
SENATE BILL No. 250

AM025011 has been incorporated into January 23, 2026 printing.

Synopsis: Regulation of hemp.

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SB 250—LS 7117/DI 107



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January 23, 2026

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

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

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

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

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SENATE BILL No. 250

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

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

- 1 SECTION 1. IC 7.1-2-3-33, AS AMENDED BY P.L.49-2020,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 33. The commission is authorized to:
4 (1) investigate a violation of; and
5 (2) enforce a penalty for a violation of;
6 **IC 7.1-8**, IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11,
7 IC 35-46-1-11.2, IC 35-46-1-11.4, IC 35-46-1-11.5, IC 35-46-1-11.7,
8 or IC 35-46-1-11.8.
9 SECTION 2. IC 7.1-3-10-5 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A package liquor
11 store's exclusive business shall be the selling of the following
12 commodities only:
13 (1) Liquor in its original package.
14 (2) Beer in permissible containers, if the permittee has the
15 proper permit.

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- 1 (3) Wine in its original package.
 2 (4) Bar supplies used in the preparation for consumption of
 3 alcoholic beverages and in their consumption.
 4 (5) Tobacco products.
 5 (6) Uncooled and uniced charged water, carbonated soda, ginger
 6 ale, mineral water, grenadine, and flavoring extracts.
 7 (7) Printed materials.
 8 (8) Lottery tickets as provided in IC 4-30-9.
 9 (9) Cooled or uncooled nonalcoholic malt beverages.
 10 (10) Flavored malt beverage in its original package.
 11 **(11) A low THC hemp product (as defined in**
 12 **IC 35-31.5-2-189.8).**

13 SECTION 3. IC 7.1-5-7-18 IS ADDED TO THE INDIANA CODE
 14 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: **Sec. 18. (a) A law enforcement officer vested**
 16 **with full police powers and duties may engage an individual who**
 17 **is:**

- 18 (1) **at least sixteen (16) years of age; and**
 19 (2) **less than twenty-one (21) years of age;**
 20 **to receive or purchase a product that contains any amount of THC**
 21 **as part of an enforcement action under this article.**
 22 **(b) The initial or contemporaneous receipt or purchase of a**
 23 **product that contains any amount of THC must:**

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

27 SECTION 4. IC 7.1-5-10-15, AS AMENDED BY P.L.159-2014,
 28 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2026]: **Sec. 15. (a) A person who, knowing that another**
 30 **person is intoxicated, sells, barter, delivers, or gives away an alcoholic**
 31 **beverage or a product containing THC (tetrahydrocannabinol) to**
 32 **the intoxicated person commits a Class B misdemeanor.**

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

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

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

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

- 10 (1) the person furnishing the alcoholic beverage **or product**
 11 **containing THC (tetrahydrocannabinol)** had actual knowledge
 12 that the person to whom the alcoholic beverage **or product**
 13 **containing THC (tetrahydrocannabinol)** was furnished was
 14 visibly intoxicated at the time the alcoholic beverage **or product**
 15 **containing THC (tetrahydrocannabinol)** was furnished; and
 16 (2) the intoxication of the person to whom the alcoholic beverage
 17 **or product containing THC (tetrahydrocannabinol)** was
 18 furnished was a proximate cause of the death, injury, or damage
 19 alleged in the complaint.

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

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

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

31 SECTION 6. IC 7.1-7-2-10, AS AMENDED BY P.L.206-2017,
 32 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 UPON PASSAGE]: Sec. 10. (a) "E-liquid" means a substance that:

- 34 (1) may or may not contain nicotine; and
 35 (2) is intended to be vaporized and inhaled using a vapor
 36 product.

37 (b) **This subsection applies after November 12, 2026. The term**
 38 **does not include:**

- 39 (1) **a low THC hemp product (as defined in**
 40 **IC 35-31.5-2-189.8); and**
 41 (2) **low THC hemp extract as defined in IC 35-48-1.1-27.**

42 SECTION 7. IC 7.1-8 IS ADDED TO THE INDIANA CODE AS

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A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 8. LOW THC HEMP PRODUCTS

Chapter 1. Application

Sec. 1. (a) Notwithstanding any other law, except as provided in:

- (1) subsection (b); or
- (2) IC 24-4-22-3;

a retailer, distributor, manufacturer, or out-of-state supplier who sold, distributed, manufactured, or supplied low THC hemp extract before January 1, 2026, may continue to sell, distribute, manufacture, or supply low THC hemp extract until November 12, 2026.

