

# SENATE BILL No. 69

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-47-9-1.

**Synopsis:** Possession of firearms on school property. Exempts certain law enforcement and retired law enforcement officers described in the federal Law Enforcement Officers Safety Act (LEOSA) from the prohibition against carrying a firearm on school property. Makes conforming amendments.

**Effective:** July 1, 2020.

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January 6, 2020, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## SENATE BILL No. 69

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 35-47-9-1, AS AMENDED BY P.L.107-2019,  
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:  
4 (1) A:  
5 (A) federal;  
6 (B) state; or  
7 (C) local;  
8 law enforcement officer.  
9 (2) A:  
10 (A) **qualified law enforcement officer (as defined in 18**  
11 **U.S.C. 926B); or**  
12 **(B) qualified retired law enforcement officer (as defined in**  
13 **18 U.S.C. 926C);**  
14 **if the qualified law enforcement officer or qualified retired**  
15 **law enforcement officer carries the identification required by**  
16 **18 U.S.C. 926B or 18 U.S.C. 926C.**  
17 (2) (3) A person who may legally possess a firearm and who has



- 1           been authorized by:
- 2           (A) a school board (as defined by IC 20-26-9-4); or
- 3           (B) the body that administers a charter school established
- 4           under IC 20-24;
- 5           to carry a firearm in or on school property.
- 6           ~~(3)~~ **(4)** Except as provided in subsection (b) or (c), a person who:
- 7           (A) may legally possess a firearm; and
- 8           (B) possesses the firearm in a motor vehicle.
- 9           ~~(4)~~ **(5)** A person who is a school resource officer, as defined in
- 10          IC 20-26-18.2-1.
- 11          ~~(5)~~ **(6)** Except as provided in subsection (b) or (c), a person who:
- 12          (A) may legally possess a firearm; and
- 13          (B) possesses only a firearm that is:
- 14           (i) locked in the trunk of the person's motor vehicle;
- 15           (ii) kept in the glove compartment of the person's locked
- 16           motor vehicle; or
- 17           (iii) stored out of plain sight in the person's locked motor
- 18           vehicle.
- 19          ~~(6)~~ **(7)** A person who:
- 20          (A) may legally possess a firearm; and
- 21          (B) possesses a firearm on school property in connection with
- 22          or while:
- 23           (i) attending a worship service or religious ceremony
- 24           conducted at a house of worship located on the school
- 25           property; or
- 26           (ii) carrying out the person's official duties at a house of
- 27           worship located on the school property, if the person is
- 28           employed by or a volunteer at the house of worship.
- 29          This subdivision does not affect the right of a property owner to
- 30          prohibit, in whole or in part, the possession of a firearm on a
- 31          property where a school or house of worship is located.
- 32          (b) For purposes of subsection ~~(a)(3)~~ **(a)(4)** and ~~(a)(5)~~; **(a)(6)**, a
- 33          person does not include a person who is:
- 34           (1) enrolled as a student in any high school except if the person is
- 35           a high school student and is a member of a shooting sports team
- 36           and the school's principal has approved the person keeping a
- 37           firearm concealed in the person's motor vehicle on the days the
- 38           person is competing or practicing as a member of a shooting
- 39           sports team; or
- 40           (2) a former student of the school if the person is no longer
- 41           enrolled in the school due to a disciplinary action within the
- 42           previous twenty-four (24) months.



1           (c) For purposes of subsection ~~(a)(3)~~ **(a)(4)** and ~~(a)(5)~~; **(a)(6)**, a  
2 motor vehicle does not include a motor vehicle owned, leased, or  
3 controlled by a school or school district unless the person who  
4 possesses the firearm is authorized by the school or school district to  
5 possess a firearm.

