involving possession of a
- 29 synthetic drug (as defined in IC 35-31.5-2-321), possession of a
- 30 controlled substance analog (as defined in IC 35-48-1.1-8), or
- 31 possession of a synthetic drug lookalike substance (as defined in
- 32 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:
- 33 (A) Class D felony for a crime committed before July 1,
- 34 2014; or
- 35 (B) Level 6 felony for a crime committed after June 30,
- 36 2014;
- 37 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 38 (10) Maintaining a common nuisance under IC 35-48-4-13
- 39 (repealed) or IC 35-45-1-5, if the common nuisance involves a
- 40 controlled substance.
- 41 (11) An offense relating to registration, labeling, and
- 42 prescription forms under IC 35-48-4-14.

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1 (12) A sex crime under IC 35-42-4.  
 2 (13) A felony that reflects adversely on the individual's fitness to  
 3 hold a professional license.  
 4 SECTION ~~53~~[22]. IC 34-30-2.1-7~~2~~[1], AS ADDED BY  
 5 P.L.105-2022, SECTION 12, IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. ~~72. IC 7.1-5-10-15~~  
 7 ~~(Concerning alcoholic beverage a permittee or permittee's agent~~  
 8 ~~refusing to serve provide alcoholic beverages or products containing~~  
 9 ~~THC to certain persons).~~  
 10 ~~SECTION 54. IC 34-30-2.1-73, AS ADDED BY P.L.105-2022,~~  
 11 ~~SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
 12 ~~JULY 1, 2026]: Sec. 73. IC 7.1-5-10-15.5 (Concerning persons who~~  
 13 ~~furnish an alcoholic beverage or a product containing THC for~~  
 14 ~~damages caused by an impaired or intoxicated person).~~  
 15 ~~SECTION 55~~[71. IC 7.1-5-7-8 (Concerning postsecondary  
 16 educational institutions for alcohol related or THC product related  
 17 injuries).  
 18 SECTION 23]. IC 35-31.5-2-61.5 IS ADDED TO THE INDIANA  
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 20 [EFFECTIVE ~~JULY~~[NOVEMBER] 1[2], 2026]: Sec. 61.5.  
 21 "Container", for purposes of IC 35-48-8, has the meaning set forth  
 22 in IC 35-48-8-2.  
 23 ~~SECTION 56. IC 35-31.5-2-152.2 IS ADDED TO THE INDIANA~~  
 24 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 25 ~~[EFFECTIVE JULY 1, 2026]: Sec. 152.2. "Hemp", for purposes of~~  
 26 ~~this title, has the meaning set forth in IC 35-48-8-3.~~  
 27 ~~SECTION 57. IC 35-31.5-2-152.3 IS ADDED TO THE INDIANA~~  
 28 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 29 ~~[EFFECTIVE JULY 1, 2026]: Sec. 152.3. "Hemp derived~~  
 30 ~~cannabinoid product", for purposes of this title, has the meaning~~  
 31 ~~set forth in IC 35-48-8-4.~~  
 32 ~~SECTION 58. IC 35-31.5-2-169.3 IS ADDED TO THE INDIANA~~  
 33 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 34 ~~[EFFECTIVE JULY 1, 2026]: Sec. 169.3. "Industrial hemp", for~~  
 35 ~~purposes of this title, has the meaning set forth in IC 35-48-8-5.~~  
 36 ~~SECTION 59. IC 35-31.5-2-176.1 IS ADDED TO THE INDIANA~~  
 37 ~~CODE AS A NEW SECTION TO READ AS FOLLOWS~~  
 38 ~~[EFFECTIVE JULY 1, 2026]: Sec. 176.1. "Intermediate hemp~~  
 39 ~~derived cannabinoid product", for purposes of IC 35-48-8, has the~~  
 40 ~~meaning set forth in IC 35-48-8-6.~~  
 41 > SECTION ~~60~~[24]. IC 35-31.5-2-1~~89~~[50].~~9~~[5] IS  
 42 REPEALED [EFFECTIVE ~~JULY~~[NOVEMBER] 1[2], 2026]. Sec:

