



February 12, 2019

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## HOUSE BILL No. 1253

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DIGEST OF HB 1253 (Updated February 11, 2019 12:43 pm - DI 116)

**Citations Affected:** IC 5-2; IC 10-14; IC 10-21.

**Synopsis:** Handgun training for teachers. Creates a specialized firearms safety, education, and training curriculum (curriculum) for teachers, school staff, and school employees. Specifies curriculum requirements. Authorizes funds from the Indiana safe schools fund to be used for curriculum related expenses. Makes conforming amendments.

**Effective:** July 1, 2019.

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### Lucas, Judy, Stutzman

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January 10, 2019, read first time and referred to Committee on Education.  
February 11, 2019, amended, reported — Do Pass.

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HB 1253—LS 7358/DI 123





February 12, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1253

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

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

- 1 SECTION 1. IC 5-2-10.1-2, AS AMENDED BY P.L.25-2016,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 2. (a) The Indiana safe schools fund is established  
4 to do the following:  
5 (1) Promote school safety through the:  
6 (A) use of dogs trained to detect drugs and illegal substances;  
7 and  
8 (B) purchase of other equipment and materials used to  
9 enhance the safety of schools.  
10 (2) Combat truancy.  
11 (3) Provide matching grants to schools for school safe haven  
12 programs.  
13 (4) Provide grants for school safety and safety plans.  
14 (5) Provide educational outreach and training to school personnel  
15 concerning:  
16 (A) the identification of;  
17 (B) the prevention of; and

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- 1 (C) intervention in;  
 2 bullying.  
 3 (6) Provide educational outreach to school personnel and training  
 4 to school safety specialists and school resource officers  
 5 concerning:  
 6 (A) the identification of;  
 7 (B) the prevention of; and  
 8 (C) intervention in;  
 9 criminal organization activities.  
 10 (7) Provide grants for school wide programs to improve school  
 11 climate and professional development and training for school  
 12 personnel concerning:  
 13 (A) alternatives to suspension and expulsion; and  
 14 (B) evidence based practices that contribute to a positive  
 15 school environment, including classroom management skills,  
 16 positive behavioral intervention and support, restorative  
 17 practices, and social emotional learning.  
 18 **(8) Increase school safety by:**  
 19 **(A) helping teachers, school staff, and school employees**  
 20 **acquire specialized firearms instruction; and**  
 21 **(B) defraying tuition related expenses for teachers, school**  
 22 **staff, and school employees who wish to enroll in the**  
 23 **course of specialized firearms instruction described in**  
 24 **IC 10-21-2.**  
 25 (b) The fund consists of amounts deposited:  
 26 (1) under IC 33-37-9-4; and  
 27 (2) from any other public or private source.  
 28 (c) The institute shall determine grant recipients from the fund with  
 29 a priority on awarding grants in the following order:  
 30 (1) A grant for a safety plan.  
 31 (2) A safe haven grant requested under section 10 of this chapter.  
 32 (3) A safe haven grant requested under section 7 of this chapter.  
 33 (d) Upon recommendation of the council, the institute shall establish  
 34 a method for determining the maximum amount a grant recipient may  
 35 receive under this section.  
 36 SECTION 2. IC 10-14-3-33.5, AS AMENDED BY P.L.114-2012,  
 37 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2019]: Sec. 33.5. (a) Except as provided in subsection (b), the  
 39 state, a political subdivision, or any other person may not prohibit or  
 40 restrict the lawful possession, transfer, sale, transportation, storage,  
 41 display, or use of firearms or ammunition during:  
 42 (1) a disaster emergency;



1 (2) an energy emergency; or  
 2 (3) a local disaster emergency;  
 3 declared under this chapter.

