



March 29, 2019

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**ENGROSSED  
SENATE BILL No. 119**

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DIGEST OF SB 119 (Updated March 27, 2019 4:21 pm - DI 133)

**Citations Affected:** IC 3-7; IC 14-8; IC 14-22; IC 35-47.

**Synopsis:** Firearms matters. Provides that a person may not sell, give, or in any other manner transfer ownership or possession of a machine gun to any person under 18 years of age. Provides that a person who knowingly or intentionally sells, provides, or in any other manner transfers ownership or possession of a machine gun to a person under 18 years of age commits a: (1) Level 5 felony; (2) Level 4 felony if the person has a prior conviction for the offense; or (3) Level 3 felony if a person under 18 years of age uses the machine gun to commit murder. Designates the following as voter registration offices: (1) Each office  
(Continued next page)

**Effective:** July 1, 2019.

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**Tomes, Sandlin, Doriot, Garten,  
Freeman, Randolph Lonnie M, Crane,  
Bohacek, Spartz**  
(HOUSE SPONSOR — LUCAS)

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January 3, 2019, read first time and referred to Committee on Judiciary.  
January 31, 2019, amended, reported favorably — Do Pass.  
February 4, 2019, read second time, ordered engrossed. Engrossed.  
February 5, 2019, read third time, passed. Yeas 48, nays 1.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Public Policy.  
March 25, 2019, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.  
March 28, 2019, reported — Do Pass.

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ES 119—LS 6280/DI 123



## Digest Continued

affiliated with the Indiana state police. (2) Each office affiliated with the sheriff of a county. (3) Each office affiliated with a municipal law enforcement agency. Specifies that each issuance of a hunting, fishing, or trapping license shall be accompanied by a mail-in voter registration form. Permits a person who may legally possess a firearm to possess a firearm on school property if the person possesses the firearm: (1) as an employee or volunteer of a house of worship located on the school property; or (2) while attending a worship service or religious ceremony conducted at a house of worship. Increases the duration of a four year handgun license to five years. Provides that an individual may simultaneously hold both a five year license and a lifetime license. Requires a law enforcement officer to whom an application for a handgun license is made to consult available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), when determining whether possession of a firearm by an applicant would be a violation of state or federal law. Modifies the fees for five year licenses beginning July 1, 2020. Makes conforming amendments.

**ES 119—LS 6280/DI 123**



March 29, 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.

## ENGROSSED SENATE BILL No. 119

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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 3-7-18-2, AS AMENDED BY P.L.128-2015,  
2 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 2. **(a) Except as provided in subsection (b) and**  
4 **as provided in 52 U.S.C. 20506(a)(4)(A)(i) and 52 U.S.C.**  
5 **20506(a)(6)(A), an agency designated under IC 3-7-19 (board of**  
6 **registration offices), IC 3-7-20.5 (unemployment compensation offices**  
7 **and law enforcement offices), and IC 3-7-21 (additional designated**  
8 **voter registration offices) shall distribute a voter registration form**  
9 **prescribed under this chapter to each person applying for assistance**  
10 **from the agency whenever the applicant:**  
11 (1) applies for service or assistance;  
12 (2) applies for recertification or renewal of services or assistance;  
13 or  
14 (3) submits a change of address form relating to the service or  
15 assistance;  
16 unless the applicant declines in writing to register to vote.  
17 **(b) A law enforcement agency is not required to distribute the**

ES 119—LS 6280/DI 123



1 voter registration form described under subsection (a) unless a  
 2 person is applying for a license to carry a handgun under  
 3 IC 35-47-2-3.

4 SECTION 2. IC 3-7-20.5-1, AS AMENDED BY P.L.128-2015,  
 5 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2019]: Sec. 1. Each office of the department of employment  
 7 and training services that provides assistance or services concerning  
 8 unemployment compensation following locations is designated as a  
 9 voter registration office under 52 U.S.C. 20506:

10 (1) Each office of the department of employment and training  
 11 services that provides assistance or services concerning  
 12 unemployment compensation.

13 (2) Each office affiliated with the Indiana state police.

14 (3) Each office affiliated with the sheriff of a county.

15 (4) Each office affiliated with a municipal law enforcement  
 16 agency.

17 SECTION 3. IC 3-7-20.5-3 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. For purposes of this  
 19 chapter, the executive director of the department of employment and  
 20 training services is the following persons shall act as a "governing  
 21 body" under IC 3-7-18:

22 (1) The executive director of the department of employment  
 23 and training services.