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1 ~~1<89>[50].<9>[5]."~~~~Low THC hemp extract~~~~[Hashish]"~~, for purposes  
2 of IC 35-48, has the meaning set forth in IC 35-48-1-~~1-27~~.  
3 ~~— SECTION 61>[1-21.~~  
4 SECTION 25. IC 35-31.5-2-150.6 IS REPEALED [EFFECTIVE  
5 NOVEMBER 12, 2026]. Sec. 150.6. "Hash oil", for purposes of  
6 IC 35-48, has the meaning set forth in IC 35-48-1.1-22.  
7 SECTION 26. IC 35-31.5-2-152.2 IS ADDED TO THE INDIANA  
8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 152.2. "Hemp", for  
10 purposes of this title, has the meaning set forth in IC 35-48-8-3.  
11 SECTION 27. IC 35-31.5-2-152.3 IS ADDED TO THE INDIANA  
12 CODE AS A NEW SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 152.3. "Hemp derived  
14 cannabinoid product", for purposes of this title, has the meaning  
15 set forth in IC 35-48-8-4.  
16 SECTION 28. IC 35-31.5-2-169.3 IS ADDED TO THE INDIANA  
17 CODE AS A NEW SECTION TO READ AS FOLLOWS  
18 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 169.3. "Industrial  
19 hemp", for purposes of this title, has the meaning set forth in  
20 IC 35-48-8-5.  
21 SECTION 29. IC 35-31.5-2-176.1 IS ADDED TO THE INDIANA  
22 CODE AS A NEW SECTION TO READ AS FOLLOWS  
23 [EFFECTIVE NOVEMBER 12, 2026]: Sec. 176.1. "Intermediate  
24 hemp derived cannabinoid product", for purposes of IC 35-48-8,  
25 has the meaning set forth in IC 35-48-8-6.  
26 SECTION 30. IC 35-31.5-2-189.9, AS AMENDED BY  
27 P.L.186-2025, SECTION 216, IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE NOVEMBER 12, 2026]: Sec. 189.9. "Low  
29 THC hemp extract", "THC hemp extract", for purposes of IC 35-48,  
30 has the meaning set forth in IC 35-48-1.1-27. IC 35-48-8-7.  
31 SECTION 31]. IC 35-46-1-11.7, AS AMENDED BY  
32 P.L.163-2025, SECTION 66, IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER] 1[2], 2026]: Sec.  
34 11.7. (a) A retail establishment in which tobacco products and  
35 products containing tetrahydrocannabinol (THC) account for at  
36 least eighty-five percent (85%) of the retail establishment's gross sales  
37 may not allow an individual who is less than twenty-one (21) years of  
38 age to enter the retail establishment.  
39 (b) An individual who is less than twenty-one (21) years of age  
40 may not enter a retail establishment described in subsection (a).  
41 (c) A retail establishment described in subsection (a) must  
42 conspicuously post on all entrances to the retail establishment the

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following:

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

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

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

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

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

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

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

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

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

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

SECTION ~~62~~ [32]. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER] 1 [2], 2026]: Sec. 7. "Controlled substance" means a drug, substance, or immediate precursor in schedule I, II, III, IV, or V under:

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

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

The term does not include low THC hemp extract.

SECTION ~~63~~ [33]. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER] 1 [2], 2026]: Sec. 8.

(a) "Controlled substance analog" means a substance that, due to its

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1 chemical structure and potential for abuse or misuse, meets the  
2 following criteria:

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

5 (2) The substance has a narcotic, stimulant, depressant, or  
6 hallucinogenic effect on the central nervous system or is  
7 represented or intended to have a narcotic, stimulant, depressant,  
8 or hallucinogenic effect on the central nervous system  
9 substantially similar to or greater than that of a controlled  
10 substance classified under IC 35-48-2.

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

12 (1) a controlled substance;

13 (2) a legend drug;

14 (3) a substance for which there is an approved new drug  
15 application;

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

21 **or**

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

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

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

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

34 (2) one (1) hydrogen for a halogen;

35 (3) one (1) halogen for a hydrogen; or

36 (4) an alkyl group added or deleted:

37 (A) as a side chain to or from a molecule; or

38 (B) from a side chain of a molecule.

39 [ SECTION 34. IC 35-48-1.1-21 IS REPEALED [EFFECTIVE  
40 NOVEMBER 12, 2026]. See. 21: "Hashish" does not include low THC  
41 hemp extract.

