

PROPOSED AMENDMENT

HB 1052 # 18

DIGEST

THC. Makes it a Class B misdemeanor for a person to recklessly, knowingly, or intentionally sell, barter, exchange, provide, or furnish a product or substance containing THC to a minor. Enhances the penalty to a Class A misdemeanor or Level 6 felony in certain instances. Specifies age verification requirements for a website owned, managed, or operated by a person who distributes or sells THC directly to consumers. Allows an enforcement officer vested with full police powers and duties to engage a person who is at least 18 and less than 21 years of age to receive or purchase THC as part of an enforcement action.

- 1 Page 12, between lines 3 and 4, begin a new paragraph and insert:
2 "SECTION 19. IC 7.1-1-3-46.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2026]: **Sec. 46.5. "THC" means**
5 **tetrahydrocannabinol, including hemp derived cannabinoid**
6 **products, synthetic equivalents of the substances contained in the**
7 **plant or in the resinous extractives of Cannabis, and synthetic**
8 **substances, derivatives, and their isomers with a similar chemical**
9 **structure and pharmacological activity."**
10 Page 19, between lines 25 and 26, begin a new paragraph and insert:
11 "SECTION 36. IC 7.1-5-7-8.1 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: **Sec. 8.1. (a) It is a Class B**
14 **misdemeanor for a person to recklessly, knowingly, or**
15 **intentionally:**
16 **(1) sell, in person or online;**
17 **(2) barter;**
18 **(3) exchange;**
19 **(4) provide; or**
20 **(5) furnish;**
21 **a product or substance containing THC to a minor.**
22 **(b) However, the offense described in subsection (a) is:**
23 **(1) a Class A misdemeanor if the person has a prior unrelated**
24 **conviction under this section; and**

(2) a Level 6 felony if the consumption, ingestion, or use of the THC is the proximate cause of the serious bodily injury or death of any person.

(c) A website owned, managed, or operated by a person who distributes or sells THC directly to consumers must, before completing a purchase, verify the age of an individual purchasing THC by:

(1) using a reliable online age verification service; or

(2) obtaining and examining a copy of a government issued identification."

Page 22, between lines 2 and 3, begin a new paragraph and insert:
"SECTION 38. IC 7.1-5-7-17, AS ADDED BY P.L.94-2008, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) Notwithstanding any other law, an enforcement officer vested with full police powers and duties may engage a person who is:

(1) at least eighteen (18) years of age; and

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

to receive or purchase alcoholic beverages **or THC** as part of an enforcement action under this article.

(b) The initial or contemporaneous receipt or purchase of an alcoholic beverage **or THC** under this section by a person described in subsection (a) must:

(1) occur under the direction of an enforcement officer vested with full police powers and duties; and

(2) be a part of the enforcement action."

Page 31, after line 6, begin a new paragraph and insert:
"SECTION 49. IC 35-52-7-40.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 40.1. IC 7.1-5-7-8.1 defines a crime concerning THC.**"

Renumber all SECTIONS consecutively.

(Reference is to HB 1052 as introduced.)