24 (2) The superintendent of state police.

25 (3) The sheriff of a county.

26 (4) The chief of police or comparable law enforcement officer  
 27 for a municipal law enforcement agency.

28 SECTION 4. IC 3-7-24-1.5 IS ADDED TO THE INDIANA CODE  
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 30 1, 2019]: Sec. 1.5. (a) An organization or entity that sells a hunting,  
 31 fishing, or trapping license described under IC 14-22 shall be  
 32 designated as a distribution site for registration by mail forms.

33 (b) The NVRA official may enter into an agreement on behalf  
 34 of the commission with the board of trustees or comparable  
 35 executive authority for an organization or entity described in  
 36 subsection (a) to designate the organization or entity described in  
 37 subsection (a) as a distribution site for registration by mail forms  
 38 under this section.

39 SECTION 5. IC 14-8-2-236.5 IS ADDED TO THE INDIANA  
 40 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 41 [EFFECTIVE JULY 1, 2019]: Sec. 236.5. "Registration by mail  
 42 form" means the mail voter registration application form as



1 **described under IC 3-7-22.**

2 SECTION 6. IC 14-22-11-2.5 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. (a) Except as otherwise**  
5 **provided, the issuance of any license described in this chapter shall**  
6 **be accompanied by a registration by mail form.**

7 **(b) A person provided with a registration by mail form under**  
8 **this section may refuse receipt of the registration by mail form.**  
9 **The issuance of a license described under this chapter may not be**  
10 **contingent upon a person:**

11 **(1) accepting the registration by mail form described in**  
12 **subsection (a); or**

13 **(2) registering to vote.**

14 SECTION 7. IC 35-47-2-3, AS AMENDED BY P.L.86-2018,  
15 SECTION 335, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2019]: **Sec. 3. (a) A person desiring a license**  
17 **to carry a handgun shall apply:**

18 **(1) to the chief of police or corresponding law enforcement officer**  
19 **of the municipality in which the applicant resides;**

20 **(2) if that municipality has no such officer, or if the applicant does**  
21 **not reside in a municipality, to the sheriff of the county in which**  
22 **the applicant resides after the applicant has obtained an**  
23 **application form prescribed by the superintendent; or**

24 **(3) if the applicant is a resident of another state and has a regular**  
25 **place of business or employment in Indiana, to the sheriff of the**  
26 **county in which the applicant has a regular place of business or**  
27 **employment.**

28 The superintendent and local law enforcement agencies shall allow an  
29 applicant desiring to obtain or renew a license to carry a handgun to  
30 submit an application electronically under this chapter if funds are  
31 available to establish and maintain an electronic application system.

32 **(b) The law enforcement agency which accepts an application for a**  
33 **handgun license shall not collect a fee from a person applying for a**  
34 **five (5) year handgun license and shall collect the following**  
35 **application fees:**

36 ~~(1) From a person applying for a four (4) year handgun license, a~~  
37 ~~ten dollar (\$10) application fee, five dollars (\$5) of which shall be~~  
38 ~~refunded if the license is not issued.~~

39 ~~(2) (1) From a person applying for a lifetime handgun license who~~  
40 ~~does not currently possess a valid Indiana handgun license, a fifty~~  
41 ~~dollar (\$50) application fee, thirty dollars (\$30) of which shall be~~  
42 ~~refunded if the license is not issued.~~



1           (3) (2) From a person applying for a lifetime handgun license who  
 2           currently possesses a valid Indiana handgun license, a forty dollar  
 3           (\$40) application fee, thirty dollars (\$30) of which shall be  
 4           refunded if the license is not issued.

5           Except as provided in subsection (h), the fee shall be deposited into the  
 6           law enforcement agency's firearms training fund or other appropriate  
 7           training activities fund and used by the agency to train law enforcement  
 8           officers in the proper use of firearms or in other law enforcement  
 9           duties, or to purchase firearms, firearm related equipment, or body  
 10          armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers  
 11          employed by the law enforcement agency. The state board of accounts  
 12          shall establish rules for the proper accounting and expenditure of funds  
 13          collected under this subsection.