42 SECTION 35. IC 35-48-1.1-22 IS REPEALED [EFFECTIVE

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1 [NOVEMBER 12, 2026](#). [Sec. 22: "Hash oil" does not include low THC](#)  
2 [hemp extract.](#)

3 ] SECTION ~~64~~ [36]. IC 35-48-1.1-27 IS REPEALED  
4 [EFFECTIVE ~~JULY~~ [NOVEMBER](#) 1 [2], 2026]. [Sec. 27: \(a\) "Low](#)  
5 [THC hemp extract"](#) means a substance or compound that:

- 6 (1) is derived from or contains any part of the plant *Cannabis*
- 7 *sativa* L. that meets the definition of hemp under IC 15-15-13-6;
- 8 (2) contains not more than three-tenths percent (0.3%) total
- 9 delta-9-tetrahydrocannabinol (THC), including precursors, by
- 10 weight; and

11 (3) contains no other controlled substances.

12 (b) The term does not include:

- 13 (1) the harvested reproductive organ, whether immature or
- 14 mature, of the female hemp plant; or
- 15 (2) smokable hemp.

16 SECTION ~~65~~ [37]. IC 35-48-1.1-29, AS ADDED BY  
17 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER](#) 1 [2], 2026]: [Sec.](#)  
19 [29. \(a\) "Marijuana"](#) means any part of the plant genus *Cannabis*  
20 whether growing or not; the seeds thereof; the resin extracted from any  
21 part of the plant, including hashish and hash oil; any compound,  
22 manufacture, salt, derivative, mixture, or preparation of the plant, its  
23 seeds or resin.

24 (b) The term does not include:

- 25 (1) the mature stalks of the plant;
- 26 (2) fiber produced from the stalks;
- 27 (3) oil or cake made from the seeds of the plant;
- 28 (4) any other compound, manufacture, salt, derivative, mixture,
- 29 or preparation of the mature stalks (except the resin extracted
- 30 therefrom);
- 31 (5) the sterilized seed of the plant which is incapable of
- 32 germination;
- 33 (6) hemp (as defined by IC 15-15-13-6);
- 34 (7) low THC hemp extract; or
- 35 (8) smokable hemp.

36 (1) a hemp derived cannabinoid product (as defined in

37 IC 35-48-8-4); or

38 (2) industrial hemp monitored and licensed with the state

39 seed commissioner under IC 15-15-13.  
40 SECTION ~~66~~ [38]. IC 35-48-1.1-38, AS ADDED BY  
41 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS  
42 FOLLOWS [EFFECTIVE ~~JULY~~ [NOVEMBER](#) 1 [2], 2026]: [Sec.](#)

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1 38. (a) Except as provided in subsection (b), "smokable hemp" means  
 2 a product containing not more than three-tenths percent (0.3%)  
 3 ~~delta-9-tetrahydrocannabinol~~ **any amount of tetrahydrocannabinol**  
 4 (THC), including precursors and derivatives of THC, in a form that  
 5 allows THC to be introduced into the human body by inhalation of  
 6 smoke. The term includes:  
 7 (1) hemp bud; and  
 8 (2) hemp flower.  
 9 (b) The term does not include:  
 10 (1) a hemp plant that is; or  
 11 (2) parts of a hemp plant that are;  
 12 grown or handled by a licensee **governed by IC 15-15-13** and for  
 13 processing or manufacturing into a **legal hemp derived cannabinoid**  
 14 **product** ~~<under IC 7.1-8.~~  
 15 ~~SECTION 67. IC 35-48-2-1, AS AMENDED BY P.L.84-2010;~~  
 16 ~~SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE~~  
 17 ~~JULY 1, 2026]:~~ Sec. 1. (a) ~~The board shall administer this article and~~  
 18 ~~may recommend to the general assembly the addition, deletion, or~~  
 19 ~~rescheduling of all substances listed in the schedules in sections 4, 6,~~  
 20 ~~8, 10, and 12 of this chapter by submitting in an electronic format~~  
 21 ~~under IC 5-14-6 a report of such recommendations to the legislative~~  
 22 ~~council. In making a determination regarding a substance, the board~~  
 23 ~~shall consider the following:~~  
 24 ~~— (1) The actual or relative potential for abuse.~~  
 25 ~~— (2) The scientific evidence of its pharmacological effect, if~~  
 26 ~~known.~~  
 27 ~~— (3) The state of current scientific knowledge regarding the~~  
 28 ~~substance.~~  
 29 ~~— (4) The history and current pattern of abuse.~~  
 30 ~~— (5) The scope, duration, and significance of abuse.~~  
 31 ~~— (6) The risk to public health.~~  
 32 ~~— (7) The potential of the substance to produce psychic or~~  
 33 ~~physiological dependence liability.~~  
 34 ~~— (8) Whether the substance is an immediate precursor of a~~  
 35 ~~substance already controlled under this article.~~  
 36 ~~— (b) After considering the factors enumerated in subsection (a), the~~  
 37 ~~board shall make findings and recommendations concerning the control~~  
 38 ~~of the substance if it finds the substance has a potential for abuse.~~  
 39 ~~— (c) If the board finds that a substance is an immediate precursor,~~  
 40 ~~substances which are precursors of the controlled precursor shall not~~  
 41 ~~be subject to control solely because they are precursors of the~~  
 42 ~~controlled precursor.~~

