

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in < this > < style > < type > or in [this] [style] [type].

## SENATE BILL No. 250

Proposed Changes to January 23, 2026 printing by AM025006

### DIGEST OF PROPOSED AMENDMENT

E-Liquids. Increases the penalty for a person who: (1) makes a delivery sale of an e-liquid to an individual less than 21 years of age; (2) sells or distributes a tobacco product to a person less than 21 years of age; and (3) purchases a tobacco product for a person less than 21 years of age; from a Class C infraction to a Class B infraction. Makes it a Class B infraction for a person to make a delivery sale of a vapor device to an individual less than 21 years of age. Makes it a Class B infraction for a person to: (1) sell or distribute a vapor device to a person less than 21 years of age; and (2) purchase a vapor device for a person less than 21 years of age. Makes it a Class C infraction for a person less than 21 years of age to purchase, accept, or possess a vapor device.

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

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

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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 a permittee for the violation of a provision of this title or of a rule or  
2 regulation of the commission. The commission may fine a permittee for  
3 each day the violation continues if the violation is of a continuing  
4 nature.

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

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

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

20 (2) sixty-six percent (66%) of the money collected under section  
21 1 of this chapter and money collected under sections 2 and 3 of  
22 this chapter into the state general fund for state general fund  
23 purposes.

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

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

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

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

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

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

41 (b) If a minor is found to have violated subsection (a)(2) or (a)(3)  
42 while operating a vehicle, the court may order the minor's driving

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

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

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

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

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

21 (c) A person who knowingly or intentionally:

22 (1) rents property; or

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

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

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

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

38 (2) either:

39 (A) rents property; or

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

41 for the purpose of allowing or enabling a minor to consume an  
42 alcoholic beverage **or a product containing THC** on the

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

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

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

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

- (1) **at least sixteen (16) years of age; and**
  - (2) **less than twenty-one (21) years of age;**
- to receive or purchase a product that contains any amount of THC as part of an enforcement action under this article.**

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

- (1) **occur under the direction of a law enforcement officer vested with full police powers and duties; and**
- (2) **be a part of the enforcement action.**

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

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

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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

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

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

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

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

- 20 (1) person;  
 21 (2) person's dependents;  
 22 (3) person's personal representative; or  
 23 (4) person's heirs;

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

28 SECTION 11. IC 7.1-7-1-1, AS AMENDED BY P.L.206-2017,  
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 30 JULY 1, 2026]: Sec. 1. (a) Except as provided in subsection (b), this  
 31 article applies to the following:

32 (1) The commercial manufacturing, bottling, selling, bartering,  
 33 or importing of e-liquid in Indiana.

34 (2) The sale, possession, and use of e-liquid products in Indiana.

35 (b) This article does not apply to a manufacturer of a closed  
 36 system vapor ~~product, device~~, except as specifically provided in this  
 37 article.

38 SECTION 12. IC 7.1-7-2-10, AS AMENDED BY P.L.206-2017,  
 39 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2026]: Sec. 10. "E-liquid" means a substance that:

41 (1) may or may not contain nicotine; and

42 (2) is intended to be vaporized and inhaled using a vapor

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

product: device.  
SECTION 13. IC 7.1-7-2-12, AS AMENDED BY P.L.206-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. "Flavoring" means a food grade additive or synthetic flavoring substance that is used to add flavor and that is not prohibited by the federal Food and Drug Administration as an additive in vapor ~~products:~~ **devices.**

SECTION 14. IC 7.1-7-2-15.5, AS ADDED BY P.L.206-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.5. "Manufacturer of a closed system vapor ~~product" device"~~ means a manufacturer of vapor ~~products~~ **devices** whose closed system vapor ~~products~~ **devices** are for sale in Indiana, but that does not produce open system vapor ~~products~~ **devices** that are for sale in Indiana.

SECTION 15. IC 7.1-7-2-23, AS AMENDED BY P.L.206-2017, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. "Vapor ~~product" device"~~ means a powered vaporizer that converts e-liquid to a vapor intended for inhalation.

SECTION 16.] IC 7.1-7-3-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. **An e-liquid that is a hemp derived cannabinoid product is subject to this article and IC 7.1-8.**

[ SECTION 17. IC 7.1-7-5-1.1, AS AMENDED BY P.L.220-2023, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.1. (a) A retailer must have a valid sales certificate issued by the commission in accordance with IC 7.1-3-18.5-1 that contains a separate box to check for identifying a retailer that sells e-liquids.

(b) A retailer may purchase e-liquid only from an Indiana e-liquid manufacturing permit holder or an Indiana distributor permit holder.

(c) A retailer shall retain all invoices for e-liquid that the retailer purchases for two (2) years.

(d) A retailer shall not allow the self-service sale for individuals purchasing an e-liquid.

(e) A retailer may not sell an e-liquid that contains more than seventy-five (75) milligrams per milliliter of nicotine.

(f) A manufacturer must have an e-liquid manufacturing permit issued under IC 7.1-7-4.

(g) A distributor that does not have a valid e-liquid manufacturing permit issued under IC 7.1-7-4 must have a valid distributor's license issued under IC 6-7-2-8.

(h) A distributor shall purchase and distribute e-liquid from an:

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1           (1) Indiana e-liquid manufacturer that has a valid e-liquid  
 2           manufacturing permit under IC 7.1-7-4; or  
 3           (2) Indiana e-liquid distributor that has a valid:  
 4                (A) e-liquid manufacturing permit issued under IC 7.1-7-4;  
 5                or  
 6                (B) distributor's license under IC 6-7-2-8.  
 7           (i) A distributor shall retain all invoices to a retailer or from a  
 8           manufacturer for at least two (2) years.  
 9           (j) A manufacturer, distributor, or retailer may not market e-liquid  
 10           as a modified risk tobacco product, as defined by IC 7.1-7-2-17.5, that  
 11           has not been designated as a modified risk tobacco product by the  
 12           federal Food and Drug Administration.  
 13           (k) Except as provided in subsection (m), a manufacturer,  
 14           including a manufacturer of a closed system vapor ~~product, device,~~  
 15           shall annually submit a report to the commission setting forth:  
 16                (1) each new product **or device** that the manufacturer is  
 17                producing and is sold in Indiana with a list of the contents and  
 18                ingredients by volume; and  
 19                (2) whether the manufacturer has stopped producing products **or**  
 20                **devices** previously produced and sold in Indiana.  
 21           A report under this subsection is confidential, and the commission may  
 22           not disclose it to another person.  
 23           (l) A manufacturer shall annually submit a report to the  
 24           commission setting forth:  
 25                (1) the milligrams per milliliter of nicotine in each product **or**  
 26                **device** the manufacturer produces; and  
 27                (2) the milliliters of each product **or device** sold that current  
 28                year.  
 29           A report under this subsection is confidential, and the ATC may not  
 30           disclose it to another person.  
 31           (m) A manufacturer is not required to submit a report described in  
 32           subsection (k) if the manufacturer submits to the commission a  
 33           certification, by October 1 of each year, that each of the manufacturer's  
 34           vapor ~~products~~ **devices** sold in Indiana has been filed with the federal  
 35           Food and Drug Administration.  
 36           SECTION 18. IC 7.1-7-6-5, AS AMENDED BY P.L.49-2020,  
 37           SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38           JULY 1, 2026]: Sec. 5. A person who knowingly or intentionally makes  
 39           a delivery sale of an e-liquid **or a vapor device** to an individual who  
 40           is less than twenty-one (21) years of age commits a **Class C Class B**  
 41           infraction.  
 42           1    SECTION 1 ~~↔~~ [9]. IC 7.1-8 IS ADDED TO THE INDIANA

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

CODE AS A NEW ARTICLE TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 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**

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 cannabidiol or cannabigerol but does not contain  
2 tetrahydrocannabinol, any other cannabinoids, or any other  
3 controlled substances.

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

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

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

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

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

17 Sec. 8. "Law enforcement officer" has the meaning set forth  
18 in IC 35-31.5-2-185.

19 Sec. 9. "Marijuana" has the meaning set forth in  
20 IC 35-48-1.1-29.

21 Sec. 10. "Permit holder" means a person who holds a valid  
22 permit issued under this article.

23 **Chapter 3. Commission Duties**

24 Sec. 1. The commission shall enforce and administer this  
25 article.

26 Sec. 2. The commission shall:

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

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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- (5) The address of the applicant.**
- (6) An express statement of the applicant that the applicant consents for the duration of the permit term and one (1) year after the permit expires, to the entrance, inspection, and search and seizure by a law enforcement officer, without a warrant, of the licensed premises and vehicles to determine whether the applicant is complying with this article. The applicant's consent required by this section is renewed and continued by the retention of a permit or its use by the applicant.**
- (7) A signed statement by the applicant, under the penalties of perjury, that the individual applying for the permit has not been convicted, in the previous five (5) years, of:**
  - (A) a federal crime having a sentence of at least one (1) year;**
  - (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;**
  - (C) a drug related Level 6 felony or misdemeanor;**
  - (D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or**
  - (E) a drug related felony or misdemeanor in a state other than Indiana.**
- (8) A written consent for the state police department to conduct a state or national criminal history background check of the applicant.**
- (b) The commission shall deposit an application fee received under subsection (a)(3) in the hemp derived cannabinoid products fund established by IC 7.1-8-16.**
- Sec. 4. (a) Upon receipt of a permit application under this chapter, the commission shall forward a copy of the application to the state police department.**
- (b) The state police department shall do the following:**
  - (1) Perform a state or national criminal history background check of the applicant.**
  - (2) Determine if the applicant was convicted, in the previous five (5) years, of:**
    - (A) a federal crime having a sentence of at least one (1) year;**
    - (B) a Level 1, Level 2, Level 3, Level 4, or Level 5 felony under Indiana law;**
    - (C) a drug related Level 6 felony or misdemeanor;**

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- (D) a crime in a state other than Indiana having a penalty equal to the penalty for a Level 1, Level 2, Level 3, Level 4, or Level 5 felony; or
- (E) a drug related felony or misdemeanor in a state other than Indiana.

(3) Return the application to the commission with the state police department's determinations and a copy of the state or 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

M  
a  
r  
k  
u  
p



1 has been denied less than one (1) year prior to the person's  
2 application for a hemp permit unless the first application  
3 was denied by reason of a procedural or technical defect.

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

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

8 (1) The permit number.

9 (2) The permit holder's name.

10 (3) The name and address of the business for which the  
11 permit is issued.

12 (4) The expiration date of the permit.

13 (b) A permit issued under this article is:

14 (1) valid for one (1) year after the date of issuance, unless the  
15 commission suspends or revokes the permit; and

16 (2) nontransferable.

17 Sec. 7. The commission may adopt rules under IC 4-22-2 to  
18 establish procedures for the issuance, renewal, reinstatement, and  
19 maintenance of a permit under this article.