(b) A person to whom this section applies may not sell low THC hemp extract to a person less than twenty-one (21) years of age.

Sec. 2. Notwithstanding any other law, a distributor, manufacturer, or out-of-state supplier who was in operation before January 1, 2026, may produce and distribute low THC hemp extract to a retailer, grower, distributor, or manufacturer located in another state, if it is lawful for the retailer, grower, distributor, or manufacturer in the other state to receive the low THC hemp extract.

Sec. 3. Nothing in this title, IC 24, or IC 35 may be construed under the "inclusio unius, exclusio alterius" canon of construction to suggest that marijuana has been legalized.

Chapter 2. Definitions

Sec. 1. As used in this article, "drug store" means a retail establishment:

- (1) that holds a license issued by the state board of pharmacy; and
- (2) whose proprietor holds a liquor dealer's permit.

Sec. 2. As used in this article, "low THC hemp extract" has the meaning set forth in IC 35-48-1.1-27.

Sec. 3. As used in this article, "low THC hemp product" has the meaning set forth in IC 35-31.5-2-189.8.

Sec. 4. As used in this article, "low THC hemp product beverage" means a low THC hemp product that is in the form of a beverage, as described in IC 35-31.5-2-189.8(a)(4)(C).

Sec. 5. As used in this article, "low THC hemp product beverage retailer" means the following holders of any beer, liquor, or wine retailer's permits issued under this title:

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- 1 (1) A racetrack.
- 2 (2) A restaurant.
- 3 (3) A social club.
- 4 (4) A fraternal club.
- 5 (5) A resort hotel.
- 6 (6) An economic redevelopment site.
- 7 (7) A gaming center.
- 8 (8) An airport.
- 9 (9) A horse track.
- 10 (10) The state fairgrounds.
- 11 (11) A catering hall.
- 12 (12) A historic district.
- 13 (13) A professional sports stadium.
- 14 (14) A concert venue.
- 15 (15) A permitted premises within a municipal riverfront
- 16 development project.
- 17 (16) A craft manufacturer.

18 **Sec. 6.** As used in this article, "retail tobacco store" means a
 19 store that is used primarily for the sale of tobacco products, low
 20 THC hemp products, and tobacco and low THC hemp product
 21 accessories, and that meets the following requirements:

- 22 (1) The owner or operator of the store holds a valid tobacco
- 23 sales certificate issued under IC 7.1-3-18.5.
- 24 (2) The store prohibits entry by an individual who is less
- 25 than twenty-one (21) years of age.
- 26 (3) The sale of products other than tobacco products, low
- 27 THC hemp products, and accessories is merely incidental.
- 28 (4) The sale of tobacco products and low THC hemp
- 29 products account for at least eighty-five percent (85%) of the
- 30 store's annual gross sales.
- 31 (5) Use or consumption of low THC hemp products is not
- 32 permitted on the premises.
- 33 (6) Food or beverages are not sold in a manner that requires
- 34 consumption on the premises, and there is not an area set
- 35 aside for customers to consume food or beverages on the
- 36 premises.

37 **Chapter 3. Sale of Low THC Hemp Products for Off-Premises**
 38 **Consumption**

39 **Sec. 1.** (a) A low THC hemp product may only be sold for
 40 off-premises consumption by one (1) of the following:

- 41 (1) A retail tobacco store.
- 42 (2) A package liquor store.