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

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

19 ~~—(f) The board shall conduct hearings regarding revocations,~~  
 20 ~~suspensions, and restrictions of registrations as provided in~~  
 21 ~~IC 35-48-3-4. All hearings shall be conducted in accordance with~~  
 22 ~~IC 4-21.5-3.~~

23 ~~—(g) Authority to control under this section does not extend to~~  
 24 ~~distilled spirits, wine, or malt beverages, as those terms are defined or~~  
 25 ~~used in IC 7.1, or to tobacco.~~

26 ~~—(h) The board shall exclude any nonnarcotic substance from a~~  
 27 ~~schedule if that substance may, under the Federal Food, Drug, and~~  
 28 ~~Cosmetic Act or state law, be sold over the counter without a~~  
 29 ~~prescription.~~

30 ~~—SECTION 68>[.~~

31 SECTION 39]. IC 35-48-4-2, AS AMENDED BY P.L.61-2020,  
 32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 <JULY>[NOVEMBER] 1[2], 2026]: Sec. 2. (a) This section does not  
 34 apply to a hemp derived cannabinoid product as defined in  
 35 IC 35-48-8-4.

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

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1 less than twenty-eight (28) grams and an enhancing  
2 circumstance applies.

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

6 ] SECTION ~~<69>~~[40]. IC 35-48-4-7, AS AMENDED BY  
7 P.L.61-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS  
8 [EFFECTIVE ~~<JULY>~~[NOVEMBER] 1[2], 2026]: Sec. 7. (a) This  
9 section does not apply to a hemp derived cannabinoid product as  
10 defined in IC 35-48-8-4.

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

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

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

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

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

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

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

29 (2) a schedule V controlled substance pursuant to written or  
30 verbal misrepresentation; or

31 (3) possession of a schedule V controlled substance other than  
32 by means of a prescription or by means of signing an exempt  
33 narcotic register maintained by a pharmacy licensed by the  
34 Indiana state board of pharmacy;  
35 commits a Class A misdemeanor.

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

39 ] SECTION ~~<70>~~[41]. IC 35-48-4-10, AS AMENDED BY  
40 P.L.153-2018, SECTION 25, IS AMENDED TO READ AS  
41 FOLLOWS [EFFECTIVE ~~<JULY>~~[NOVEMBER] 1[2], 2026]: Sec.  
42 10. (a) A person who:

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

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

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

16 ] SECTION ~~<71>~~[42]. IC 35-48-4-11, AS AMENDED BY  
 17 P.L.153-2018, SECTION 26, IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE ~~<JULY>~~[NOVEMBER] 1[2], 2026]: Sec.

- 19 11. (a) A person who:
- 20 (1) knowingly or intentionally possesses (pure or adulterated)
- 21 marijuana, hash oil, hashish, or salvia;
- 22 (2) knowingly or intentionally grows or cultivates marijuana; or
- 23 (3) knowing that marijuana is growing on the person's premises,
- 24 fails to destroy the marijuana plants;
- 25 commits possession of marijuana, hash oil, hashish, or salvia, a Class
- 26 B misdemeanor, except as provided in subsections (b) through (c).

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

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

- 36 (c) The offense described in subsection (a) is a Level 6 felony if:
- 37 (1) the person has a prior conviction for a drug offense; and
- 38 (2) the person possesses:
- 39 (A) at least thirty (30) grams of marijuana; or
- 40 (B) at least five (5) grams of hash oil, hashish, or salvia.