14          (c) The officer to whom the application is made shall ascertain the  
 15          applicant's name, full address, length of residence in the community,  
 16          whether the applicant's residence is located within the limits of any city  
 17          or town, the applicant's occupation, place of business or employment,  
 18          criminal record, if any, and convictions (minor traffic offenses  
 19          excepted), age, race, sex, nationality, date of birth, citizenship, height,  
 20          weight, build, color of hair, color of eyes, scars and marks, whether the  
 21          applicant has previously held an Indiana license to carry a handgun  
 22          and, if so, the serial number of the license and year issued, whether the  
 23          applicant's license has ever been suspended or revoked, and if so, the  
 24          year and reason for the suspension or revocation, and the applicant's  
 25          reason for desiring a license. **If the applicant is not a United States  
 26          citizen, the officer to whom the application is made shall ascertain  
 27          the applicant's country of citizenship, place of birth, and any alien  
 28          or admission number issued by United States Immigration and  
 29          Customs Enforcement or any successor agency as applicable.** The  
 30          officer to whom the application is made shall conduct an investigation  
 31          into the applicant's official records and verify thereby the applicant's  
 32          character and reputation, and shall in addition verify for accuracy the  
 33          information contained in the application, and shall forward this  
 34          information together with the officer's recommendation for approval or  
 35          disapproval and one (1) set of legible and classifiable fingerprints of  
 36          the applicant to the superintendent. **An investigation conducted under  
 37          this section must include the consulting of available local, state, and  
 38          federal criminal history data banks, including the National Instant  
 39          Criminal Background Check System (NICS), to determine whether  
 40          possession of a firearm by an applicant would be a violation of  
 41          state or federal law.**

42          (d) The superintendent may make whatever further investigation the



1 superintendent deems necessary. Whenever disapproval is  
 2 recommended, the officer to whom the application is made shall  
 3 provide the superintendent and the applicant with the officer's complete  
 4 and specific reasons, in writing, for the recommendation of  
 5 disapproval.

6 (e) If it appears to the superintendent that the applicant:

7 (1) has a proper reason for carrying a handgun;

8 (2) is of good character and reputation;

9 (3) is a proper person to be licensed; and

10 (4) is:

11 (A) a citizen of the United States; or

12 (B) not a citizen of the United States but is allowed to carry a  
 13 firearm in the United States under federal law;

14 the superintendent shall issue to the applicant a qualified or an  
 15 unlimited license to carry any handgun lawfully possessed by the  
 16 applicant. The original license shall be delivered to the licensee. A  
 17 copy shall be delivered to the officer to whom the application for  
 18 license was made. A copy shall be retained by the superintendent for  
 19 at least ~~four (4)~~ **five (5)** years in the case of a ~~four (4)~~ **five (5)** year  
 20 license. The superintendent may adopt guidelines to establish a records  
 21 retention policy for a lifetime license. A ~~four (4)~~ **five (5)** year license  
 22 shall be valid for a period of ~~four (4)~~ **five (5)** years from the date of  
 23 issue. A lifetime license is valid for the life of the individual receiving  
 24 the license. The license of police officers, sheriffs or their deputies, and  
 25 law enforcement officers of the United States government who have  
 26 twenty (20) or more years of service shall be valid for the life of these  
 27 individuals. However, a lifetime license is automatically revoked if the  
 28 license holder does not remain a proper person.

29 (f) At the time a license is issued and delivered to a licensee under  
 30 subsection (e), the superintendent shall include with the license  
 31 information concerning handgun safety rules that:

32 (1) neither opposes nor supports an individual's right to bear  
 33 arms; and

34 (2) is:

35 (A) recommended by a nonprofit educational organization that  
 36 is dedicated to providing education on safe handling and use  
 37 of firearms;

38 (B) prepared by the state police department; and

39 (C) approved by the superintendent.

40 The superintendent may not deny a license under this section because  
 41 the information required under this subsection is unavailable at the  
 42 time the superintendent would otherwise issue a license. The state



1 police department may accept private donations or grants to defray the  
 2 cost of printing and mailing the information required under this  
 3 subsection.