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- 1 **(3) A drug store.**
- 2 **(b) A drug store may only sell a low THC hemp product:**
- 3 **(1) to a person at least twenty-one (21) years of age who**
- 4 **establishes the person's age by presenting a valid**
- 5 **government issued identification card that contains a**
- 6 **photograph of the person; and**
- 7 **(2) if the low THC hemp product is stored behind a counter**
- 8 **in an area inaccessible to a customer, or in a locked display**
- 9 **case that makes the product unavailable to a customer**
- 10 **without the assistance of an employee.**

- 11 **Sec. 2. A:**
- 12 **(1) retail tobacco store;**
- 13 **(2) package liquor store; or**
- 14 **(3) drug store;**

15 **may not permit consumption of a low THC hemp product on the**
 16 **premises.**

- 17 **Sec. 3. A:**
- 18 **(1) retail tobacco store;**
- 19 **(2) package liquor store; or**
- 20 **(3) drug store;**

21 **may sell a low THC hemp product in any lawful form.**

22 **Chapter 4. Sale of Low THC Hemp Product Beverages for On**
 23 **Premises Consumption**

24 **Sec. 1. A low THC hemp product beverage may only be sold**
 25 **for on-premises consumption:**

- 26 **(1) to a person at least twenty-one (21) years of age; and**
- 27 **(2) by a low THC hemp product beverage retailer.**

28 **Sec. 2. A low THC hemp product beverage retailer may not**
 29 **sell a low THC hemp product beverage for off-premises**
 30 **consumption or permit a low THC hemp product beverage to be**
 31 **taken from the licensed premises.**

32 **Sec. 3. A low THC hemp product beverage retailer may not**
 33 **sell a low THC hemp product in any form other than a low THC**
 34 **hemp product beverage.**

35 **SECTION 8. IC 9-13-2-86, AS AMENDED BY P.L.186-2025,**
 36 **SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 37 **UPON PASSAGE]: Sec. 86. "Intoxicated" means under the influence**
 38 **of:**

- 39 **(1) alcohol;**
- 40 **(2) a controlled substance (as defined in IC 35-48-1.1);**
- 41 **(3) a drug other than alcohol or a controlled substance;**
- 42 **(4) a substance described in IC 35-46-6-2 or IC 35-46-6-3;**

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- 1 (5) a combination of substances described in subdivisions (1)
 2 through (4); or
 3 **(5) a low THC hemp product (as defined in**
 4 **IC 35-31.5-2-189.8);**
 5 (6) any other substance, not including food and food ingredients
 6 (as defined in IC 6-2.5-1-20), tobacco (as defined in
 7 IC 6-2.5-1-28), or a dietary supplement (as defined in
 8 IC 6-2.5-1-16); or
 9 **(7) a combination of substances described in this section;**
 10 so that there is an impaired condition of thought and action and the loss
 11 of normal control of a person's faculties.

12 SECTION 9. IC 24-4-21-3, AS AMENDED BY P.L.190-2019,
 13 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 UPON PASSAGE]: Sec. 3. **(a) Subject to subsection (b),** a person
 15 may distribute low THC hemp extract in Indiana only if the distributor
 16 has a certificate of analysis prepared by an independent testing
 17 laboratory showing:

- 18 (1) that the low THC hemp extract is the product of a batch
 19 tested by the independent testing laboratory;
 20 (2) that the independent testing laboratory determined that the
 21 batch contained not more than three-tenths percent (0.3%) ~~total~~
 22 ~~delta-9-tetrahydrocannabinol (THC), including precursors,~~ by
 23 weight **or volume**, based on the testing of a random sample of
 24 the batch; and
 25 (3) the cannabidiol percent present of the low THC hemp
 26 extract.

27 **(b) Beginning November 12, 2026, a person may not distribute**
 28 **low THC hemp extract in Indiana.**

29 **(c) A person may distribute low THC hemp extract to a person**
 30 **located in another state, if the person is authorized to receive the**
 31 **low THC hemp extract.**

32 SECTION 10. IC 24-4-21-4, AS AMENDED BY THE
 33 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
 34 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 UPON PASSAGE]: Sec. 4. (a) Except as provided in subsection (b),
 36 low THC hemp extract must be distributed in packaging that contains
 37 the following information:

- 38 (1) A scannable bar code or QR code linked to a document that
 39 contains information with respect to the manufacture of the low
 40 THC hemp extract, including the:
 41 (A) batch identification number;
 42 (B) product name;

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

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

24 (b) ~~Before July 1, 2018, low THC hemp extract may be distributed~~
 25 ~~in Indiana without having met the requirements described in subsection~~
 26 ~~(a).~~ **Beginning November 12, 2026, low THC extract may only be**
 27 **distributed to a person located in another state, if the person is**
 28 **authorized to receive the low THC hemp extract.**

29 SECTION 11. IC 24-4-22-3, AS ADDED BY P.L.153-2018,
 30 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 UPON PASSAGE]: Sec. 3. (a) ~~Except as provided in subsection (b);~~ A
 32 person may sell low THC hemp extract at retail only if the packaging
 33 complies with the requirements of IC 24-4-21-4.