20 Chapter 6. Permits

21 Sec. 1. (a) If a permit holder sells a hemp business and permit  
22 issued under this article, the new owner:

23 (1) must also file a new application for that type of hemp  
24 permit that the previous owner held;

25 (2) is subject to all of the rules and regulations that applied  
26 to the previous permit holder; and

27 (3) must provide the commission with proof of the sale,  
28 including:

29 (A) a purchase agreement; or

30 (B) an affidavit signed by the applicant on the form  
31 described in IC 7.1-8-3-2(9).

32 (b) The previous permit holder's permit is void after the later  
33 of the following:

34 (1) The date of the sale of the business.

35 (2) The date of the transfer of the business.

36 (c) The commission may choose to not issue a permit to the  
37 new owner if the new owner does not comply with the application  
38 requirements of this article.

39 Sec. 2. (a) A separate permit is required for each location in  
40 which a hemp derived cannabinoid product is manufactured,  
41 distributed, or sold.

42 (b) A person may have multiple permits for manufacturing,

M  
a  
r  
k  
u  
p



1 distributing, or retail selling of hemp, but a person may not have  
2 both:

- 3 (1) manufacturing and distribution permits;
- 4 (2) manufacturing and retail permits; or
- 5 (3) distribution and retail permits.

6 Sec. 3. A person who has been approved to be a hemp permit  
7 holder must conspicuously display the holder's hemp permit on the  
8 holder's premises, and keep the permit posted and displayed, as  
9 soon as the commission has approved the permit and as long as the  
10 permit is valid.

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

13 Chapter 7. Deposit of Permits

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

- 19 (1) An initial term of deposit that expires twenty-four (24)  
20 months after the date of the commission's approval.
- 21 (2) An extension of the term of deposit that expires twelve  
22 (12) months after the date the initial term of deposit under  
23 subdivision (1) expires.
- 24 (3) An extension of the term of deposit that expires twelve  
25 (12) months after the date the initial term of deposit under  
26 subdivision (2) expires.
- 27 (4) An extension of the term of deposit that expires twelve  
28 (12) months after the date the initial term of deposit under  
29 subdivision (3) expires.

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

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

- 36 (1) a term of deposit under section 1(a) of this chapter  
37 expires without the commission approving an extension of  
38 the term; and
- 39 (2) the permit is not active.

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

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- (1) the term of deposit expires; and**
- (2) the permit will revert to the commission if:**
  - (A) the permit is not active; or**
  - (B) an extension of the term of deposit has not been approved by the commission.**

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

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

- deposit or extension of a term of deposit; and
- (2) if the permit holder's request is approved:
  - (A) the date that the term of deposit expires; and
  - (B) any fees that are due and payable by the permit holder.

A person adversely affected by the commission's determination under this chapter may seek judicial review of the determination under IC 4-21.5.

**Chapter 8. Suspension, Revocation, and Reinstatement of Permits**

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

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

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

**(c)** If the commission:

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

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

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

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

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

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

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

M  
a  
r  
k  
u  
p



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

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

8 Chapter 9. Manufacturer Permits

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

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

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

16 (1) intends to manufacture hemp derived cannabinoid  
17 products;

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

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

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

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

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

31 Chapter 10. Distributor Permits

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

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

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

41 Sec. 2. (a) The commission may issue a hemp distributor  
42 permit to a person who intends to distribute hemp derived

M  
a  
r  
k  
u  
p



1       cannabinoid products and meets the commission's requirements  
2       for a hemp derived cannabinoid products distributor permit.

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

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

7       (d) A hemp distributor may only buy hemp derived  
8       cannabinoid products from a hemp manufacturer permit holder.

9       **Chapter 11. Retail Permits**

10       **Sec. 1. (a)** A hemp retail permit holder under this chapter may  
11       only purchase hemp derived cannabinoid products from a hemp  
12       distributor holding a valid hemp distributor permit issued by the  
13       commission.

14       (b) A person may only purchase hemp derived cannabinoid  
15       products from a hemp distributor if the person holds a hemp retail  
16       permit.

17       (c) A person may only sell:

- 18           (1) a hemp derived cannabinoid product; and
- 19           (2) a CBD product;

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

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

- 24           (1) intends to sell hemp derived cannabinoid products; and
- 25           (2) meets the commission's requirements for a hemp derived  
26           cannabinoid products retail permit.

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

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

- 37           (1) a driver's license;
- 38           (2) an identification card issued under IC 9-24-16-1 or a  
39           similar card issued under the laws of another state or the  
40           federal government; or
- 41           (3) a government issued document;

42       bearing the person's photograph and birth date showing that the

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

person is at least twenty-one (21) years of age.  
(b) A hemp retail permit holder does not need to request the identification of an individual to purchase a CBD product, as defined in IC 7.1-8-2-3.

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

Sec. 5. A hemp retail permit holder may not operate from a location that is within one thousand (1,000) feet of the perimeter of:

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

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

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

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

**Chapter 12. Carrier Permits**

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

- (1) intends to transport hemp or hemp derived cannabinoid products:
  - (A) between a hemp grower, licensed under IC 15-15-13-7 and a hemp manufacturer;
  - (B) between a hemp manufacturer and a hemp distributor;
  - (C) between a hemp distributor and a hemp retailer; or
  - (D) between Indiana and another state; and
- (2) meets the commission's requirements for a hemp carrier permit.

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

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

M  
a  
r  
k  
u  
p



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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

M  
a  
r  
k  
u  
p



1 defined in IC 7.1-8-2-3.

2 **Chapter 14. Containers**

3 **Sec. 1.** As used in this chapter, "container" has the meaning  
4 set forth in IC 35-48-8-2.

5 **Sec. 2.** A person may not manufacture, sell, or distribute a  
6 hemp derived cannabinoid product unless the product is contained  
7 in child resistant packaging.

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

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

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

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

19 **Chapter 15. Laboratories**

20 **Sec. 1. (a)** The state police department shall publish on the  
21 department's website the list of Hemp Analytical Testing  
22 Laboratories registered with the federal Drug Enforcement  
23 Administration licensed to test hemp for THC concentration in  
24 Indiana.

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

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

31 **Sec. 2.** A hemp manufacturer must test each hemp derived  
32 cannabinoid product that the hemp manufacturer produces at a  
33 Hemp Analytical Testing Laboratory registered with the federal  
34 Drug Enforcement Administration and listed on the state police  
35 department's website.

36 **Sec. 3.** A hemp manufacturer must submit the following to the  
37 commission:

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

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

41 (3) The license number of the laboratory that tested the  
42 product.

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (4) A draft of a label that complies with IC 7.1-8-13.  
 2 (5) The address of the hemp manufacturer.  
 3 (6) The percentage of every cannabinoid contained in the  
 4 product.  
 5 (7) The terpenoid type and concentration used.  
 6 (8) The residual solvents and processing chemicals used.  
 7 (9) Any residual pesticides used.  
 8 (10) Any heavy metals contained the product.  
 9 (11) Any microbial impurities in the product.  
 10 (12) Any mycotoxins present in the product.  
 11 (13) Any water activity.  
 12 (14) Any yeast and mold in the product.  
 13 (15) A statement indicating whether vitamin E acetate is in  
 14 the product.  
 15 (16) The hemp grower's license number.
- 16 Sec. 4. The commission shall publish information compiled  
 17 under section 3 of this chapter in the commission's data base for  
 18 hemp derived cannabinoid products and post this information on  
 19 the commission's website.
- 20 Sec. 5. (a) A hemp manufacturer, a hemp distributor, or a  
 21 hemp retailer may not sell a hemp derived cannabinoid product  
 22 that is not properly tested under section 2 of this chapter.  
 23 (b) A person who knowingly or intentionally falsifies or alters  
 24 a certificate of analysis is subject to criminal prosecution under  
 25 IC 35-43-5-4.  
 26 (c) A hemp derived cannabinoid product with a falsified or  
 27 altered certificate of analysis is to be considered marijuana (as  
 28 defined in IC 35-48-1.1-29).
- 29 Sec. 6. (a) A laboratory testing hemp under this chapter must  
 30 submit to the hemp manufacturer each certificate of analysis that  
 31 it performs.  
 32 (b) The commission shall adopt rules under IC 4-22-2 to  
 33 implement this chapter.
- 34 Chapter 16. Hemp Derived Cannabinoid Products Fund
- 35 Sec. 1. (a) The hemp derived cannabinoid products fund is  
 36 established as a dedicated fund administered by the state budget  
 37 agency.  
 38 (b) All money received by the commission for deposit in the  
 39 hemp derived cannabinoid products fund shall be deposited in the  
 40 fund.  
 41 (c) The commission shall deposit in the fund all:  
 42 (1) fees for permits received under this article; and

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

(2) application fees received under this article.  
(d) No portion of the fund shall revert to the state general fund at the end of a state fiscal year. However, if the fund is abolished, its contents shall revert to the state general fund.

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

Sec. 2. In each state fiscal year, the prior state fiscal year collections accrued to the fund shall be used by the commission as follows:

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

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

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

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

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

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

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

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

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

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

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

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

(3) To prosecuting attorneys for the following:

(A) Training programs.

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

(C) Other items necessary to enforce this article.

Chapter 17. Advertising

M  
a  
r  
k  
u  
p



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

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

**Chapter 18. Product Testing**

**Sec. 1. The commission may do spot testing of hemp derived cannabinoid products to ensure compliance with this article.**

**Sec. 2. (a) If the commission tests a hemp derived cannabinoid product that:**

**(1) was manufactured, distributed, or sold by a permit holder; or**

**(2) is for sale by a permit holder;**

**the permit holder shall pay the commissioner two hundred fifty dollars (\$250) for each test.**

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

**(1) improper or false labeling; or**

**(2) health and safety concerns.**

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

**Chapter 19. Enforcement Actions**

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

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

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

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

**Chapter 20. Crimes**

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

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

**or**

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

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

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

M  
a  
r  
k  
u  
p



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

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

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

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

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

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

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

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

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

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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

3 SECTION ~~<+4>~~[21]. IC 9-13-2-160.5 IS ADDED TO THE  
4 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2026]: **Sec. 160.5. "Schedule I drug", for**  
6 **purposes of this title, includes marijuana (as defined in**  
7 **IC 35-48-1.1-29), hemp (as defined in IC 35-48-8-3), and**  
8 **tetrahydrocannabinol (as defined in IC 7.1-1-3-46.5).**

9 SECTION ~~<+5>~~[22]. IC 15-15-13-0.5, AS ADDED BY  
10 P.L.165-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2026]: **Sec. 0.5. (a)** The state seed  
12 commissioner shall administer this chapter.

13 **(b) The state seed commissioner shall share information**  
14 **regarding the hemp program established under this chapter with**  
15 **the state police department.**

16 **(c) The state seed commissioner shall report and provide to the**  
17 **United States Secretary of Agriculture required information under**  
18 **7 CFR 990.7 within thirty (30) days of the information being**  
19 **received.**

20 SECTION ~~<+6>~~[23]. IC 15-15-13-1, AS AMENDED BY  
21 P.L.190-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS  
22 [EFFECTIVE JULY 1, 2026]: **Sec. 1. (a)** Nothing in this chapter  
23 authorizes any person to violate any federal law or regulation.