4 (b) Subsection (a) does not authorize the possession, transfer, sale,  
 5 transportation, storage, display, or use of firearms or ammunition  
 6 during an emergency described in subsection (a):

7 (1) in or on school property, in or on property that is being used  
 8 by a school for a school function, or on a school bus in violation  
 9 of IC 20-33-8-16; ~~or IC 35-47-9-2;~~

10 (2) on the property of:

11 (A) a child caring institution;

12 (B) an emergency shelter care child caring institution;

13 (C) a private secure facility;

14 (D) a group home; or

15 (E) an emergency shelter care group home;

16 in violation of 465 IAC 2-9-80, 465 IAC 2-10-79, 465  
 17 IAC 2-11-80, 465 IAC 2-12-78, or 465 IAC 2-13-77;

18 (3) on the property of a penal facility (as defined in  
 19 IC 35-31.5-2-232);

20 (4) in violation of federal law;

21 (5) in or on property belonging to an approved postsecondary  
 22 educational institution (as defined in IC 21-7-13-6(b));

23 (6) on the property of a domestic violence shelter; or

24 (7) on property owned, operated, controlled, or used by an entity  
 25 that:

26 (A) is required to:

27 (i) conduct a vulnerability assessment; and

28 (ii) develop and implement a site security plan;

29 under the United States Department of Homeland Security's  
 30 Chemical Facility Anti-Terrorism Standards issued April 9,  
 31 2007; or

32 (B) is required to have a security plan under the Maritime  
 33 Transportation Security Act of 2002, Public Law 107-295.

34 SECTION 3. IC 10-21-2 IS ADDED TO THE INDIANA CODE AS  
 35 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
 36 1, 2019]:

37 **Chapter 2. Specialized Firearms Instruction for Teachers,  
 38 School Staff, and School Employees**

39 **Sec. 1. The following terms are defined for this chapter:**

40 (1) "Charter school" has the meaning set forth in  
 41 IC 20-24-1-4.

42 (2) "Institute" means the Indiana criminal justice institute



1 established under IC 5-2-6.

2 (3) "Nonpublic school" means a school that:

3 (A) is not maintained by a school corporation or charter  
4 school; and

5 (B) employs one (1) or more employees.

6 The term includes a private school or a parochial school.

7 (4) "School corporation" has the meaning set forth in  
8 IC 20-26-2-4.

9 Sec. 2. A teacher, staff member, or employee who is:

10 (1) currently employed by a:

11 (A) charter school;

12 (B) nonpublic school; or

13 (C) school corporation;

14 (2) is not currently subject to:

15 (A) an administrative suspension or investigation;

16 (B) a disciplinary complaint or disciplinary investigation;

17 (C) a criminal investigation or prosecution; or

18 (D) any proceeding or investigation comparable to those  
19 described in clauses (A) through (C); and

20 (3) authorized by:

21 (A) a school board (as defined by IC 20-26-9-4); or

22 (B) the body that administers a charter school established  
23 under IC 20-24;

24 to carry a firearm in or on school property;

25 may apply to the institute for a grant from the Indiana safe schools  
26 fund established by 5-2-10.1-2.

27 Sec. 3. (a) A teacher, school staff member, or school employee  
28 shall apply for a grant from the institute in the form and manner  
29 prescribed by the institute.

30 (b) The institute may adopt rules under IC 4-22-2, including  
31 emergency rules under IC 4-22-2-37.1, to implement this section.

32 Sec. 4. A grant provided to a teacher, school staff member, or  
33 school employee under section 3 of this chapter must be used by the  
34 teacher, staff member, or employee to enroll in a course of  
35 specialized firearms instruction that:

36 (1) is taught by an instructor who is or instructors who are  
37 qualified to provide instruction in the topics described in  
38 subdivision (2); and

39 (2) consists of the following topics:

40 (A) Not less than one (1) hour of general firearms safety.

41 This topic shall consist of the following subtopics:

42 (i) Safe handling of firearms.