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

37 (b) **Low THC hemp extract may not be distributed, sold, or**
 38 **offered for sale to a person who is less than twenty-one (21) years**
 39 **of age.**

40 (c) **This section expires November 12, 2026.**

41 SECTION 12. IC 24-4-24.9 IS ADDED TO THE INDIANA
 42 CODE AS A NEW CHAPTER TO READ AS FOLLOWS

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1 [EFFECTIVE UPON PASSAGE]:

2 **Chapter 24.9. Distribution of Low THC Hemp Products**

3 **Sec. 1. As used in this chapter, "certificate of analysis" means**
 4 **a certificate from an independent testing laboratory describing the**
 5 **results of the laboratory's testing of a sample.**

6 **Sec. 2. As used in this chapter, "independent testing**
 7 **laboratory" means a laboratory:**

8 (1) with respect to which no person having a direct or
 9 indirect interest in the laboratory also has a direct or
 10 indirect interest in a facility that:

11 (A) processes, distributes, or sells a low THC hemp
 12 product, or a substantially similar substance in another
 13 jurisdiction;

14 (B) cultivates, processes, distributes, dispenses, or sells
 15 marijuana;

16 (C) cultivates, processes, or distributes hemp; or

17 (D) processes, distributes, or sells low THC hemp
 18 extract (as defined in IC 35-48-1.1-27); and

19 (2) that is accredited as a testing laboratory under
 20 International Organization for Standardization (ISO) 17025
 21 by a third party accrediting body such as the American
 22 Association for Laboratory Accreditation (A2LA) or
 23 Assured Calibration and Laboratory Accreditation Select
 24 Services (ACLASS).

25 **Sec. 3. As used in this chapter, "low THC hemp product" has**
 26 **the meaning set forth in IC 35-31.5-2-189.8.**

27 **Sec. 4. As used in this chapter, "tamper evident packaging"**
 28 **means a package having at least one (1) indicator or a barrier to**
 29 **entry that, if breached or missing, can reasonably be expected to**
 30 **provide visible evidence to consumers that tampering has occurred.**

31 **Sec. 5. (a) Before a person may distribute a low THC hemp**
 32 **product, the distributor must have a certificate of analysis**
 33 **prepared by an independent testing laboratory showing the**
 34 **following:**

35 (1) That the low THC hemp product is the product of a batch
 36 tested by the independent testing laboratory.

37 (2) That the independent testing laboratory determined that
 38 the batch contained not more than three-tenths of one
 39 percent (0.3%) delta-9 tetrahydrocannabinol (THC), by
 40 weight or volume, based on the testing of a random sample
 41 of the batch.

42 (3) That the batch has been tested for and does not exceed

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- 1 the acceptable levels set forth under section 7 of this chapter
- 2 for the following contaminants:
- 3 (A) Heavy metals, including cadmium, lead, arsenic, and
- 4 mercury.
- 5 (B) Pesticides.
- 6 (C) Herbicides.
- 7 (D) Mycotoxins.
- 8 (E) Bacterial toxins.
- 9 (F) Chemical solvent residues.
- 10 (4) The potency of the low THC hemp product, including the
- 11 projected percentage of:
- 12 (A) THC;
- 13 (B) cannabidiol; and
- 14 (C) other cannabinoids in the low THC hemp product;
- 15 by weight or volume.
- 16 (b) Each batch of a low THC hemp product submitted to an
- 17 independent testing laboratory under this section must have been
- 18 harvested at the same time and cultivated in a contiguous area in
- 19 the same field or facility.
- 20 Sec. 6. A low THC hemp product must be distributed in
- 21 tamper evident packaging that contains the following information:
- 22 (1) A scannable bar code or QR code linked to a document
- 23 that contains information with respect to the low THC hemp
- 24 product, including the:
- 25 (A) batch identification number;
- 26 (B) product name;
- 27 (C) batch date;
- 28 (D) expiration date, which must be not more than two
- 29 (2) years from the date of harvest;
- 30 (E) batch size;
- 31 (F) total quantity produced;
- 32 (G) ingredients used, including the:
- 33 (i) ingredient name;
- 34 (ii) name of the company that manufactured the
- 35 ingredient;
- 36 (iii) company or product identification number or
- 37 code, if applicable; and
- 38 (iv) ingredient lot number; and
- 39 (H) download link for a certificate of analysis for the low
- 40 THC hemp product.
- 41 (2) The batch identification number.
- 42 (3) The address of a website to obtain batch information.

