

# SENATE BILL No. 114

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-48-4.

**Synopsis:** Test strips. Removes provisions related to testing the strength, effectiveness, or purity of a controlled substance in the criminal laws concerning possession of controlled substance paraphernalia.

**Effective:** July 1, 2025.

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**Pol Jr.**

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January 8, 2025, read first time and referred to Committee on Corrections and Criminal Law.

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First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

# SENATE BILL No. 114



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

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

1 SECTION 1. IC 35-48-4-8.1, AS AMENDED BY P.L.158-2013,  
2 SECTION 634, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2025]: Sec. 8.1. (a) A person who  
4 manufactures, finances the manufacture of, or designs an instrument,  
5 a device, or other object that is intended to be used primarily for:  
6 (1) introducing into the human body a controlled substance; **or**  
7 (2) ~~testing the strength, effectiveness, or purity of a controlled~~  
8 ~~substance; or~~  
9 (3) ~~(2)~~ enhancing the effect of a controlled substance;  
10 in violation of this chapter commits a Class A infraction for  
11 manufacturing paraphernalia.  
12 (b) A person who:  
13 (1) knowingly or intentionally violates this section; and  
14 (2) has a previous judgment for violation of this section;  
15 commits manufacture of paraphernalia, a Level 6 felony.  
16 SECTION 2. IC 35-48-4-8.3, AS AMENDED BY P.L.187-2015,  
17 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2025]: Sec. 8.3. (a) This section does not apply to a rolling  
2 paper.

3 (b) A person who knowingly or intentionally possesses an  
4 instrument, a device, or another object that the person intends to use  
5 for:

- 6 (1) introducing into the person's body a controlled substance; **or**  
7 ~~(2) testing the strength, effectiveness, or purity of a controlled~~  
8 ~~substance; or~~  
9 ~~(3) (2) enhancing the effect of a controlled substance;~~

10 commits a Class C misdemeanor. However, the offense is a Class A  
11 misdemeanor if the person has a prior unrelated judgment or conviction  
12 under this section.

13 SECTION 3. IC 35-48-4-8.5, AS AMENDED BY P.L.153-2018,  
14 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2025]: Sec. 8.5. (a) A person who keeps for sale, offers for  
16 sale, delivers, or finances the delivery of a raw material, an instrument,  
17 a device, or other object that is intended to be or that is designed or  
18 marketed to be used primarily for:

- 19 (1) ingesting, inhaling, or otherwise introducing into the human  
20 body marijuana, hash oil, hashish, salvia, a synthetic drug, or a  
21 controlled substance;  
22 ~~(2) testing the strength, effectiveness, or purity of marijuana, hash~~  
23 ~~oil, hashish, salvia, a synthetic drug, or a controlled substance;~~  
24 ~~(3) (2) enhancing the effect of a controlled substance;~~  
25 ~~(4) (3) manufacturing, compounding, converting, producing,~~  
26 ~~processing, or preparing marijuana, hash oil, hashish, salvia, a~~  
27 ~~synthetic drug, or a controlled substance;~~  
28 ~~(5) (4) diluting or adulterating marijuana, hash oil, hashish, salvia,~~  
29 ~~a synthetic drug, or a controlled substance by individuals; or~~  
30 ~~(6) (5) any purpose announced or described by the seller that is in~~  
31 ~~violation of this chapter;~~

32 commits a Class A infraction for dealing in paraphernalia.

33 (b) A person who knowingly or intentionally violates subsection (a)  
34 commits a Class A misdemeanor. However, the offense is a Level 6  
35 felony if the person has a prior unrelated judgment or conviction under  
36 this section.

37 (c) This section does not apply to the following:

- 38 (1) Items marketed for use in the preparation, compounding,  
39 packaging, labeling, or other use of marijuana, hash oil, hashish,  
40 salvia, a synthetic drug, or a controlled substance as an incident  
41 to lawful research, teaching, or chemical analysis and not for sale.  
42 (2) Items marketed for or historically and customarily used in



1 connection with the planting, propagating, cultivating, growing,  
2 harvesting, manufacturing, compounding, converting, producing,  
3 processing, preparing, testing, analyzing, packaging, repackaging,  
4 storing, containing, concealing, injecting, ingesting, or inhaling  
5 of tobacco or any other lawful substance.  
6 (3) A qualified entity (as defined in IC 16-41-7.5-3) that provides  
7 a syringe or needle as part of a program under IC 16-41-7.5.  
8 (4) Any entity or person that provides funding to a qualified entity  
9 (as defined in IC 16-41-7.5-3) to operate a program described in  
10 IC 16-41-7.5.