41 [ (d) It is a defense to a prosecution under this section that the  
 42 substance is THC hemp extract and the person meets the

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1 [requirements of IC 35-48-8-9.](#)  
2 1 SECTION ~~<72>~~ [\[43\]](#). IC 35-48-8 IS ADDED TO THE INDIANA  
3 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
4 [EFFECTIVE ~~<JULY>~~ [\[NOVEMBER\]](#) 1 [\[2\]](#), 2026]:

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

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

9 **Sec. 1.** The terms defined in ~~<sections 2 through 6 of>~~ this  
10 chapter apply only to this ~~<chapter and if>~~ [\[article unless\]](#) cited in  
11 another statute concerning hemp.

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

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

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

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

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

31 (c) The term does not include:

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

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

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

40 (B) cannabinoids that:

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

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

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- 1           **(2) is intended for human or animal use through any means**
- 2           **of application or administration including:**
- 3               **(A) inhalation;**
- 4               **(B) ingestion; or**
- 5               **(C) topical application.**
- 6           **(c) The term includes cannabidiol, a CBD product, or a**
- 7           **product that contains a cannabidiol.**
- 8           **(d) The term does not include:**
- 9               **(1) smokable hemp (as defined in IC 35-48-1.1-38);**
- 10              **(2) products that contain a total tetrahydrocannabinol**
- 11              **concentration of more than three-tenths of one percent**
- 12              **(0.3%) on a dry weight basis; or**
- 13              **(3) a drug that is the subject of an application approved**
- 14              **under subsection (c) or (j) of Section 505 of the federal Food,**
- 15              **Drug, and Cosmetic Act (21 U.S.C. 355).**
- 16           **Sec. 5. "Industrial hemp" means hemp:**
- 17              **(1) grown for the use of the stalk of the plant fiber produced**
- 18              **from the stalk, or any other noncannabinoid derivative,**
- 19              **mixture, preparation, or manufacture of the stalk;**
- 20              **(2) grown for the use of the whole grain, oil, cake, nut, hull,**
- 21              **or other noncannabinoid compound, derivative, mixture,**
- 22              **preparation, or manufacture of the seeds of the plant;**
- 23              **(3) grown for purposes of producing microgreens or other**
- 24              **edible hemp leaf products for human consumption that are**
- 25              **derived from an immature hemp plant that is grown from**
- 26              **seeds that do not exceed the threshold for total**
- 27              **tetrahydrocannabinols concentration of three-tenths of one**
- 28              **percent (0.3%) in the plant on a dry weight basis;**
- 29              **(4) that is a plant that does not enter the stream of commerce**
- 30              **and is intended to support hemp research at an institution of**
- 31              **higher education, as defined in 20 U.S.C. 1001, or an**
- 32              **independent research institute; or**
- 33              **(5) grown for the use of a viable seed of the plant produced**
- 34              **solely for the production or manufacture of any material**
- 35              **described in subdivisions (1) through (4).**
- 36           **Sec. 6. "Intermediate hemp derived cannabinoid product"**
- 37           **means a hemp derived cannabinoid product that:**
- 38              **(1) is not yet in the final form or preparation and is marketed**
- 39              **or intended to be used or consumed by a human or animal;**
- 40              **or**
- 41              **(2) is a powder, liquid, tablet, oil, or other product form that**
- 42              **is intended or marketed to be mixed, dissolved, formulated,**

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1 or added to or prepared with or into any other substance  
2 prior to administration or consumption.

3 Sec. 7. ~~<A person who:~~  
4 ~~(1) is a retailer under IC 7.1-8;~~  
5 ~~(2) knowingly or intentionally sells marijuana that is~~  
6 ~~packaged in a manner that appears to be a hemp derived~~  
7 ~~cannabinoid product; and~~  
8 ~~(3) knew or reasonably should have known that the product~~  
9 ~~was marijuana;~~

10 ~~commits a Level 5 felony~~ > [(a) "THC hemp extract" means a  
11 substance or compound that:

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

15 (2) contains not more than three-tenths of one percent  
16 (0.3%) total delta-9-tetrahydrocannabinol (THC), including  
17 precursors, by weight; and

18 (3) contains no other controlled substances.