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- 1 **(4) The expiration date, which must be not more than two (2)**
- 2 **years from the date of harvest.**
- 3 **(5) The number of grams of low THC hemp product (as**
- 4 **defined in IC 35-31.5-2-189.8) contained in the low THC**
- 5 **hemp product.**
- 6 **(6) The facility that produced the low THC hemp product.**
- 7 **(7) The fact that the low THC hemp product contains not**
- 8 **more than three-tenths of one percent (0.3%) delta-9**
- 9 **tetrahydrocannabinol (THC), by weight or volume.**
- 10 **Sec. 7. A low THC hemp product may not be distributed if a**
- 11 **certificate of analysis prepared by an independent testing**
- 12 **laboratory shows any of the following:**
- 13 **(1) A concentration of metals that is more than any of the**
- 14 **following:**
 - 15 **(A) Four-tenths (0.4) part per million of cadmium.**
 - 16 **(B) Five-tenths (0.5) part per million of lead.**
 - 17 **(C) Four-tenths (0.4) part per million of arsenic.**
 - 18 **(D) Two-tenths (0.2) part per million of mercury.**
- 19 **(2) A concentration of microbiological units that is more**
- 20 **than any of the following:**
 - 21 **(A) One (1) colony forming unit per gram of**
 - 22 **Shiga-Toxin Escherichia coli.**
 - 23 **(B) One (1) colony forming unit per gram of Salmonella**
 - 24 **spp.**
 - 25 **(C) Ten thousand (10,000) colony forming units of**
 - 26 **culturable mold.**
- 27 **(3) A concentration of residual solvents and chemicals that**
- 28 **is more than any of the following:**
 - 29 **(A) Five thousand (5,000) parts per million of butane.**
 - 30 **(B) Two (2) parts per million of benzene.**
 - 31 **(C) Five thousand (5,000) parts per million of heptane.**
 - 32 **(D) Two hundred ninety (290) parts per million of**
 - 33 **hexane.**
 - 34 **(E) Eight hundred ninety (890) parts per million of**
 - 35 **toluene.**
 - 36 **(F) One (1) part per million of total xylenes, including**
 - 37 **ortho-xylene, meta-xylene, and para-xylene.**
- 38 **Sec. 8. (a) A person who knowingly or intentionally distributes**
- 39 **or sells a low THC hemp product in violation of this chapter**
- 40 **commits a Class B misdemeanor. However, the offense is a Class**
- 41 **A misdemeanor if the person has a prior unrelated conviction for**
- 42 **a violation of this chapter.**

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1 **(b) The penalties in this section are in addition to any criminal**
2 **penalties that may be imposed for unlawful possession or**
3 **distribution of a controlled substance.**

4 SECTION 13. IC 34-30-2.1-72, AS ADDED BY P.L.105-2022,
5 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 UPON PASSAGE]: Sec. 72. IC 7.1-5-10-15 (Concerning alcoholic
7 beverage permittee or permittee's agent refusing to serve alcoholic
8 beverages **or products containing THC (tetrahydrocannabinol)** to
9 certain persons).

10 SECTION 14. IC 34-30-2.1-73, AS ADDED BY P.L.105-2022,
11 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 UPON PASSAGE]: Sec. 73. IC 7.1-5-10-15.5 (Concerning persons
13 who furnish an alcoholic beverage **or a product containing THC**
14 **(tetrahydrocannabinol)** for damages caused by an impaired or
15 intoxicated person).