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

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

29 SECTION ~~<+7>~~[24]. IC 15-15-13-3, AS AMENDED BY  
30 P.L.190-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS  
31 [EFFECTIVE JULY 1, 2026]: **Sec. 3. As used in this chapter, "crop"**  
32 **means any hemp grown under a single hemp grower's license issued**  
33 **under this chapter.**

34 SECTION ~~<+8>~~[25]. IC 15-15-13-3.5 IS ADDED TO THE  
35 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. "Grow site" means any place**  
37 **or location, either indoors or outdoors, where a hemp crop is**  
38 **legally grown.**

39 SECTION ~~<+9>~~[26]. IC 15-15-13-4, AS AMENDED BY  
40 P.L.190-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS  
41 [EFFECTIVE JULY 1, 2026]: **Sec. 4. As used in this chapter, "grower"**  
42 **means:**

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 (1) an individual, a partnership, a company, or a corporation
- 2 that ~~produces~~ **grows** hemp; for commercial purposes; or
- 3 (2) a person, as part of a hemp research program conducted by
- 4 a state educational institution (as defined by IC 21-7-13-32).

5 SECTION 2~~0~~[7]. IC 15-15-13-5, AS AMENDED BY  
 6 P.L.190-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS  
 7 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) As used in this chapter,  
 8 "handler" means an individual, a partnership, a company, or a  
 9 corporation that receives **industrial** hemp for scientific research, or for  
 10 processing ~~into agricultural~~ **industrial** hemp, ~~products,~~  
 11 or agricultural hemp seed.

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

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

24 SECTION 2~~2~~[9]. IC 15-15-13-6.3 IS ADDED TO THE  
 25 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2026]: Sec. 6.3. **As used in this chapter,**  
 27 **"remediate" means the process of rendering noncompliant hemp**  
 28 **compliant by:**

- 29 (1) **removing and destroying flower material, while retaining**
- 30 **stalk, stems, leaf material, and seeds; or**
- 31 (2) **shredding the entire plant into a biomass like material,**
- 32 **then retesting the shredded biomass material for compliance.**

33 SECTION ~~23~~[30]. IC 15-15-13-6.5, AS AMENDED BY  
 34 P.L.186-2025, SECTION 104, IS AMENDED TO READ AS  
 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.5. As used in this  
 36 chapter, "hemp **derived cannabinoid** product" means a product  
 37 derived from, or made by, processing hemp plants or plant parts  
 38 including derivatives, extracts, cannabinoids, isomers, acids, salts, and  
 39 salts of isomers. However, the term does not include:

- 40 (1) smokable hemp (as defined by IC 35-48-1.1-38); or
- 41 (2) products that contain a total delta-9-tetrahydrocannabinol
- 42 concentration of more than three-tenths of one percent (0.3%) by

M  
a  
r  
k  
u  
p



- 1           ~~weight.~~ **has the meaning set forth in IC 35-48-8-4.**
- 2           SECTION ~~24~~ [31]. IC 15-15-13-6.6 IS ADDED TO THE
- 3 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2026]: **Sec. 6.6. As used in this chapter,**
- 5 **"industrial hemp" has the meaning set forth in IC 35-48-8-5.**
- 6           SECTION ~~25~~ [32]. IC 15-15-13-6.7 IS ADDED TO THE
- 7 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
- 8 [EFFECTIVE JULY 1, 2026]: **Sec. 6.7. As used in this chapter,**
- 9 **"industrial hemp production site" means a location where**
- 10 **industrial hemp may be processed, stored, staged, delivered, or**
- 11 **received.**
- 12           SECTION ~~26~~ [33]. IC 15-15-13-6.8 IS ADDED TO THE
- 13 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 2026]: **Sec. 6.8. As used in this chapter,**
- 15 **"licensee" means a person who is licensed by the state seed**
- 16 **commissioner under this chapter including:**
- 17           (1) a grower;
- 18           (2) a handler; or
- 19           (3) a grower and a handler.
- 20           SECTION ~~27~~ [34]. IC 15-15-13-6.9 IS ADDED TO THE
- 21 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 2026]: **Sec. 6.9. As used in this chapter, "lot"**
- 23 **means a contiguous area in a field, greenhouse, or indoor growing**
- 24 **structure containing the same variety or strain of cannabis**
- 25 **throughout the area.**
- 26           SECTION ~~28~~ [35]. IC 15-15-13-7, AS AMENDED BY
- 27 P.L.190-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JULY 1, 2026]: **Sec. 7. (a) Subject to section 15 of this**
- 29 **chapter, the production of, possession of, scientific study of, and**
- 30 **commerce in hemp and industrial hemp is authorized in Indiana.**
- 31 **Hemp is subject to regulation by the state seed commissioner. The state**
- 32 **seed commissioner shall adopt rules to oversee the licensing,**
- 33 **production, and management of:**
- 34           (1) hemp; and
- 35           (2) agricultural hemp seed: **implement this chapter.**
- 36           (b) All growers and handlers **of industrial hemp** must have a
- 37 hemp license issued by the state seed commissioner. Growers and
- 38 handlers engaged in the production of agricultural hemp seed must also
- 39 have ~~an agricultural~~ **a hemp seed production grower's license. A**
- 40 **contract grower, hemp cooperative, or a similar entity to a**
- 41 **contract grower or hemp cooperative must be licensed to grow**
- 42 **hemp or to handle industrial hemp.**

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

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

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

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

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

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

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

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

(1) The name and address of the applicant.

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

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

- (A) Site by field.
- (B) Storage site.
- (C) Receiving site.
- (D) Staging site.
- (E) Sites similar to the sites listed in clauses (A) through (D).

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

(5) A statement signed by the applicant, under penalty of perjury, that the person applying for the ~~hemp license or agricultural hemp seed production license~~ has not been convicted, of a drug related felony or misdemeanor in the previous ten (10) **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 drug related misdemeanor under Indiana law; or
- (C) a crime in a state other than Indiana having a

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**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 three-tenths of one percent (0.3%)  
total THC.

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

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

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

**(15) If the applicant is growing industrial hemp, the applicant must include the location of the industrial hemp production site including the county and geospatial location coordinates in decimal format.**

~~(16)~~ **(16) Any other information required by the state seed commissioner.**

**(h) Except as provided in subsection (g), a business making an application for a hemp license must also identify the key individuals in the business including:**

- (1) a sole proprietor;**
- (2) a partner in partnership; and**
- (3) an individual with executive managerial control in the business or corporation including a:**
  - (A) chief executive officer;**
  - (B) chief operating officer; or**
  - (C) a chief financial officer.**

**(i) An individual described in subsection (h) must also submit a criminal background check.**

**(j) A key individual does not include nonexecutive managers including farm, field, or shift managers.**

**(k) If an applicant fails to provide a report under subsection (g)(13), the state seed commissioner shall deny the applicant's request for a license renewal.**

**(l) The state seed commissioner shall assess a nonrefundable fee of five hundred dollars (\$500) for an applicant.**

**(m) The state seed commissioner may assess a fee of one hundred dollars (\$100), on behalf of the state police department, to conduct criminal background checks on an applicant.**

SECTION ~~29~~ [36](#). IC 15-15-13-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 7.5. The state seed commissioner may not issue a license under this chapter to an individual who:**

- (1) does not provide the required information under section 7 of this chapter;**
- (2) is less than twenty-one (21) years of age;**
- (3) is not registered with the secretary of state to do business in Indiana;**
- (4) does not have lawful status, as defined in IC 9-13-2-92.3;**

M  
a  
r  
k  
u  
p



- 1           **(5) has been convicted within five (5) years of the application**
- 2           **date of:**
- 3                 **(A) a federal crime having a sentence of at least one (1)**
- 4                 **year;**
- 5                 **(B) a felony or a drug related misdemeanor under**
- 6                 **Indiana law; or**
- 7                 **(C) a crime in a state other than Indiana having a**
- 8                 **penalty equal to the penalty for a felony;**
- 9           **and the conviction has not been expunged under IC 35-38-9;**
- 10           **or**
- 11           **(6) is non compos mentis.**

12           SECTION 3~~6~~<sup>7</sup>. IC 15-15-13-7.6 IS ADDED TO THE  
 13 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 14 [EFFECTIVE JULY 1, 2026]: **Sec. 7.6. (a) A licensee shall ensure**  
 15 **that their employees, volunteers, family members, or others**  
 16 **servicing a hemp production site, and subject to the management**  
 17 **of the licensee, comply with the requirements of Indiana law.**

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

- 23                 **(1) The failure to obtain a criminal background check.**
- 24                 **(2) The failure to comply with an order from the state seed**
- 25                 **commissioner.**

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

- 29                 **(1) Street address, if available, and geospatial location for**
- 30                 **each production or grow site where hemp will be grown or**
- 31                 **handled.**
- 32                 **(2) Outdoor acreage or indoor square footage dedicated to**
- 33                 **the growing of hemp.**
- 34                 **(3) License number of the grower.**
- 35                 **(4) The purpose of the crop as fiber, grain, CBD, or another**
- 36                 **specified use.**

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

- 40                 **(1) secure the crop;**
- 41                 **(2) harvest the crop within thirty (30) days of sampling;**
- 42                 **(3) transport the crop to a state seed commissioner approved**

M  
a  
r  
k  
u  
p



1 **Indiana reverse distributor;**

2 **(4) remediate the crop under the direction and supervision of**  
3 **the state seed commissioner's office;**

4 **(5) dispose of the crop in a designated site in a manner that**  
5 **complies with local and state burn laws; and**

6 **(6) verify the disposal of the crop with the state seed**  
7 **commissioner.**

8 **(e) If a grower remediates a crop under this section, the**  
9 **grower must have the crop tested for THC concentration levels and**  
10 **send the results to the state seed commissioner. A crop may only**  
11 **enter the stream of commerce if the hemp is below the acceptable**  
12 **THC concentration levels.**

13 **(f) A grower must report to the state seed commissioner if the**  
14 **purpose of the crop changes, or if a different varietal is used, ten**  
15 **(10) days after the receipt of seed or clones.**

16 SECTION 3 ~~←~~ [8]. IC 15-15-13-8, AS AMENDED BY  
17 P.L.156-2020, SECTION 62, IS AMENDED TO READ AS  
18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. ~~(a) Each license~~  
19 ~~application received under this chapter must be processed as follows:~~

20 ~~(1) (a) Upon receipt of a license application, the state seed~~  
21 ~~commissioner shall do one (1) of the following:~~

22 ~~(A) forward a copy of the application to the state police~~  
23 ~~department. The state police department shall do the following:~~

24 ~~(i) (1) Perform a state or national criminal history background~~  
25 ~~check of the applicant.~~

26 ~~(ii) (2) Determine if the requirements under section 7(c)(5)~~  
27 ~~7(g)(5) of this chapter concerning prior criminal convictions~~  
28 ~~have been met.~~

29 ~~(iii) (3) Return the application to the state seed commissioner~~  
30 ~~along with the state police department's determinations and a~~  
31 ~~copy of the state or national criminal history background check.~~

32 ~~(B) Do the following:~~

33 ~~(i) Perform a state or national criminal history~~  
34 ~~background check of the applicant under the same~~  
35 ~~standards as the state police department would~~  
36 ~~perform.~~

37 ~~(ii) Determine if the requirements under section 7(c)(5)~~  
38 ~~of this chapter concerning prior criminal convictions~~  
39 ~~have been met.~~

40 ~~(2) (b) The state seed commissioner shall review the license~~  
41 ~~application and the criminal history background check.~~

42 ~~(b) (c) If the state seed commissioner determines that all the~~

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 requirements under this chapter have been met and that a license  
2 should be granted to the applicant, the state seed commissioner shall  
3 approve the application for issuance of a license.