- 1                   (ii) Safe carrying of firearms.  
 2                   (iii) Safe storage of firearms.  
 3           **(B) Not less than one (1) half hour of firearms**  
 4           **maintenance. This topic shall consist of the following**  
 5           **subtopics:**  
 6                   (i) General care of firearms.  
 7                   (ii) Basic firearm cleaning, oiling, preventative  
 8                   maintenance, and repair.  
 9           **(C) Not less than twenty four (24) hours on the following**  
 10           **topics:**  
 11                   (i) Basic marksmanship training that includes a  
 12                   qualification standard established by the instructor.  
 13                   (ii) Scenario based training.  
 14           **(D) Not less than eight (8) hours of dynamic gun drills.**  
 15           **This topic shall consist of the following subtopics:**  
 16                   (i) Shooting in high-stress environments.  
 17                   (ii) Shooting in highly populated environments.  
 18                   (iii) Shooting while moving and communicating with  
 19                   third parties.  
 20                   (iv) Shooting at multiple targets.  
 21                   (v) Shooting while moving to and from cover.  
 22           **(E) Not less than one (1) hour on the topic on firearms**  
 23           **retention. This topic shall consist of the following**  
 24           **subtopics:**  
 25                   (i) Retention of a handgun while holstered.  
 26                   (ii) Retention of a handgun while drawn.  
 27                   (iii) Retention of shotguns and rifles.  
 28                   (iv) Responses to common handgun, shotgun, and rifle  
 29                   disarming techniques.  
 30           **(F) Not less than two (2) hours on the topic of tactical**  
 31           **movement and maneuvering while armed. This topic shall**  
 32           **discuss the presentation and manipulation of a firearm**  
 33           **while:**  
 34                   (i) moving;  
 35                   (ii) in hallways;  
 36                   (iii) at room entrances;  
 37                   (iv) in open spaces and venues; and  
 38                   (v) in restricted spaces and areas.  
 39           **(G) Not less than one (1) hour on the legal consequences of**  
 40           **a use of force action.**  
 41           **(H) Not less than one (1) hour on the topic of post-shooting**  
 42           **considerations and consequences. This topic shall consist**



1 of the following subtopics:

2 (i) Psychological and emotional responses following a  
3 shooting or use of force action.

4 (ii) The proper securing of a weapon following a  
5 shooting.

6 (iii) The preservation of evidence following a shooting or  
7 use of force action.

8 (iv) Safely identifying oneself to a law enforcement  
9 officer while armed or immediately following a use of  
10 force action.

11 (I) Not less than one (1) hour on the topic of school  
12 shootings and active shooter incidents. This topic shall  
13 evaluate and analyze past school shootings and active  
14 shooter incidents for the purpose of:

15 (i) illustrating concepts discussed during the safety and  
16 training course; and

17 (ii) critiquing ineffective or dangerous responses made  
18 by other individuals during the course of a school  
19 shooting or active shooter incident.

20 (J) Any other topic or remedial training:

21 (i) deemed appropriate or necessary by the course  
22 instructor; or

23 (ii) necessitated by circumstances or conditions unique to  
24 a specific school, teacher, or student.

25 (K) Not less than one (1) hour of tactical emergency  
26 medical instruction.

27 **Sec. 5.** A teacher, school staff member, or school employee who  
28 wishes to apply for a grant from the institute under section 3 of this  
29 chapter must:

30 (1) have successfully completed the Minnesota multiphasic  
31 personality inventory 2 (MMPI-II) prior to applying for a  
32 grant described under section 3 of this chapter; and

33 (2) be able to provide proof of having completed the  
34 Minnesota multiphasic personality inventory 2 (MMPI-II) to  
35 the institute upon request.

36 **Sec. 6.** A teacher, school staff member, or school employee who:

37 (1) receives a grant from the institute under section 3 of this  
38 chapter; and

39 (2) enrolls in a course of firearms instruction that meets the  
40 requirements specified in section 4 of this chapter;

41 may complete the course of firearms instruction in parts or phases  
42 if permitted by the course instructor.





1           **Sec. 7. (a) A teacher, school staff member, or school employee**  
 2 **who successfully completes a course of firearms instruction**  
 3 **described in section 4 of this chapter shall be awarded a certificate**  
 4 **of completion by the course instructor.**

5           **(b) A certificate of completion described under this section shall**  
 6 **display the following information:**

7           **(1) The course enrollee's name.**

8           **(2) The course instructor's name.**

9           **(3) The course instructor's handwritten signature.**

10          **(4) The date of course completion.**

11          **(5) Any other information deemed relevant or necessary by**  
 12 **the course instructor.**

13          **Sec. 8. A grant provided under section 3 of this chapter may not**  
 14 **be used to acquire firearms instruction that:**

15          **(1) fails to address each topic and subtopic described in**  
 16 **section 4 of this chapter; or**

17          **(2) is provided by any person lacking a valid National Rifle**  
 18 **Association certification.**