16 SECTION 15. IC 35-31.5-2-189.8 IS ADDED TO THE INDIANA
17 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
18 **[EFFECTIVE UPON PASSAGE]: Sec. 189.8. (a) "Low THC hemp**
19 **product" means a substance or product for sale to consumers that:**

20 **(1) is derived from or contains any part of hemp that meets**
21 **the definition of hemp under IC 15-15-13-6;**

22 **(2) contains not more than three-tenths of one percent**
23 **(0.3%) delta-9 tetrahydrocannabinol (THC) by weight or**
24 **volume;**

25 **(3) contains no other controlled substances; and**

26 **(4) is in the form of:**

27 **(A) a gummy that contains not more than twenty-five**
28 **(25) milligrams of THC, delta-8 tetrahydrocannabinol,**
29 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
30 **per serving and not more than five hundred (500)**
31 **milligrams of THC, delta-8 tetrahydrocannabinol,**
32 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
33 **per package;**

34 **(B) an edible that contains not more than twenty-five**
35 **(25) milligrams of THC, delta-8 tetrahydrocannabinol,**
36 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
37 **per serving and not more than five hundred (500)**
38 **milligrams of THC, delta-8 tetrahydrocannabinol,**
39 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
40 **per package;**

41 **(C) a beverage that contains not more than ten (10)**
42 **milligrams of THC, delta-8 tetrahydrocannabinol,**

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- 1 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
- 2 **per individualized unit and which are sold in a package**
- 3 **containing twelve (12) or fewer units;**
- 4 **(D) a tincture that contains not more than twenty-five**
- 5 **(25) milligrams of THC, delta-8 tetrahydrocannabinol,**
- 6 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
- 7 **per serving and not more than five hundred (500)**
- 8 **milligrams of THC, delta-8 tetrahydrocannabinol,**
- 9 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
- 10 **per package;**
- 11 **(E) an e-liquid cartridge that contains not more than**
- 12 **three (3) grams of THC, delta-8 tetrahydrocannabinol,**
- 13 **delta-10 tetrahydrocannabinol, or hexahydrocannabinol**
- 14 **per device; or**
- 15 **(F) a soap, lotion, topical, or other product not for**
- 16 **human consumption.**

17 **The term does not include smokable hemp.**

18 **(b) A variance of up to twenty percent (20%) from the**
19 **milligram limits described in subsection (a) is permitted to account**
20 **for testing variability and manufacturing tolerances.**

21 SECTION 16. IC 35-31.5-2-355.3 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE UPON PASSAGE]: **Sec. 355.3. "Work in progress**
24 **hemp extract", for purposes of IC 35-48, has the meaning set forth**
25 **in IC 35-48-1.1-40.**

26 SECTION 17. IC 35-46-1-11.7, AS AMENDED BY
27 P.L.163-2025, SECTION 66, IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.7. (a) A retail
29 establishment in which tobacco products **and low THC hemp**
30 **products** account for at least eighty-five percent (85%) of the retail
31 establishment's gross sales may not allow an individual who is less than
32 twenty-one (21) years of age to enter the retail establishment.

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

35 (c) A retail establishment described in subsection (a) must
36 conspicuously post on all entrances to the retail establishment the
37 following:

- 38 (1) A sign in boldface type that states "NOTICE: It is unlawful
- 39 for a person less than 21 years old to enter this store."
- 40 (2) A sign printed in letters and numbers at least one-half (1/2)
- 41 inch high that displays a toll free phone number for assistance to
- 42 callers in quitting smoking, as determined by the Indiana

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1 department of health.

2 (d) A person who violates this section commits a Class C

3 infraction. Notwithstanding IC 34-28-5-4(c), a civil judgment for an

4 infraction committed under this section must be imposed as follows:

5 (1) If the person has not been cited for a violation of this section

6 in the previous one (1) year, a civil penalty of up to four hundred

7 dollars (\$400).

8 (2) If the person has had one (1) violation in the previous one (1)

9 year, a civil penalty of up to eight hundred dollars (\$800).

10 (3) If the person has had two (2) violations in the previous one

11 (1) year, a civil penalty of up to one thousand four hundred

12 dollars (\$1,400).

13 (4) If the person has had three (3) or more violations in the

14 previous one (1) year, a civil penalty of up to two thousand

15 dollars (\$2,000).

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

17 hours.

18 (e) 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 established under IC 7.1-6-2-6.

21 (f) A person who violates subsection (a) at least six (6) times in

22 any one (1) year period commits habitual illegal entrance by a minor,

23 a Class B infraction.