4 **(d) The state seed commissioner must approve an application  
5 before an applicant can conduct any hemp activity.**

6 ~~(e)~~ **(e)** A hemp license or agricultural hemp seed production  
7 license **under this chapter** expires on December 31 of the year for  
8 which the license was issued, unless revoked. ~~A hemp license or  
9 agricultural hemp seed production license may be renewed in  
10 accordance with rules adopted by the state seed commissioner and is  
11 nontransferable.~~

12 **(f) A license is nontransferable.**

13 **(g) A license may be renewed annually.**

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

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

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

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

39 ~~(d)~~ **(d)** ~~In addition to an audit conducted in accordance with~~  
40 ~~subsection (c),~~ The state seed commissioner may inspect  
41 independently, or in cooperation with the state police department, a  
42 federal law enforcement agency, or a local law enforcement agency,

M  
a  
r  
k  
u  
p



1 any hemp crop during the crop's growth phase and take a representative  
 2 composite sample for field analysis. If a crop contains an average [  
 3 ~~delta-9-tetrahydrocannabinol~~ **total tetrahydrocannabinol** (THC)  
 4 concentration exceeding three-tenths of one percent (0.3%) on a dry  
 5 weight basis, the state seed commissioner may detain, seize, or  
 6 embargo the crop.

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

- 9 (1) the state seed commissioner;  
 10 (2) the state police;  
 11 (3) a federal law enforcement agency; ~~or~~  
 12 (4) a local law enforcement agency; ~~or~~

13 **(5) a person making an official inspection or taking of a**  
 14 **sample of a hemp crop during the crop's growth phase.**  
 15 ~~in an inspection, or in the taking of a sample, under subsection (d).~~

16 **(f) The state seed commissioner may revoke the license of a**  
 17 **licensee that grows, sells, or distributes hemp for the following:**

- 18 **(1) The licensee has not:**  
 19 **(A) complied with the requirements under this chapter;**  
 20 **or**  
 21 **(B) submitted reports required by the state seed**  
 22 **commissioner.**  
 23 **(2) The licensee falsified information.**  
 24 **(3) The licensee failed to follow labeling requirements.**  
 25 **(4) The licensee is convicted of violating any Indiana law.**

26 **(g) If the state seed commissioner revokes a license, the state**  
 27 **seed commissioner shall issue a letter within ten (10) business days**  
 28 **to the licensee concerning the revocation.**

29 ~~(f)~~ **(h)** A failure to cooperate described in subsection (e)  
 30 constitutes probable cause for the state seed commissioner, state police,  
 31 federal law enforcement agency, or local law enforcement agency to  
 32 search the premises of the licensee's hemp operation.

33 ~~(g)~~ **(i)** If the state police department, a federal law enforcement  
 34 agency, or a local law enforcement agency cooperates with the state  
 35 seed commissioner in the detention, seizure, or embargo of a crop  
 36 under this section:

- 37 (1) the state police department, federal law enforcement agency,  
 38 or local law enforcement agency; and  
 39 (2) any officer or employee of the state police department,  
 40 federal law enforcement agency, or local law enforcement  
 41 agency who is involved in the detention, seizure, or embargo;  
 42 is immune from civil liability for the detention, seizure, or embargo.

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

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

11 SECTION ~~33~~ [40]. IC 15-15-13-9.5, AS ADDED BY  
12 P.L.190-2019, SECTION 11, IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.5. (a) A person who  
14 is a handler licensed under this section may distribute clones and other  
15 nonseed propagative materials of a hemp plant using the person's own  
16 labeling, if the distributor does the following:

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

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

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

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

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

(d) Each year the:  
(1) report required under subsection (a)(7); and  
(2) inspection fees required under this chapter;  
for the period beginning on January 1 and ending on June 30 and for the period beginning on July 1 and ending on December 31 are due not more than thirty (30) days after the end of the semiannual period.

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

- (1) Evidence of a valid hemp handler license from the state seed commissioner.**
- (2) A valid driver's license that includes the driver's photo and current legal address.**
- (3) An invoice or delivery document identifying the person to whom the industrial hemp is to be delivered, including the person's the full address and telephone number, and the variety and quantity of the industrial hemp.**
- (4) A valid certificate of analysis issued by a state seed commissioner approved laboratory showing the total THC for the industrial hemp transported.**

SECTION ~~34~~ [41]. IC 15-15-13-10 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 10: The amount of any fees charged growers and handlers by the state seed commissioner under this chapter must be sufficient to cover the cost of the administration of this chapter, including the cost of conducting audits and testing.~~

SECTION ~~35~~ [42]. IC 15-15-13-10.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 10.1. (a) A licensee shall pay an annual fee of ten thousand dollars (\$10,000) for a license issued under this chapter.**

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

SECTION ~~36~~ [43]. 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**

M  
a  
r  
k  
u  
p



1 licensee ~~or~~ designee, or agent shall have in the licensee's, designee's, or  
2 agent's **their** possession the licensing documents from the state seed  
3 commissioner evidencing that the **industrial** hemp is from certified  
4 seed produced by a licensed grower.

5 **(b) The state seed commissioner shall include:**

6 **(1) the license number of the grower that produced the**  
7 **hemp; and**

8 **(2) the license number of the hemp handler;**

9 **in the licensing documents described in subsection (a).**

10 SECTION ~~37~~ **[44]**. IC 15-15-13-12, AS AMENDED BY  
11 P.L.156-2020, SECTION 63, IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. The state seed  
13 commissioner is responsible for the following:

14 (1) Monitoring the hemp grown by any **hemp grower** license  
15 holder.

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

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

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

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

29 SECTION ~~38~~ **[45]**. IC 15-15-13-13, AS AMENDED BY  
30 P.L.190-2019, SECTION 14, IS AMENDED TO READ AS  
31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) Subject to  
32 section 13.5 of this chapter, in addition to any other liability or penalty  
33 provided by law, the state seed commissioner may revoke or refuse to  
34 issue or renew a hemp license or an agricultural hemp seed production  
35 license and may impose a civil penalty for a violation of:

- 36 (1) a license requirement;
- 37 (2) license terms or conditions; **or**
- 38 (3) a rule relating to growing or handling hemp. **or**
- 39 ~~(4) section 19 of this chapter.~~

40 (b) The state seed commissioner may not impose a civil penalty  
41 under this section that exceeds two thousand five hundred dollars  
42 (\$2,500).

M  
a  
r  
k  
u  
p



1 (c) The state seed commissioner may revoke or refuse to issue or  
2 renew a hemp license or an agricultural hemp seed production license  
3 for a violation of any rule of the state seed commissioner that pertains  
4 to agricultural operations or activities other than hemp growing or  
5 handling.

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

10 (e) In addition to payment of any civil penalty imposed under this  
11 section, a person who commits a violation described in subsection (a)  
12 shall reimburse the state seed commissioner for any costs incurred by  
13 the state seed commissioner for laboratory testing of material  
14 pertaining to the violation.

15 SECTION ~~39~~ [46]. IC 15-15-13-13.5, AS AMENDED BY  
16 P.L.156-2020, SECTION 64, IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13.5. (a) Except as  
18 provided in subsection (b), the state seed commissioner shall give a  
19 person who negligently violates this chapter a ~~reasonable time,~~  
20 ~~determined by the state seed commissioner,~~ **ten (10) days** to correct the  
21 violation without imposing a penalty under section 13 of this chapter.  
22 However, the state seed commissioner may require the person who  
23 committed the violation to comply with a corrective action plan  
24 determined by the state seed commissioner and report to the state seed  
25 commissioner on compliance with the corrective action plan.

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

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

- 32 (1) the superintendent of the state police department; ~~and~~  
33 **(2) the sheriff of the county in which the violation occurred;**  
34 **and**  
35 ~~(2)~~ **(3) the prosecuting attorney of the county in which the**  
36 **violation occurred;**

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

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

42 SECTION 4 ~~6~~ [7]. IC 15-15-13-15, AS AMENDED BY

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

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

14 SECTION 4 ~~↔~~ [8]. IC 15-15-13-16, AS AMENDED BY  
 15 P.L.29-2024, SECTION 3, IS AMENDED TO READ AS FOLLOWS  
 16 [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The state seed commissioner  
 17 shall pay all fees collected under this chapter to the treasurer of Purdue  
 18 University.

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

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

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

- 30 (1) governor;
- 31 (2) legislative council; and
- 32 (3) budget committee;

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

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

42 SECTION 4 ~~↔~~ [9]. IC 15-15-13-18 IS REPEALED [EFFECTIVE

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 JULY 1, 2026]. Sec. 18: (a) A person who sells hemp in Indiana must:  
 2 (1) be licensed in Indiana and in the jurisdiction where the hemp  
 3 was grown; and  
 4 (2) provide the buyer with a receipt that contains the seller's  
 5 name, place of business, and license number and quantity of  
 6 hemp sold.  
 7 (b) A person who buys hemp in Indiana must retain the receipt  
 8 described in subsection (a)(2) for a period of two (2) years:

9 SECTION ~~<43>~~[50]. IC 15-15-13-19 IS REPEALED  
 10 [EFFECTIVE JULY 1, 2026]. Sec. 19: (a) Hemp bud (as defined in  
 11 IC 35-48-1.1-23) and hemp flower (as defined in IC 35-48-1.1-24) may  
 12 be sold only to a processor licensed under this chapter:

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

15 SECTION ~~<44>~~[51]. IC 15-15-13-19.1 IS ADDED TO THE  
 16 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 2026]: **Sec. 19.1. An industrial hemp product**  
 18 **that is manufactured into a hemp derived cannabinoid product as**  
 19 **defined in IC 35-48-8-4, is subject to IC 7.1-8 and not this chapter.**

20 SECTION ~~<45>~~[52]. IC 15-15-13-21 IS REPEALED  
 21 [EFFECTIVE JULY 1, 2026]. Sec. 21: A county, city, town, or  
 22 township may not adopt or enforce an ordinance restricting or  
 23 regulating:

- 24 (1) the growth, production, or processing of hemp; or
- 25 (2) any subject regulated by this chapter:

26 SECTION ~~<46>~~[53]. IC 16-31-3-14, AS AMENDED BY  
 27 P.L.186-2025, SECTION 109, IS AMENDED TO READ AS  
 28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) A person  
 29 holding a certificate or license issued under this article must comply  
 30 with the applicable standards and rules established under this article.  
 31 A certificate holder or license holder is subject to disciplinary sanctions  
 32 under subsection (b) if the department of homeland security determines  
 33 that the certificate holder or license holder:

- 34 (1) engaged in or knowingly cooperated in fraud or material
- 35 deception in order to obtain a certificate or license, including
- 36 cheating on a certification or licensure examination;
- 37 (2) engaged in fraud or material deception in the course of
- 38 professional services or activities;
- 39 (3) advertised services or goods in a false or misleading manner;
- 40 (4) falsified or knowingly allowed another person to falsify
- 41 attendance records or certificates of completion of continuing
- 42 education courses required under this article or rules adopted

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1           misdemeanors other than operating a motor vehicle under the  
2           influence of a drug or alcohol, within ninety (90) days after the  
3           entry of an order or judgment. A certified copy of the order or  
4           judgment with a letter of explanation must be submitted to the  
5           department along with the written notice.