19          **Sec. 9. A teacher, school staff member, or school employee who:**

20          **(1) violates section 8 of this chapter;**

21          **(2) uses a grant provided under section 3 of this chapter for a**  
 22 **purpose not specified in section 4 of this chapter; or**

23          **(3) is unable to provide the institute with:**

24           **(A) a certificate of completion described in section 7(b) of**  
 25 **this chapter;**

26           **(B) proof that the teacher, school staff member, or school**  
 27 **employee is:**

28            **(i) currently enrolled; or**

29            **(ii) otherwise in the process of completing;**

30           **a course of firearms instruction that complies with section**  
 31 **4 of this chapter upon request; or**

32           **(C) proof of having completed the Minnesota multiphasic**  
 33 **personality inventory 2 (MMPI-II) upon request by the**  
 34 **institute;**

35 **must reimburse the institute in an amount equal to the amount of**  
 36 **any grant originally issued to the teacher, school staff member, or**  
 37 **school employee under this chapter.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1253, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 19, after "teachers" insert ", **school staff, and school employees**".

Page 2, line 21, after "teachers" insert ", **school staff, and school employees**".

Page 3, line 36, after "Teachers" insert ", **School Staff, and School Employees**".

Page 4, line 7, after "teacher" insert ", **staff member, or employee**".

Page 4, line 11, delete "and".

Page 4, line 17, after "(C);" insert "**and**".

Page 4, between lines 17 and 18, begin a new line block indented and insert:

**"(3) authorized by:**

**(A) a school board (as defined by IC 20-26-9-4); or**

**(B) the body that administers a charter school established under IC 20-24;**

**to carry a firearm in or on school property;"**.

Page 4, line 20, after "teacher" insert ", **school staff member, or school employee**".

Page 4, line 24, after "teacher" insert ", **school staff member, or school employee**".

Page 4, line 25, after "teacher" insert ", **staff member, or employee**".

Page 4, delete lines 27 through 28, begin a new line block indented and insert:

**"(1) is taught by an instructor who is or instructors who are qualified to provide instruction in the topics described in subdivision (2); and"**.

Page 4, delete lines 41 through 42, begin a new line double block indented and insert:

**"(C) Not less than twenty four (24) hours on the following topics:**

**(i) Basic marksmanship training that includes a qualification standard established by the instructor.**

**(ii) Scenario based training."**

Page 5, delete lines 1 through 2.

Page 6, between lines 13 and 14, begin a new line double block



indented and insert:

**"(K) Not less than one (1) hour of tactical emergency medical instruction.**

**Sec. 5. A teacher, school staff member, or school employee who wishes to apply for a grant from the institute under section 3 of this chapter must:**

- (1) have successfully completed the Minnesota multiphasic personality inventory 2 (MMPI-II) prior to applying for a grant described under section 3 of this chapter; and**
- (2) be able to provide proof of having completed the Minnesota multiphasic personality inventory 2 (MMPI-II) to the institute upon request."**

Page 6, line 14, delete "5." and insert "6."

Page 6, line 14, after "teacher" insert ", school staff member, or school employee".

Page 6, line 21, delete "6." and insert "7."

Page 6, line 21, after "teacher" insert ", school staff member, or school employee".

Page 6, line 32, delete "7." and insert "8."

Page 6, delete lines 38 through 42, begin a new paragraph and insert:

**"Sec. 9. A teacher, school staff member, or school employee who:**

- (1) violates section 8 of this chapter;**
  - (2) uses a grant provided under section 3 of this chapter for a purpose not specified in section 4 of this chapter; or**
  - (3) is unable to provide the institute with:**
    - (A) a certificate of completion described in section 7(b) of this chapter;**
    - (B) proof that the teacher, school staff member, or school employee is:**
      - (i) currently enrolled; or**
      - (ii) otherwise in the process of completing;**
- a course of firearms instruction that complies with section 4 of this chapter upon request; or**
- (C) proof of having completed the Minnesota multiphasic personality inventory 2 (MMPI-II) upon request by the institute;**

**must reimburse the institute in an amount equal to the amount of any grant originally issued to the teacher, school staff member, or**



**school employee under this chapter."**

Delete pages 7 through 8.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1253 as introduced.)

BEHNING

Committee Vote: yeas 8, nays 2.