4 (g) A license to carry a handgun shall not be issued to any person  
 5 who:

6 (1) has been convicted of a felony;

7 (2) has had a license to carry a handgun suspended, unless the  
 8 person's license has been reinstated;

9 (3) is under eighteen (18) years of age;

10 (4) is under twenty-three (23) years of age if the person has been  
 11 adjudicated a delinquent child for an act that would be a felony if  
 12 committed by an adult; ~~or~~

13 (5) has been arrested for a Class A or Class B felony for an  
 14 offense committed before July 1, 2014, for a Level 1, Level 2,  
 15 Level 3, or Level 4 felony for an offense committed after June 30,  
 16 2014, or any other felony that was committed while armed with  
 17 a deadly weapon or that involved the use of violence, if a court  
 18 has found probable cause to believe that the person committed the  
 19 offense charged; **or**

20 **(6) is prohibited by federal law from possessing or receiving**  
 21 **firearms under 18 U.S.C. 922(g).**

22 In the case of an arrest under subdivision (5), a license to carry a  
 23 handgun may be issued to a person who has been acquitted of the  
 24 specific offense charged or if the charges for the specific offense are  
 25 dismissed. The superintendent shall prescribe all forms to be used in  
 26 connection with the administration of this chapter.

27 (h) If the law enforcement agency that charges a fee under  
 28 subsection (b) is a city or town law enforcement agency, the fee shall  
 29 be deposited in the law enforcement continuing education fund  
 30 established under IC 5-2-8-2.

31 (i) If a person who holds a valid license to carry a handgun issued  
 32 under this chapter:

33 (1) changes the person's name;

34 (2) changes the person's address; or

35 (3) experiences a change, including an arrest or a conviction, that  
 36 may affect the person's status as a proper person (as defined in  
 37 IC 35-47-1-7) or otherwise disqualify the person from holding a  
 38 license;

39 the person shall, not later than thirty (30) days after the date of a  
 40 change described under subdivision (3), and not later than sixty (60)  
 41 days after the date of the change described under subdivision (1) or (2),  
 42 notify the superintendent, in writing, of the event described under





- 1 subdivision (3) or, in the case of a change under subdivision (1) or (2),  
 2 the person's new name or new address.
- 3 (j) The state police shall indicate on the form for a license to carry  
 4 a handgun the notification requirements of subsection (i).
- 5 (k) The state police department shall adopt rules under IC 4-22-2 to:  
 6 (1) implement an electronic application system under subsection  
 7 (a); and  
 8 (2) expedite the processing of an application made by a person  
 9 described in section 2.1(b) of this chapter.
- 10 Rules adopted under this section must require the superintendent to  
 11 keep on file one (1) set of classifiable and legible fingerprints from  
 12 every person who has received a license to carry a handgun so that a  
 13 person who applies to renew a license will not be required to submit an  
 14 additional set of fingerprints.
- 15 (l) Except as provided in subsection (m), for purposes of  
 16 IC 5-14-3-4(a)(1), the following information is confidential, may not  
 17 be published, and is not open to public inspection:
- 18 (1) Information submitted by a person under this section to:  
 19 (A) obtain; or  
 20 (B) renew;  
 21 a license to carry a handgun.
- 22 (2) Information obtained by a federal, state, or local government  
 23 entity in the course of an investigation concerning a person who  
 24 applies to:  
 25 (A) obtain; or  
 26 (B) renew;  
 27 a license to carry a handgun issued under this chapter.
- 28 (3) The name, address, and any other information that may be  
 29 used to identify a person who holds a license to carry a handgun  
 30 issued under this chapter.
- 31 (m) Notwithstanding subsection (l):  
 32 (1) any information concerning an applicant for or a person who  
 33 holds a license to carry a handgun issued under this chapter may  
 34 be released to a federal, state, or local government entity:  
 35 (A) for law enforcement purposes; or  
 36 (B) to determine the validity of a license to carry a handgun;  
 37 and  
 38 (2) general information concerning the issuance of licenses to  
 39 carry handguns in Indiana may be released to a person conducting  
 40 journalistic or academic research, but only if all personal  
 41 information that could disclose the identity of any person who  
 42 holds a license to carry a handgun issued under this chapter has



1           been removed from the general information.

2           (n) A person who knowingly or intentionally violates this section  
3 commits a Class B misdemeanor.

4           SECTION 8. IC 35-47-2-4, AS AMENDED BY P.L.17-2017,  
5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2019]: Sec. 4. (a) Licenses to carry handguns shall be either  
7 qualified or unlimited, and are valid for:

8           (1) ~~four (4)~~ **five (5)** years from the date of issue in the case of a  
9 ~~four (4)~~ **five (5)** year license; or

10          (2) the life of the individual receiving the license in the case of a  
11 lifetime license.