6           (b) The department of homeland security may issue an order under  
7           IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if  
8           the department of homeland security determines that a certificate  
9           holder or license holder is subject to disciplinary sanctions under  
10          subsection (a):

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

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

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

16          (4) Issuance of a letter of reprimand.

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

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

21                (B) If the certificate holder or license holder fails to pay the  
22                civil penalty within the time specified by the department of  
23                homeland security, the department of homeland security  
24                may suspend the certificate holder's certificate or license  
25                holder's license without additional proceedings.

26          (6) Placement of a certificate holder or license holder on  
27          probation status and requirement of the certificate holder or  
28          license holder to:

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

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

33                (C) continue or renew professional education approved by  
34                the department of homeland security until a satisfactory  
35                degree of skill has been attained in those areas that are the  
36                basis of the probation; or

37                (D) perform or refrain from performing any acts, including  
38                community restitution or service without compensation, that  
39                the department of homeland security considers appropriate  
40                to the public interest or to the rehabilitation or treatment of  
41                the certificate holder or license holder.

42          The department of homeland security may withdraw or modify

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1           this probation if the department of homeland security finds after  
2           a hearing that the deficiency that required disciplinary action is  
3           remedied or that changed circumstances warrant a modification  
4           of the order.

5           (c) If an applicant or a certificate holder or license holder has  
6           engaged in or knowingly cooperated in fraud or material deception to  
7           obtain a certificate or license, including cheating on the certification or  
8           licensure examination, the department of homeland security may  
9           rescind the certificate or license if it has been granted, void the  
10          examination or other fraudulent or deceptive material, and prohibit the  
11          applicant from reapplying for the certificate or license for a length of  
12          time established by the department of homeland security.

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

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

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

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

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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

- 1 (2) Possession of methamphetamine under IC 35-48-4-6.1.  
 2 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~.  
 3 IC 35-48-4-7(b).  
 4 (4) Fraudulently obtaining a controlled substance under  
 5 ~~IC 35-48-4-7(c)~~; IC 35-48-4-7(d).  
 6 (5) Manufacture of paraphernalia as a Class D felony (for a  
 7 crime committed before July 1, 2014) or Level 6 felony (for a  
 8 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).  
 9 (6) Dealing in paraphernalia as a Class D felony (for a crime  
 10 committed before July 1, 2014) or Level 6 felony (for a crime  
 11 committed after June 30, 2014) under IC 35-48-4-8.5(b).  
 12 (7) Possession of paraphernalia as a Class D felony (for a crime  
 13 committed before July 1, 2014) or Level 6 felony (for a crime  
 14 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
 15 its amendment on July 1, 2015).  
 16 (8) Possession of marijuana, hash oil, hashish, or salvia as a  
 17 Class D felony (for a crime committed before July 1, 2014) or  
 18 Level 6 felony (for a crime committed after June 30, 2014) under  
 19 IC 35-48-4-11.  
 20 (9) A felony offense under IC 35-48-4 involving:  
 21 (A) possession of a synthetic drug (as defined in  
 22 IC 35-31.5-2-321);  
 23 (B) possession of a synthetic drug lookalike substance (as  
 24 defined in IC 35-31.5-2-321.5 (before its repeal on July 1,  
 25 2019)) as a:  
 26 (i) Class D felony (for a crime committed before July  
 27 1, 2014); or  
 28 (ii) Level 6 felony (for a crime committed after June  
 29 30, 2014);  
 30 under IC 35-48-4-11.5 (before its repeal on July 1, 2019);  
 31 or  
 32 (C) possession of a controlled substance analog (as defined  
 33 in IC 35-48-1.1-8).  
 34 (10) Maintaining a common nuisance under IC 35-48-4-13  
 35 (repealed) or IC 35-45-1-5, if the common nuisance involves a  
 36 controlled substance.  
 37 (11) An offense relating to registration, labeling, and  
 38 prescription forms under IC 35-48-4-14.  
 39 (h) A decision of the department of homeland security under  
 40 subsections (b) through (g) may be appealed to the commission under  
 41 IC 4-21.5-3-7.  
 42 (i) The department of homeland security may temporarily suspend

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 a certificate holder's certificate or license holder's license under  
2 IC 4-21.5-4 before a final adjudication or during the appeals process if  
3 the department of homeland security finds that a certificate holder or  
4 license holder would represent a clear and immediate danger to the  
5 public's health, safety, or property if the certificate holder or license  
6 holder were allowed to continue to practice.

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

12 (k) The department of homeland security shall conduct a  
13 factfinding investigation as the department of homeland security  
14 considers proper in relation to the complaint.

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

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

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

28 (o) A certificate holder may not surrender the certificate holder's  
29 certificate, and a license holder may not surrender the license holder's  
30 license, without the written approval of the department of homeland  
31 security, and the department of homeland security may impose any  
32 conditions appropriate to the surrender or reinstatement of a  
33 surrendered certificate or license.

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

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

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

- 41 (1) an unlimited license;
- 42 (2) a limited or probationary license; or

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

(3) an inactive license.  
SECTION ~~47~~ [54]. IC 22-15-5-16, AS AMENDED BY P.L.186-2025, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) A practitioner shall comply with the standards established under this licensing program. A practitioner is subject to the exercise of the disciplinary sanctions under IC 22-12-7-7 if the department finds that a practitioner has:

- (1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;
- (2) engaged in fraud or material deception in the course of professional services or activities;
- (3) advertised services or goods in a false or misleading manner;
- (4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses provided under this chapter;
- (5) been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;
- (6) knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;
- (7) continued to practice although the practitioner has become unfit to practice due to:
  - (A) professional incompetence;
  - (B) failure to keep abreast of current professional theory or practice;
  - (C) physical or mental disability; or
  - (D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;
- (8) engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;
- (9) allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;
- (10) had disciplinary action taken against the practitioner or the practitioner's license to practice in another state or jurisdiction on grounds similar to those under this chapter;
- (11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter;

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 or  
 2 (12) allowed a license issued by the department to be:  
 3 (A) used by another person; or  
 4 (B) displayed to the public when the license has expired, is  
 5 inactive, is invalid, or has been revoked or suspended.  
 6 For purposes of subdivision (10), a certified copy of a record of  
 7 disciplinary action constitutes prima facie evidence of a disciplinary  
 8 action in another jurisdiction.  
 9 (b) If an applicant or a practitioner has engaged in or knowingly  
 10 cooperated in fraud or material deception to obtain a license to  
 11 practice, including cheating on the licensing examination, the  
 12 department may rescind the license if it has been granted, void the  
 13 examination or other fraudulent or deceptive material, and prohibit the  
 14 applicant from reapplying for the license for a length of time  
 15 established by the department.  
 16 (c) The department may deny licensure to an applicant who has  
 17 had disciplinary action taken against the applicant or the applicant's  
 18 license to practice in another state or jurisdiction or who has practiced  
 19 without a license in violation of the law. A certified copy of the record  
 20 of disciplinary action is conclusive evidence of the other jurisdiction's  
 21 disciplinary action.  
 22 (d) The department may order a practitioner to submit to a  
 23 reasonable physical or mental examination if the practitioner's physical  
 24 or mental capacity to practice safely and competently is at issue in a  
 25 disciplinary proceeding. Failure to comply with a department order to  
 26 submit to a physical or mental examination makes a practitioner liable  
 27 to temporary suspension under subsection (h).  
 28 (e) Except as provided under subsection (f) or (g), a license may  
 29 not be denied, revoked, or suspended because the applicant or holder  
 30 has been convicted of an offense. The acts from which the applicant's  
 31 or holder's conviction resulted may, however, be considered as to  
 32 whether the applicant or holder should be entrusted to serve the public  
 33 in a specific capacity.  
 34 (f) The department may deny, suspend, or revoke a license issued  
 35 under this chapter if the individual who holds the license is convicted  
 36 of any of the following:  
 37 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.  
 38 (2) Possession of methamphetamine under IC 35-48-4-6.1.  
 39 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a)~~  
 40 IC 35-48-4-7(b).  
 41 (4) Fraudulently obtaining a controlled substance under  
 42 ~~IC 35-48-4-7(b)~~ IC 35-48-4-7(c) (for a crime committed before

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

July 1, 2014) or ~~IC 35-48-4-7(e)~~ IC 35-48-4-7(d) (for a crime committed after June 30, 2014).  
(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(c).  
(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).  
(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).  
(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.  
(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1.1-8), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:  
    (A) Class D felony for a crime committed before July 1, 2014; or  
    (B) Level 6 felony for a crime committed after June 30, 2014;  
under IC 35-48-4-11.5 (before its repeal on July 1, 2019).  
(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.  
(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.  
(g) The department shall deny, revoke, or suspend a license issued under this chapter if the individual who holds the license is convicted of any of the following:  
    (1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.  
    (2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.  
    (3) Dealing in methamphetamine under IC 35-48-4-1.1.  
    (4) Manufacturing methamphetamine under IC 35-48-4-1.2.  
    (5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.  
    (6) Dealing in a schedule IV controlled substance under

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 IC 35-48-4-3.
- 2 (7) Dealing in a schedule V controlled substance under
- 3 IC 35-48-4-4.
- 4 (8) Dealing in a substance represented to be a controlled
- 5 substance under IC 35-48-4-4.5 (repealed).
- 6 (9) Knowingly or intentionally manufacturing, advertising,
- 7 distributing, or possessing with intent to manufacture, advertise,
- 8 or distribute a substance represented to be a controlled substance
- 9 under IC 35-48-4-4.6.
- 10 (10) Dealing in a counterfeit substance under IC 35-48-4-5.
- 11 (11) Dealing in marijuana, hash oil, hashish, or salvia as a felony
- 12 under IC 35-48-4-10.
- 13 (12) An offense under IC 35-48-4 involving the manufacture or
- 14 sale of a synthetic drug (as defined in IC 35-31.5-2-321), a
- 15 synthetic drug lookalike substance (as defined in
- 16 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under
- 17 IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled
- 18 substance analog (as defined in IC 35-48-1.1-8), or a substance
- 19 represented to be a controlled substance (as described in
- 20 IC 35-48-4-4.6).
- 21 (13) A violation of any federal or state drug law or rule related
- 22 to wholesale legend drug distributors licensed under
- 23 IC 25-26-14.
- 24 (h) The department may temporarily suspend a practitioner's
- 25 license under IC 4-21.5-4 before a final adjudication or during the
- 26 appeals process if the department finds that a practitioner represents a
- 27 clear and immediate danger to the public's health, safety, or property if
- 28 the practitioner is allowed to continue to practice.
- 29 (i) On receipt of a complaint or an information alleging that a
- 30 person licensed under this chapter has engaged in or is engaging in a
- 31 practice that jeopardizes the public health, safety, or welfare, the
- 32 department shall initiate an investigation against the person.
- 33 (j) Any complaint filed with the office of the attorney general
- 34 alleging a violation of this licensing program shall be referred to the
- 35 department for summary review and for its general information and any
- 36 authorized action at the time of the filing.
- 37 (k) The department shall conduct a fact finding investigation as the
- 38 department considers proper in relation to the complaint.
- 39 (l) A practitioner may petition the department to accept the
- 40 surrender of the practitioner's license. The practitioner may not
- 41 surrender the practitioner's license without the written approval of the
- 42 department, and the department may impose any conditions appropriate

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 to the surrender or reinstatement of a surrendered license.