24 SECTION 18. IC 35-48-1.1-7, AS ADDED BY P.L.186-2025,

25 SECTION 249, IS AMENDED TO READ AS FOLLOWS

26 [EFFECTIVE UPON PASSAGE]: Sec. 7. "Controlled substance"

27 means a drug, substance, or immediate precursor in schedule I, II, III,

28 IV, or V under:

29 (1) IC 35-48-2-4, IC 35-48-2-6, IC 35-48-2-8, IC 35-48-2-10, or

30 IC 35-48-2-12, if IC 35-48-2-14 does not apply; or

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

32 The term does not include low THC hemp extract **or a low THC hemp**

33 **product.**

34 SECTION 19. IC 35-48-1.1-8, AS ADDED BY P.L.186-2025,

35 SECTION 249, IS AMENDED TO READ AS FOLLOWS

36 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) "Controlled substance

37 analog" means a substance that, due to its chemical structure and

38 potential for abuse or misuse, meets the following criteria:

39 (1) The substance is substantially similar to a controlled

40 substance classified under IC 35-48-2.

41 (2) The substance has a narcotic, stimulant, depressant, or

42 hallucinogenic effect on the central nervous system or is

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1 represented or intended to have a narcotic, stimulant, depressant,
 2 or hallucinogenic effect on the central nervous system
 3 substantially similar to or greater than that of a controlled
 4 substance classified under IC 35-48-2.

5 (b) The definition set forth in subsection (a) does not include:
 6 (1) a controlled substance;
 7 (2) a legend drug;
 8 (3) a substance for which there is an approved new drug
 9 application;
 10 (4) any compound, mixture, or preparation that contains any
 11 controlled substance, that is not for administration to a human
 12 being or an animal, and that is packaged in a form or
 13 concentration, or with adulterants or denaturants, such that
 14 packaged it does not present any significant potential for abuse;
 15 (5) a substance to which an investigational exemption applies
 16 under Section 505 of the federal Food, Drug and Cosmetic Act
 17 (chapter 675, 52 Stat. 1052 (21 U.S.C. 355)), but only to the
 18 extent that conduct with respect to the substance is pursuant to
 19 the exemption; **or**
 20 (6) low THC hemp extract; **or**
 21 **(7) a low THC hemp product.**

22 (c) For purposes of subsection (a), "substantially similar", as it
 23 applies to the chemical structure of a substance, means that the
 24 chemical structure of the substance, when compared to the structure of
 25 a controlled substance, has a single difference in the structural formula
 26 that substitutes one (1) atom or functional group for another, including:
 27 (1) one (1) halogen for another halogen;
 28 (2) one (1) hydrogen for a halogen;
 29 (3) one (1) halogen for a hydrogen; or
 30 (4) an alkyl group added or deleted:
 31 (A) as a side chain to or from a molecule; or
 32 (B) from a side chain of a molecule.

33 SECTION 20. IC 35-48-1.1-9, AS ADDED BY P.L.186-2025,
 34 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) "Counterfeit substance",
 36 **for purposes of IC 35-48-4-5**, means a controlled substance which, or
 37 the container or labeling of which, without authorization, bears the
 38 trademark, trade name, or other identifying mark, imprint, number, or
 39 device, or any likeness thereof, of a manufacturer, distributor, or
 40 dispenser other than the person who in fact manufactured, distributed,
 41 or dispensed the substance.

42 (b) "Counterfeit hemp substance", for purposes of

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1 **IC 35-48-4-5.5, means a low THC hemp product which, or the**
 2 **container or labeling of which, without authorization, bears the**
 3 **trademark, trade name, or other identifying mark, imprint,**
 4 **number, or device, or any likeness thereof, of a manufacturer,**
 5 **distributor, or dispenser other than the person who in fact**
 6 **manufactured, distributed, or dispensed the substance.**

7 SECTION 21. IC 35-48-1.1-21, AS ADDED BY P.L.186-2025,
 8 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE UPON PASSAGE]: Sec. 21. "Hashish" does not include:

10 (1) low THC hemp extract; **or**

11 (2) **a low THC hemp product.**

12 SECTION 22. IC 35-48-1.1-22, AS ADDED BY P.L.186-2025,
 13 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE UPON PASSAGE]: Sec. 22. "Hash oil" does not include:

15 (1) low THC hemp extract; **or**

16 (2) **a low THC hemp product.**

17 SECTION 23. IC 35-48-1.1-27, AS ADDED BY P.L.186-2025,
 18 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: Sec. 27. (a) "Low THC hemp
 20 extract" means a substance or compound that:

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

23 (2) contains not more than three-tenths **of one** percent (0.3%)
 24 **total** delta-9-tetrahydrocannabinol (THC), **including precursors;**
 25 by weight **or volume;** and

26 (3) contains no other controlled substances.

