

# HOUSE BILL No. 1074

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-18-2; IC 16-42-5.5; IC 35-52-16-86.5.

**Synopsis:** Ban on high fructose corn syrup as food ingredient. Prohibits businesses from using high fructose corn syrup in food in Indiana.

**Effective:** July 1, 2024.

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## Bartlett

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January 8, 2024, read first time and referred to Committee on Public Health.

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Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# HOUSE BILL No. 1074

A BILL FOR AN ACT to amend the Indiana Code concerning health.

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

- 1 SECTION 1. IC 16-18-2-41.5 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2024]: **Sec. 41.5. "Business", for the purpose**
- 4 **of IC 16-42-5.5, has the meaning set forth in IC 16-42-5.5-1.**
- 5 SECTION 2. IC 16-18-2-135 IS AMENDED TO READ AS
- 6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 135. (a) "Food", for
- 7 purposes of IC 16-42-1 through IC 16-42-4 and IC 16-42-18, means the
- 8 following:
- 9 (1) Articles used for food, drink, confectionery, or condiment for
- 10 humans.
- 11 (2) Chewing gum.
- 12 (3) Articles used for components of any of these articles.
- 13 (b) "Food", for purposes of IC 16-42-5, ~~and~~ IC 16-42-5.2, **and**
- 14 **IC 16-42-5.5**, means the following:
- 15 (1) All articles used for food, drink, confectionery, or condiment
- 16 whether simple, mixed, or compound.
- 17 (2) All substances or ingredients used in the preparation of the



1 items described in subdivision (1).

2 SECTION 3. IC 16-18-2-169.7 IS ADDED TO THE INDIANA  
3 CODE AS A NEW SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2024]: **Sec. 169.7. "High fructose corn  
5 syrup", for purposes of IC 16-42-5.5, has the meaning set forth in  
6 IC 16-42-5.5-3.**

7 SECTION 4. IC 16-42-5.5 IS ADDED TO THE INDIANA CODE  
8 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2024]:

10 **Chapter 5.5. Restrictions on High Fructose Corn Syrup**

11 **Sec. 1. As used in this chapter, "business" means any of the  
12 following entities that exist for profit making purposes:**

- 13 (1) A sole proprietorship.  
14 (2) An organization.  
15 (3) An association.  
16 (4) A corporation.  
17 (5) A partnership.  
18 (6) A joint venture.  
19 (7) A limited partnership.  
20 (8) A limited liability partnership.  
21 (9) A limited liability company.  
22 (10) A business association.

23 **Sec. 2. As used in this chapter, "food" has the meaning set forth  
24 in IC 16-18-2-135(b).**

25 **Sec. 3. As used in this chapter, "high fructose corn syrup" has  
26 the meaning set forth in 21 CFR 184.1866 as in effect January 1,  
27 2023.**

28 **Sec. 4. (a) A business may not:**

- 29 (1) sell;  
30 (2) store;  
31 (3) distribute; or  
32 (4) hold for service;

33 **food containing high fructose corn syrup in Indiana.**

34 **(b) A business may not use high fructose corn syrup in the  
35 preparation of food in Indiana.**

36 **Sec. 5. The state department may adopt rules under IC 4-22-2  
37 to administer this chapter.**

38 **Sec. 6. The state health commissioner shall enforce the  
39 provisions of this chapter.**

40 **Sec. 7. A person who recklessly violates this chapter commits a  
41 Class B misdemeanor.**

42 SECTION 5. IC 35-52-16-86.5 IS ADDED TO THE INDIANA



1 CODE AS A NEW SECTION TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2024]: **Sec. 86.5. IC 16-42-5.5-7 defines a**  
3 **crime concerning high fructose corn syrup regulation.**