2 (m) A practitioner who has been subjected to disciplinary  
3 sanctions may be required by the commission to pay the costs of the  
4 proceeding. The practitioner's ability to pay shall be considered when  
5 costs are assessed. If the practitioner fails to pay the costs, a suspension  
6 may not be imposed solely upon the practitioner's inability to pay the  
7 amount assessed. The costs are limited to costs for the following:

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

17 SECTION ~~48~~ [55]. IC 24-4-21 IS REPEALED [EFFECTIVE  
18 JULY 1, 2026]. (Distribution of Low THC Hemp Extract).

19 SECTION ~~49~~ [56]. IC 24-4-22 IS REPEALED [EFFECTIVE  
20 JULY 1, 2026]. (Low THC Hemp Extract Sales).

21 SECTION 5 ~~6~~ [7]. IC 24-5-0.5-3, AS AMENDED BY  
22 P.L.104-2024, SECTION 42, IS AMENDED TO READ AS  
23 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A supplier may  
24 not commit an unfair, abusive, or deceptive act, omission, or practice  
25 in connection with a consumer transaction. Such an act, omission, or  
26 practice by a supplier is a violation of this chapter whether it occurs  
27 before, during, or after the transaction. An act, omission, or practice  
28 prohibited by this section includes both implicit and explicit  
29 misrepresentations.

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

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

M  
a  
r  
k  
u  
p



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

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);

(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and

(D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

(A) the name misrepresents the supplier's geographic location;

(B) the listing fails to identify the locality and state of the supplier's business;

(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and

(D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

(A) the name misrepresents the supplier's geographic location;

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 (B) calls to the local telephone number are routinely
- 2 forwarded or otherwise transferred to a supplier's business
- 3 location that is outside the local calling area; and
- 4 (C) the supplier's business location is located in a county
- 5 that is not contiguous to a county in the local calling area.
- 6 (17) The violation by a supplier of IC 24-3-4 concerning
- 7 cigarettes for import or export.
- 8 (18) The act of a supplier in knowingly selling or reselling a
- 9 product to a consumer if the product has been recalled, whether
- 10 by the order of a court or a regulatory body, or voluntarily by the
- 11 manufacturer, distributor, or retailer, unless the product has been
- 12 repaired or modified to correct the defect that was the subject of
- 13 the recall.
- 14 (19) The violation by a supplier of 47 U.S.C. 227, including any
- 15 rules or regulations issued under 47 U.S.C. 227.
- 16 (20) The violation by a supplier of the federal Fair Debt
- 17 Collection Practices Act (15 U.S.C. 1692 et seq.), including any
- 18 rules or regulations issued under the federal Fair Debt Collection
- 19 Practices Act (15 U.S.C. 1692 et seq.).
- 20 **(21) A violation of IC 7.1-8 (concerning the manufacture,**
- 21 **distribution, and sale of hemp derived cannabinoid**
- 22 **products), as set forth in IC 7.1-8-20-5.**
- 23 ~~(21)~~ **(22)** A violation of IC 24-5-7 (concerning health spa
- 24 services), as set forth in IC 24-5-7-17.
- 25 ~~(22)~~ **(23)** A violation of IC 24-5-8 (concerning business
- 26 opportunity transactions), as set forth in IC 24-5-8-20.
- 27 ~~(23)~~ **(24)** A violation of IC 24-5-10 (concerning home consumer
- 28 transactions), as set forth in IC 24-5-10-18.
- 29 ~~(24)~~ **(25)** A violation of IC 24-5-11 (concerning real property
- 30 improvement contracts), as set forth in IC 24-5-11-14.
- 31 ~~(25)~~ **(26)** A violation of IC 24-5-12 (concerning telephone
- 32 solicitations), as set forth in IC 24-5-12-23.
- 33 ~~(26)~~ **(27)** A violation of IC 24-5-13.5 (concerning buyback motor
- 34 vehicles), as set forth in IC 24-5-13.5-14.
- 35 ~~(27)~~ **(28)** A violation of IC 24-5-14 (concerning automatic
- 36 dialing-announcing devices), as set forth in IC 24-5-14-13.
- 37 ~~(28)~~ **(29)** A violation of IC 24-5-15 (concerning credit services
- 38 organizations), as set forth in IC 24-5-15-11.
- 39 ~~(29)~~ **(30)** A violation of IC 24-5-16 (concerning unlawful motor
- 40 vehicle subleasing), as set forth in IC 24-5-16-18.
- 41 ~~(30)~~ **(31)** A violation of IC 24-5-17 (concerning environmental
- 42 marketing claims), as set forth in IC 24-5-17-14.

M  
a  
r  
k  
u  
p



- 1           ~~(31)~~ **(32)** A violation of IC 24-5-19 (concerning deceptive
- 2           commercial solicitation), as set forth in IC 24-5-19-11.
- 3           ~~(32)~~ **(33)** A violation of IC 24-5-21 (concerning prescription
- 4           drug discount cards), as set forth in IC 24-5-21-7.
- 5           ~~(33)~~ **(34)** A violation of IC 24-5-23.5-7 (concerning real estate
- 6           appraisals), as set forth in IC 24-5-23.5-9.
- 7           ~~(34)~~ **(35)** A violation of IC 24-5-26 (concerning identity theft),
- 8           as set forth in IC 24-5-26-3.
- 9           ~~(35)~~ **(36)** A violation of IC 24-5.5 (concerning mortgage rescue
- 10          fraud), as set forth in IC 24-5.5-6-1.
- 11          ~~(36)~~ **(37)** A violation of IC 24-8 (concerning promotional gifts
- 12          and contests), as set forth in IC 24-8-6-3.
- 13          ~~(37)~~ **(38)** A violation of IC 21-18.5-6 (concerning
- 14          representations made by a postsecondary credit bearing
- 15          proprietary educational institution), as set forth in
- 16          IC 21-18.5-6-22.5.
- 17          ~~(38)~~ **(39)** A violation of IC 24-5-15.5 (concerning collection
- 18          actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.
- 19          ~~(39)~~ **(40)** A violation of IC 24-14 (concerning towing services),
- 20          as set forth in IC 24-14-10-1.
- 21          ~~(40)~~ **(41)** A violation of IC 24-5-14.5 (concerning misleading or
- 22          inaccurate caller identification information), as set forth in
- 23          IC 24-5-14.5-12.
- 24          ~~(41)~~ **(42)** A violation of IC 24-5-27 (concerning intrastate inmate
- 25          calling services), as set forth in IC 24-5-27-27.
- 26          ~~(42)~~ **(43)** A violation of IC 15-21 (concerning sales of dogs by
- 27          retail pet stores), as set forth in IC 15-21-7-4.
- 28          ~~(43)~~ **(44)** A violation of IC 24-4-23 (concerning the security of
- 29          information collected and transmitted by an adult oriented
- 30          website operator), as set forth in IC 24-4-23-14.
- 31          (c) Any representations on or within a product or its packaging or
- 32          in advertising or promotional materials which would constitute a
- 33          deceptive act shall be the deceptive act both of the supplier who places
- 34          such representation thereon or therein, or who authored such materials,
- 35          and such other suppliers who shall state orally or in writing that such
- 36          representation is true if such other supplier shall know or have reason
- 37          to know that such representation was false.
- 38          (d) If a supplier shows by a preponderance of the evidence that an
- 39          act resulted from a bona fide error notwithstanding the maintenance of
- 40          procedures reasonably adopted to avoid the error, such act shall not be
- 41          deceptive within the meaning of this chapter.
- 42          (e) It shall be a defense to any action brought under this chapter

M  
a  
r  
k  
u  
p



1 that the representation constituting an alleged deceptive act was one  
2 made in good faith by the supplier without knowledge of its falsity and  
3 in reliance upon the oral or written representations of the manufacturer,  
4 the person from whom the supplier acquired the product, any testing  
5 organization, or any other person provided that the source thereof is  
6 disclosed to the consumer.

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

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

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

24 SECTION 5<=>[8]. IC 24-5-0.5-4, AS AMENDED BY  
25 P.L.186-2025, SECTION 133, IS AMENDED TO READ AS  
26 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) A person relying  
27 upon an uncured or incurable deceptive act may bring an action for the  
28 damages actually suffered as a consumer as a result of the deceptive act  
29 or five hundred dollars (\$500), whichever is greater. The court may  
30 increase damages for a willful deceptive act in an amount that does not  
31 exceed the greater of:

32 (1) three (3) times the actual damages of the consumer suffering  
33 the loss; or

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

35 Except as provided in subsection (k), the court may award reasonable  
36 attorney's fees to the party that prevails in an action under this  
37 subsection. This subsection does not apply to a consumer transaction  
38 in real property, including a claim or action involving a construction  
39 defect (as defined in IC 32-27-3-1(5)) brought against a construction  
40 professional (as defined in IC 32-27-3-1(4)), except for purchases of  
41 time shares and camping club memberships. This subsection does not  
42 apply with respect to a deceptive act described in section 3(b)(20) of

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 this chapter. This subsection also does not apply to a violation of  
2 IC 24-4.7, IC 24-5-12, IC 24-5-14, or IC 24-5-14.5. Actual damages  
3 awarded to a person under this section have priority over any civil  
4 penalty imposed under this chapter.