27 (b) **After November 11, 2026, the term includes work in**
 28 **progress hemp extract.**

29 (b) (c) The term does not include:

30 (1) the harvested reproductive organ, whether immature or
 31 mature, of the female hemp plant; **or**

32 (2) smokable hemp; **or**

33 (3) **a low THC hemp product.**

34 SECTION 24. IC 35-48-1.1-27.2 IS ADDED TO THE INDIANA
 35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 36 [EFFECTIVE UPON PASSAGE]: **Sec. 27.2. "Low THC hemp**
 37 **product" has the meaning set forth in IC 35-31.5-2-189.8.**

38 SECTION 25. IC 35-48-1.1-29, AS ADDED BY P.L.186-2025,
 39 SECTION 249, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE UPON PASSAGE]: Sec. 29. (a) "Marijuana" means any
 41 part of the plant genus Cannabis whether growing or not; the seeds
 42 thereof; the resin extracted from any part of the plant, including hashish

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1 and hash oil; any compound, manufacture, salt, derivative, mixture, or
2 preparation of the plant, its seeds or resin.

3 (b) The term does not include:

4 (1) the mature stalks of the plant;

5 (2) fiber produced from the stalks;

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

7 (4) any other compound, manufacture, salt, derivative, mixture,
8 or preparation of the mature stalks (except the resin extracted
9 therefrom);

10 (5) the sterilized seed of the plant which is incapable of
11 germination;

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

13 (7) low THC hemp extract; ~~or~~

14 (8) smokable hemp; ~~or~~

15 **(9) low THC hemp product.**

16 SECTION 26. IC 35-48-1.1-40 IS ADDED TO THE INDIANA
17 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
18 [EFFECTIVE UPON PASSAGE]: **Sec. 40. "Work in progress hemp**
19 **extract" means a compound:**

20 **(1) derived from hemp;**

21 **(2) intended to be processed into a hemp product;**

22 **(3) in a partially processed state;**

23 **(4) having a concentration of delta-9-tetrahydrocannabinol**
24 **that exceeds three-tenths of one percent (0.3%) by dry**
25 **weight; and**

26 **(5) not marketed for consumer use or consumption.**

27 SECTION 27. IC 35-48-4-5.5 IS ADDED TO THE INDIANA
28 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
29 [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. A person who:**

30 **(1) knowingly or intentionally:**

31 **(A) creates;**

32 **(B) delivers; or**

33 **(C) finances the delivery of;**

34 **a counterfeit hemp substance; or**

35 **(2) possesses, with intent to:**

36 **(A) deliver; or**

37 **(B) finance the delivery of;**

38 **a counterfeit hemp substance;**

39 **commits dealing in a counterfeit hemp substance, a Class A**
40 **misdemeanor. However, a person may be convicted of an offense**
41 **under subdivision (2) only if there is evidence in addition to the**
42 **weight of the counterfeit hemp substance that the person intended**

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DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

1 **to deliver or finance the delivery of the counterfeit hemp substance.**
2 SECTION 28. IC 35-52-7-97.1 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: **Sec. 97.1. IC 7.1-8-8-1,**
5 **IC 7.1-8-8-2, IC 7.1-8-8-3, and IC 7.1-8-8-4 define crimes**
6 **concerning a low THC hemp product.**
7 SECTION 29. IC 35-52-24-20.4 IS ADDED TO THE INDIANA
8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
9 [EFFECTIVE UPON PASSAGE]: **Sec. 20.4. IC 24-4-24.9-8 defines**
10 **a crime concerning distribution or sale of low THC hemp products.**
11 SECTION 30. **An emergency is declared for this act.**

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