

PROPOSED AMENDMENT

HB 1390 # 22

DIGEST

Outdoor advertising signs. Prohibits a person from advertising a product containing marijuana or certain controlled substances on an outdoor advertising sign located adjacent to a highway located in Indiana.

- 1 Page 9, between lines 30 and 31, begin a new paragraph and insert:
2 "SECTION 12. IC 9-21-4-6.5 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. (a) This section does not**
5 **apply to the advertisement of a:**
6 **(1) product containing marijuana; or**
7 **(2) controlled substance listed in schedule I of IC 35-48-2;**
8 **pursuant to a contract that was entered into or renewed before the**
9 **effective date of this section as enacted during the 2025 regular**
10 **session of the general assembly.**
11 **(b) As used in this section, "marijuana" has the meaning set**
12 **forth in IC 35-48-1-19.**
13 **(c) As used in this section, "person" means:**
14 **(1) an individual;**
15 **(2) a proprietorship;**
16 **(3) a partnership;**
17 **(4) a firm;**
18 **(5) an association;**
19 **(6) a corporation;**
20 **(7) a limited liability company; or**
21 **(8) another legal entity.**
22 **(d) A person may not advertise a:**
23 **(1) product containing marijuana; or**
24 **(2) controlled substance listed in schedule I of IC 35-48-2;**
25 **on an outdoor advertising sign located adjacent to a highway**
26 **located in Indiana.**
27 **(e) The attorney general may bring an action under IC 24-4 to**

1 obtain any or all of the following against a person that violates this
2 section:

3 (1) An injunction to enjoin future violations of this section.

4 (2) The following civil penalties:

5 (A) Not more than five thousand dollars (\$5,000) for the
6 first violation.

7 (B) Not more than ten thousand dollars (\$10,000) for a
8 second violation.

9 (C) Not more than fifteen thousand dollars (\$15,000) for
10 each additional violation.

11 (3) The attorney general's reasonable costs in:

12 (A) the investigation of the violations under this section;
13 and

14 (B) maintaining the action.

15 (f) All civil penalties collected under this section shall be
16 deposited in the state general fund."

17 Page 22, after line 39, begin a new paragraph and insert:

18 "SECTION 33. An emergency is declared for this act."

19 Renumber all SECTIONS consecutively.

(Reference is to HB 1390 as printed February 6, 2025.)