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

27 (c) The attorney general may bring an action to enjoin an unfair,  
28 abusive, or deceptive act, omission, or practice in connection with a  
29 consumer transaction, including a deceptive act described in section  
30 3(b)(20) of this chapter, notwithstanding subsections (a) and (b).  
31 However, the attorney general may seek to enjoin patterns of incurable  
32 deceptive acts with respect to consumer transactions in real property.  
33 In addition, the court may:

- 34 (1) issue an injunction;
- 35 (2) order the supplier to make payment of the money unlawfully  
36 received from the aggrieved consumers to be held in escrow for  
37 distribution to aggrieved consumers;
- 38 (3) for a knowing violation against a senior consumer, increase  
39 the amount of restitution ordered under subdivision (2) in any  
40 amount up to three (3) times the amount of damages incurred or  
41 value of property or assets lost;
- 42 (4) order the supplier to pay to the state the reasonable costs of

M  
a  
r  
k  
u  
p



1 the attorney general's investigation and prosecution, expert fees,  
 2 and court fees related to the action;  
 3 (5) provide for the appointment of a receiver; and  
 4 (6) order the department of state revenue to suspend the  
 5 supplier's registered retail merchant certificate, subject to the  
 6 requirements and prohibitions contained in IC 6-2.5-8-7(a)(5),  
 7 if the court finds that a violation of this chapter involved the sale  
 8 or solicited sale of a synthetic drug (as defined in  
 9 IC 35-31.5-2-321), a synthetic drug lookalike substance (as  
 10 defined in IC 35-31.5-2-321.5 (repealed)) (before July 1, 2019),  
 11 a controlled substance analog (as defined in IC 35-48-1.1-8), or  
 12 a substance represented to be a controlled substance (as  
 13 described in IC 35-48-4-4.6).

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

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

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

35 (g) If a court finds any person has knowingly violated section 3 or  
 36 10 of this chapter, other than section 3(b)(19), 3(b)(20), or ~~3(b)(40)~~  
 37 **3(b)(41)** of this chapter, the attorney general, in an action pursuant to  
 38 subsection (c), may recover from the person on behalf of the state a  
 39 civil penalty of a fine not exceeding five thousand dollars (\$5,000) per  
 40 violation.

41 (h) If a court finds that a person has violated section 3(b)(19) of  
 42 this chapter, the attorney general, in an action under subsection (c),

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 may recover from the person on behalf of the state a civil penalty as  
2 follows:

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

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

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

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

14 (j) An offer to cure is:

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

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

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

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

31 (l) If a court finds that a person has knowingly violated section  
32 3(b)(20) of this chapter, the attorney general, in an action under  
33 subsection (c), may recover from the person on behalf of the state a  
34 civil penalty not exceeding one thousand dollars (\$1,000) per  
35 consumer. In determining the amount of the civil penalty in any action  
36 by the attorney general under this subsection, the court shall consider,  
37 among other relevant factors, the frequency and persistence of  
38 noncompliance by the debt collector, the nature of the noncompliance,  
39 and the extent to which the noncompliance was intentional. A person  
40 may not be held liable in any action by the attorney general for a  
41 violation of section 3(b)(20) of this chapter if the person shows by a  
42 preponderance of evidence that the violation was not intentional and

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 resulted from a bona fide error, notwithstanding the maintenance of  
2 procedures reasonably adapted to avoid the error. A person may not be  
3 held liable in any action for a violation of this chapter for contacting a  
4 person other than the debtor, if the contact is made in compliance with  
5 the Fair Debt Collection Practices Act.

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

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

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

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 court fees related to the action.  
2 The time for bringing an action under subsection (c), as set forth in  
3 section 5(b) of this chapter, applies to an action brought under this  
4 subsection.

5 SECTION 5 ~~⇒~~ [9]. IC 25-1-1.1-2, AS AMENDED BY  
6 P.L.186-2025, SECTION 134, IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. Notwithstanding  
8 IC 25-1-7, a board, a commission, or a committee may suspend, deny,  
9 or revoke a license or certificate issued under this title by the board, the  
10 commission, or the committee without an investigation by the office of  
11 the attorney general if the individual who holds the license or  
12 certificate is convicted of any of the following and the board,  
13 commission, or committee determines, after the individual has  
14 appeared in person, that the offense affects the individual's ability to  
15 perform the duties of the profession:

- 16 (1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
- 17 (2) Possession of methamphetamine under IC 35-48-4-6.1.
- 18 (3) Possession of a controlled substance under ~~IC 35-48-4-7(a).~~  
19 IC 35-48-4-7(b).
- 20 (4) Fraudulently obtaining a controlled substance under  
21 ~~IC 35-48-4-7(c).~~ IC 35-48-4-7(d).
- 22 (5) Manufacture of paraphernalia as a Class D felony (for a  
23 crime committed before July 1, 2014) or a Level 6 felony (for a  
24 crime committed after June 30, 2014) under IC 35-48-4-8.1(c).
- 25 (6) Dealing in paraphernalia as a Class D felony (for a crime  
26 committed before July 1, 2014) or a Level 6 felony (for a crime  
27 committed after June 30, 2014) under IC 35-48-4-8.5(b).
- 28 (7) Possession of paraphernalia as a Class D felony (for a crime  
29 committed before July 1, 2014) or a Level 6 felony (for a crime  
30 committed after June 30, 2014) under IC 35-48-4-8.3(b) (before  
31 its amendment on July 1, 2015).
- 32 (8) Possession of marijuana, hash oil, hashish, or salvia as a  
33 Class D felony (for a crime committed before July 1, 2014) or a  
34 Level 6 felony (for a crime committed after June 30, 2014) under  
35 IC 35-48-4-11.
- 36 (9) A felony offense under IC 35-48-4 involving possession of a  
37 synthetic drug (as defined in IC 35-31.5-2-321), possession of a  
38 controlled substance analog (as defined in IC 35-48-1.1-8), or  
39 possession of a synthetic drug lookalike substance (as defined in  
40 IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:  
41 (A) Class D felony for a crime committed before July 1,  
42 2014; or

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

- 1 (B) Level 6 felony for a crime committed after June 30,
- 2 2014;
- 3 under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
- 4 (10) Maintaining a common nuisance under IC 35-48-4-13
- 5 (repealed) or IC 35-45-1-5, if the common nuisance involves a
- 6 controlled substance.
- 7 (11) An offense relating to registration, labeling, and
- 8 prescription forms under IC 35-48-4-14.
- 9 (12) A sex crime under IC 35-42-4.
- 10 (13) A felony that reflects adversely on the individual's fitness to
- 11 hold a professional license.

12 SECTION ~~<53>~~[60]. IC 34-30-2.1-72, AS ADDED BY  
 13 P.L.105-2022, SECTION 12, IS AMENDED TO READ AS  
 14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 72. IC 7.1-5-10-15  
 15 (Concerning ~~alcoholic beverage~~ a permittee or permittee's agent  
 16 refusing to ~~serve~~ **provide**[ ]alcoholic beverages **or products**  
 17 **containing THC** to certain persons).

18 SECTION ~~<54>~~[61]. IC 34-30-2.1-73, AS ADDED BY  
 19 P.L.105-2022, SECTION 12, IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 73. IC 7.1-5-10-15.5  
 21 (Concerning persons who furnish an alcoholic beverage **or a product**  
 22 **containing THC** for damages caused by an impaired or intoxicated  
 23 person).

24 SECTION ~~<55>~~[62]. IC 35-31.5-2-61.5 IS ADDED TO THE  
 25 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2026]: **Sec. 61.5. "Container", for purposes**  
 27 **of IC 35-48-8, has the meaning set forth in IC 35-48-8-2.**

28 SECTION ~~<56>~~[63]. IC 35-31.5-2-152.2 IS ADDED TO THE  
 29 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 30 [EFFECTIVE JULY 1, 2026]: **Sec. 152.2. "Hemp", for purposes of**  
 31 **this title, has the meaning set forth in IC 35-48-8-3.**

32 SECTION ~~<57>~~[64]. IC 35-31.5-2-152.3 IS ADDED TO THE  
 33 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 34 [EFFECTIVE JULY 1, 2026]: **Sec. 152.3. "Hemp derived**  
 35 **cannabinoid product", for purposes of this title, has the meaning**  
 36 **set forth in IC 35-48-8-4.**

37 SECTION ~~<58>~~[65]. IC 35-31.5-2-169.3 IS ADDED TO THE  
 38 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 39 [EFFECTIVE JULY 1, 2026]: **Sec. 169.3. "Industrial hemp", for**  
 40 **purposes of this title, has the meaning set forth in IC 35-48-8-5.**

41 SECTION ~~<59>~~[66]. IC 35-31.5-2-176.1 IS ADDED TO THE  
 42 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

M  
a  
r  
k  
u  
p



1 [EFFECTIVE JULY 1, 2026]: **Sec. 176.1. "Intermediate hemp**  
 2 **derived cannabinoid product"**, for purposes of IC 35-48-8, has the  
 3 **meaning set forth in IC 35-48-8-6.**  
 4 SECTION 6-~~6~~[7]. IC 35-31.5-2-189.9 IS REPEALED  
 5 [EFFECTIVE JULY 1, 2026]. ~~Sec. 189.9. "Low THC hemp extract"~~,  
 6 ~~for purposes of IC 35-48, has the meaning set forth in IC 35-48-1.1-27.~~  
 7 [ SECTION 68. IC 35-31.5-2-345.4 IS ADDED TO THE INDIANA  
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 9 [EFFECTIVE JULY 1, 2026]: **Sec. 345.4. "Vapor device" means a**  
 10 **powered vaporizer that converts e-liquid to a vapor intended for**  
 11 **inhalation.**  
 12 SECTION 69. IC 35-46-1-10, AS AMENDED BY P.L.163-2025,  
 13 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2026]: Sec. 10. (a) A person may not be charged with a  
 15 violation under this section and a violation under IC 7.1-7-6-5.  
 16 (b) A person who knowingly:  
 17 (1) sells or distributes a tobacco product **or a vapor device** to a  
 18 person less than twenty-one (21) years of age; or  
 19 (2) purchases a tobacco product **or a vapor device** for delivery  
 20 to another person who is less than twenty-one (21) years of age;  
 21 commits a ~~Class C~~ **Class B** infraction. For a sale to take place under  
 22 this section, the buyer must pay the seller for the tobacco product **or**  
 23 **vapor device.**  
 24 (c) It is not a defense that the person to whom the tobacco product  
 25 **or vapor device** was sold or distributed did not smoke, chew, inhale,  
 26 or otherwise consume the tobacco product **or vapor device.**  
 27 (d) The following defenses are available to a person accused of  
 28 selling or distributing a tobacco product **or a vapor device** to a person  
 29 who is less than twenty-one (21) years of age:  
 30 (1) The buyer or recipient produced a driver's license bearing the  
 31 purchaser's or recipient's photograph, showing that the purchaser  
 32 or recipient was of legal age to make the purchase.  
 33 (2) The buyer or recipient produced a photographic identification  
 34 card issued under IC 9-24-16-1, or a similar card issued under  
 35 the laws of another state or the federal government, showing that  
 36 the purchaser or recipient was of legal age to make the purchase.  
 37 (3) The appearance of the purchaser or recipient was such that  
 38 an ordinary prudent person would believe that the purchaser or  
 39 recipient was not less than thirty (30) years of age.  
 40 (e) It is a defense that the accused person sold or delivered the  
 41 tobacco product **or vapor device** to a person who acted in the ordinary  
 42 course of employment or a business concerning tobacco products **or**