19 (b) The term does not include:

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

22 (2) smokable hemp].

23 Sec. 8. (a) A person who ~~<does not hold a valid permit under~~  
24 ~~IC 7.1-8 who:~~

25 ~~(1) >knowingly or intentionally<:~~

26 ~~(A) manufactures;~~

27 ~~(B) finances the manufacture of;~~

28 ~~(C) delivers;~~

29 ~~(D) finances the delivery of; or~~

30 ~~(E) sells;~~

31 ~~hemp derived cannabinoid product; or~~

32 ~~(2) possesses, with intent to:~~

33 ~~(A) manufacture;~~

34 ~~(B) finance the manufacture of;~~

35 ~~(C) deliver;~~

36 ~~(D) finance the delivery of; or~~

37 ~~(E) sell;~~

38 ~~hemp derived cannabinoid product;~~

39 ~~commits unlicensed dealing in hemp derived cannabinoid~~  
40 ~~product~~ > [ grows or handles hemp without a license issued under

41 IC 15-15-13-7 commits unlawful trade in hemp], a Class A  
42 misdemeanor < ~~except as provided in subsections (b) through (d):~~

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1 ~~— (b) A person may be convicted of an offense under subsection~~  
 2 ~~(a)(2) only if:~~  
 3 ~~— (1) there is evidence in addition to the weight of the drug that~~  
 4 ~~the person intended to manufacture, finance the~~  
 5 ~~manufacture of, deliver, finance the delivery of, or sell, the~~  
 6 ~~hemp derived cannabinoid product; or~~  
 7 ~~— (2) the amount of the hemp derived cannabinoid product~~  
 8 ~~involved is at least ten (10) pounds;~~  
 9 ~~— (c) The offense is a Level 6 felony if the person has a prior~~  
 10 ~~conviction for an offense under this section and the amount of the~~  
 11 ~~hemp derived cannabinoid product involved is less than ten (10)~~  
 12 ~~pounds>.~~  
 13 ~~(~~d~~) [b]~~ The offense is a Level ~~5~~ [6] felony if the person has  
 14 a prior conviction for ~~a dealing~~ [an] offense under this section.  
 15 (c) The offense is a Level 5 felony if the person has a prior  
 16 conviction for an offense under this section] and either:  
 17 (1) the amount of the hemp ~~derived cannabinoid product~~  
 18 >involved is ~~less~~ [more] than ten (10) pounds; or  
 19 (2) the offense involved a sale to a ~~minor~~.  
 20 ~~— SECTION 73>~~ [child less than eighteen (18) years of age.  
 21 Sec. 9. (a) A person who:  
 22 (1) held a license under IC 15-15-13-7 before January 1,  
 23 2026; and  
 24 (2) continues to hold a hemp license under IC 15-15-13-7;  
 25 may continue to process and distribute THC hemp extract solely  
 26 for sale to a manufacturer, processor, distributor, or retailer in a  
 27 jurisdiction outside of Indiana if the processing and distribution  
 28 complies with subsection (b).  
 29 (b) A person described in subsection (a) may process and  
 30 distribute THC hemp extract if:  
 31 (1) the receipt of THC hemp extract by the manufacturer,  
 32 processor, distributor, or retailer in the other jurisdiction is  
 33 lawful in that jurisdiction; and  
 34 (2) the THC hemp extract meets the same packaging  
 35 requirements as a hemp derived cannabinoid product under  
 36 IC 24-4-21-4.  
 37 (c) A person described in this section may not distribute THC  
 38 hemp extract to any person in Indiana, unless the distribution is  
 39 required by law, including for purposes of testing or analysis.  
 40 (d) Nothing in this section authorizes a retailer to possess or  
 41 sell THC hemp extract.  
 42 (e) The alcohol and tobacco commission may inspect the

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operations of a person to whom this section applies to ensure compliance in the same manner it conducts inspections under IC 7.1-5-7-16.

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

SECTION ~~44~~45. IC 35-52-7-40, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime concerning alcohol **and products containing THC.**

~~SECTION 75. IC 35-52-7-98 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 98. IC 7.1-8-15-5 defines a crime concerning hemp derived cannabinoid product certificate of analyses.~~

~~SECTION 76. 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 77. 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 78. 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 79. 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 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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