M  
a  
r  
k  
u  
p



1 vapor devices including the following activities:  
 2 (1) Agriculture.  
 3 (2) Processing.  
 4 (3) Transporting.  
 5 (4) Wholesaling.  
 6 (5) Retailing.  
 7 (f) As used in this section, "distribute" means to give a tobacco  
 8 product **or a vapor device** to another person as a means of promoting,  
 9 advertising, or marketing the tobacco product **or vapor device** to the  
 10 general public.  
 11 (g) Unless the person buys or receives a tobacco product **or a**  
 12 **vapor device** under the direction of a law enforcement officer as part  
 13 of an enforcement action, a person who sells or distributes a tobacco  
 14 product **or a vapor device** is not liable for a violation of this section  
 15 unless the person less than twenty-one (21) years of age who bought or  
 16 received the tobacco product **or vapor device** is issued a citation or  
 17 summons under section 10.5 of this chapter.  
 18 (h) Notwithstanding IC 34-28-5-5(c), civil penalties collected  
 19 under this section must be deposited in the Richard D. Doyle tobacco  
 20 education and enforcement fund (IC 7.1-6-2-6).  
 21 SECTION 70. IC 35-46-1-10.5, AS AMENDED BY  
 22 P.L.163-2025, SECTION 64, IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.5. (a) A person less  
 24 than twenty-one (21) years of age who:  
 25 (1) purchases a tobacco product **or vapor device**;  
 26 (2) accepts a tobacco product **or vapor device** for personal use;  
 27 or  
 28 (3) possesses a tobacco product **or vapor device** on the person's  
 29 person;  
 30 commits a Class C infraction.  
 31 (b) It is a defense under subsection (a) that the accused person  
 32 acted in the ordinary course of employment in a business concerning  
 33 a tobacco product **or vapor device** for the following activities:  
 34 (1) Agriculture.  
 35 (2) Processing.  
 36 (3) Transporting.  
 37 (4) Wholesaling.  
 38 (5) Retailing.  
 39 (c) A person less than twenty-one (21) years of age who has in the  
 40 person's possession false or fraudulent evidence of majority or identity  
 41 with the intent to purchase a tobacco product **or vapor device** commits  
 42 a Class C infraction.

M  
a  
r  
k  
u  
p



1 ] SECTION ~~61~~[71]. IC 35-46-1-11.7, AS AMENDED BY  
2 P.L.163-2025, SECTION 66, IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11.7. (a) A retail  
4 establishment in which tobacco products **and products containing**  
5 **tetrahydrocannabinol (THC)** account for at least eighty-five percent  
6 (85%) of the retail establishment's gross sales may not allow an  
7 individual who is less than twenty-one (21) years of age to enter the  
8 retail establishment.

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

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

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

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

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

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

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

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

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

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

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

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

42 SECTION ~~62~~[72]. IC 35-48-1.1-7, AS ADDED BY

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

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

9 SECTION ~~<63>~~[73]. IC 35-48-1.1-8, AS ADDED BY  
10 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) "Controlled  
12 substance analog" means a substance that, due to its chemical structure  
13 and potential for abuse or misuse, meets the following criteria:

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

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

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

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

32 **or**

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

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

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

M  
a  
r  
k  
u  
p



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

8 SECTION ~~64~~ [74]. IC 35-48-1.1-27 IS REPEALED  
 9 [EFFECTIVE JULY 1, 2026]. Sec. 27. (a) "Low THC hemp extract"  
 10 means a substance or compound that:

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

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

21 SECTION ~~65~~ [75]. IC 35-48-1.1-29, AS ADDED BY  
 22 P.L.186-2025, SECTION 249, IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 29. (a) "Marijuana"  
 24 means any part of the plant genus *Cannabis* whether growing or not;  
 25 the seeds thereof; the resin extracted from any part of the plant,  
 26 including hashish and hash oil; any compound, manufacture, salt,  
 27 derivative, mixture, or preparation of the plant, its seeds or resin.

- 28 (b) The term does not include:
- 29 (1) the mature stalks of the plant;
- 30 (2) fiber produced from the stalks;
- 31 (3) oil or cake made from the seeds of the plant;
- 32 (4) any other compound, manufacture, salt, derivative, mixture,
- 33 or preparation of the mature stalks (except the resin extracted
- 34 therefrom);
- 35 (5) the sterilized seed of the plant which is incapable of
- 36 germination;
- 37 (6) hemp (as defined by IC 15-15-13-6);
- 38 (7) low THC hemp extract; or
- 39 (8) smokable hemp.
- 40 (1) a hemp derived cannabinoid product (as defined in
- 41 IC 35-48-8-4); or
- 42 (2) industrial hemp monitored and licensed with the state

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**seed commissioner under IC 15-15-13.**

SECTION ~~66~~ [76]. IC 35-48-1.1-38, AS ADDED BY P.L.186-2025, SECTION 249, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 38. (a) Except as provided in subsection (b), "smokable hemp" means a product containing ~~not more than three-tenths percent (0.3%)~~ **any amount of tetrahydrocannabinol** (THC), including precursors and derivatives of THC, in a form that allows THC to be introduced into the human body by inhalation of smoke. The term includes:

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

(b) The term does not include:

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

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

SECTION ~~67~~ [77]. IC 35-48-2-1, AS AMENDED BY P.L.84-2010, SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The board shall administer this article and may recommend to the general assembly the addition, deletion, or rescheduling of all substances listed in the schedules in sections 4, 6, 8, 10, and 12 of this chapter by submitting in an electronic format under IC 5-14-6 a report of such recommendations to the legislative council. In making a determination regarding a substance, the board shall consider the following:

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

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

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

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

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

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

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

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

34 SECTION ~~68~~ [78]. IC 35-48-4-2, AS AMENDED BY  
35 P.L.61-2020, SECTION 9, IS AMENDED TO READ AS FOLLOWS  
36 [EFFECTIVE JULY 1, 2026]: Sec. 2. **(a) This section does not apply**  
37 **to a hemp derived cannabinoid product as defined in IC 35-48-8-4.**

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

M  
a  
r  
k  
u  
p



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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

5 SECTION ~~69~~[79]. IC 35-48-4-7, AS AMENDED BY  
6 P.L.61-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) **This section does not apply**  
8 **to a hemp derived cannabinoid product as defined in IC 35-48-8-4.**

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

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

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

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

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

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

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

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

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

33 commits a Class A misdemeanor.

34 SECTION ~~70~~[80]. IC 35-48-4-10, AS AMENDED BY  
35 P.L.153-2018, SECTION 25, IS AMENDED TO READ AS  
36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A person who:

37 (1) knowingly or intentionally:

38 (A) manufactures;

39 (B) finances the manufacture of;

40 (C) delivers; or

41 (D) finances the delivery of;

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

M  
a  
r  
k  
u  
p

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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

SB 250—LS 7117/DI 107



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

7 SECTION ~~71~~ [81]. IC 35-48-4-11, AS AMENDED BY  
 8 P.L.153-2018, SECTION 26, IS AMENDED TO READ AS  
 9 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) A person who:  
 10 (1) knowingly or intentionally possesses (pure or adulterated)  
 11 marijuana, hash oil, hashish, or salvia;  
 12 (2) knowingly or intentionally grows or cultivates marijuana; or  
 13 (3) knowing that marijuana is growing on the person's premises,  
 14 fails to destroy the marijuana plants;  
 15 commits possession of marijuana, hash oil, hashish, or salvia, a Class  
 16 B misdemeanor, except as provided in subsections (b) through (c).

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

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

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

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

31 SECTION ~~72~~ [82]. IC 35-48-8 IS ADDED TO THE INDIANA  
 32 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2026]:

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

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

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

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

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

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

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

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

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

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

(c) The term does not include:

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

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

(B) cannabinoids that:

- (i) are capable of being naturally produced by the *Cannabis sativa L.* plant; and
- (ii) were synthesized or manufactured outside the plant; or

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

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

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

M  
a  
r  
k  
u  
p



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

M  
a  
r  
k  
u  
p



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

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

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

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

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

36 **commits a Level 5 felony.**

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

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

M  
a  
r  
k  
u  
p



1 (D) finances the delivery of; or  
 2 (E) sells;  
 3 hemp derived cannabinoid product; or  
 4 (2) possesses, with intent to:  
 5 (A) manufacture;  
 6 (B) finance the manufacture of;  
 7 (C) deliver;  
 8 (D) finance the delivery of; or  
 9 (E) sell;  
 10 hemp derived cannabinoid product;  
 11 commits unlicensed dealing in hemp derived cannabinoid product,  
 12 a Class A misdemeanor, except as provided in subsections (b)  
 13 through (d).

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

16 (1) there is evidence in addition to the weight of the drug that  
 17 the person intended to manufacture, finance the  
 18 manufacture of, deliver, finance the delivery of, or sell, the  
 19 hemp derived cannabinoid product; or

20 (2) the amount of the hemp derived cannabinoid product  
 21 involved is at least ten (10) pounds.

22 (c) The offense is a Level 6 felony if the person has a prior  
 23 conviction for an offense under this section and the amount of the  
 24 hemp derived cannabinoid product involved is less than ten (10)  
 25 pounds.

26 (d) The offense is a Level 5 felony if the person has a prior  
 27 conviction for a dealing offense under this section and either:

28 (1) the amount of the hemp derived cannabinoid product  
 29 involved is less than ten (10) pounds; or

30 (2) the offense involved a sale to a minor.

31 SECTION ~~<73>~~[83]. IC 35-52-7-39, AS ADDED BY  
 32 P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS  
 33 [EFFECTIVE JULY 1, 2026]: Sec. 39. IC 7.1-5-7-7 defines a crime  
 34 concerning alcohol **and products containing THC**.

35 SECTION ~~<74>~~[84]. IC 35-52-7-40, AS ADDED BY  
 36 P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS  
 37 [EFFECTIVE JULY 1, 2026]: Sec. 40. IC 7.1-5-7-8 defines a crime  
 38 concerning alcohol **and products containing THC**.

39 SECTION ~~<75>~~[85]. IC 35-52-7-98 IS ADDED TO THE  
 40 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2026]: Sec. 98. IC 7.1-8-15-5 defines a crime  
 42 concerning hemp derived cannabinoid product certificate of

M  
a  
r  
k  
u  
p



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

analyses.

SECTION ~~76~~ [86]. 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~~ [87]. 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~~ [88]. 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~~ [89]. 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~~ [90]. [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.**

M  
a  
r  
k  
u  
p