12          A qualified license shall be issued for hunting and target practice. **An**  
13 **individual may separately apply for and simultaneously hold both**  
14 **a five (5) year license and a lifetime license.** The superintendent may  
15 adopt rules imposing limitations on the use and carrying of handguns  
16 under a license when handguns are carried by a licensee as a condition  
17 of employment. Unlimited licenses shall be issued for the purpose of  
18 the protection of life and property.

19          (b) **This subsection applies before July 1, 2020.** In addition to the  
20 application fee, the fee for:

21          (1) a qualified license shall be:

22           (A) five dollars (\$5) for a ~~four (4)~~ **five (5)** year qualified  
23 license;

24           (B) twenty-five dollars (\$25) for a lifetime qualified license  
25 from a person who does not currently possess a valid Indiana  
26 handgun license; or

27           (C) twenty dollars (\$20) for a lifetime qualified license from  
28 a person who currently possesses a valid Indiana handgun  
29 license; and

30          (2) an unlimited license shall be:

31           (A) thirty dollars (\$30) for a ~~four (4)~~ **five (5)** year unlimited  
32 license;

33           (B) seventy-five dollars (\$75) for a lifetime unlimited license  
34 from a person who does not currently possess a valid Indiana  
35 handgun license; or

36           (C) sixty dollars (\$60) for a lifetime unlimited license from a  
37 person who currently possesses a valid Indiana handgun  
38 license.

39          The superintendent shall charge a twenty dollar (\$20) fee for the  
40 issuance of a duplicate license to replace a lost or damaged license.  
41 These fees shall be deposited in accordance with subsection ~~(f)~~ (g).

42          (c) **This subsection applies after June 30, 2020. In addition to the**



1 application fee, the fee for:

2 (1) a qualified license is:

3 (A) zero dollars (\$0) for a five (5) year qualified license;

4 (B) twenty-five dollars (\$25) for a lifetime qualified license  
5 from a person who does not currently possess a valid  
6 Indiana handgun license; and

7 (C) twenty dollars (\$20) for a lifetime qualified license  
8 from a person who currently possesses a valid Indiana  
9 handgun license; and

10 (2) an unlimited license is:

11 (A) zero dollars (\$0) for a five (5) year unlimited license;

12 (B) seventy-five dollars (\$75) for a lifetime unlimited  
13 license from a person who does not currently possess a  
14 valid Indiana handgun license; and

15 (C) sixty dollars (\$60) for a lifetime unlimited license from  
16 a person who currently possesses a valid Indiana handgun  
17 license.

18 The superintendent shall charge a twenty dollar (\$20) fee for the  
19 issuance of a duplicate license to replace a lost or damaged license.

20 These fees shall be deposited in accordance with subsection (g).

21 ~~(e)~~ (d) Licensed dealers are exempt from the payment of fees  
22 specified in ~~subsection~~ subsections (b) and (c) for a qualified license  
23 or an unlimited license.

24 ~~(d)~~ (e) The following officers of this state or the United States who  
25 have been honorably retired by a lawfully created pension board or its  
26 equivalent after at least twenty (20) years of service or because of a  
27 disability are exempt from the payment of fees specified in ~~subsection~~  
28 subsections (b) and (c):

29 (1) Police officers.

30 (2) Sheriffs or their deputies.

31 (3) Law enforcement officers.

32 (4) Correctional officers.

33 ~~(e)~~ (f) The following officers described in section 3(e) of this  
34 chapter who have at least twenty (20) years of service are exempt from  
35 the payment of fees for a lifetime qualified license or a lifetime  
36 unlimited license specified in ~~subsection~~ subsections (b) and (c):

37 (1) Police officers.

38 (2) Sheriffs or their deputies.

39 (3) Law enforcement officers of the United States government.

40 ~~(f)~~ (g) Fees collected under this section shall be deposited in the  
41 state general fund.

42 ~~(g)~~ (h) The superintendent may not issue a lifetime qualified license



1 or a lifetime unlimited license to a person who is a resident of another  
 2 state. The superintendent may issue a ~~four (4)~~ **five (5)** year qualified  
 3 license or a ~~four (4)~~ **five (5)** year unlimited license to a person who is  
 4 a resident of another state and who has a regular place of business or  
 5 employment in Indiana as described in section 3(a)(3) of this chapter.

6 ~~(h)~~ **(i)** A person who knowingly or intentionally violates this section  
 7 commits a Class B misdemeanor.

8 **(j) If the Bureau of Alcohol, Tobacco, Firearms and Explosives**  
 9 **certifies the five (5) year license described under this section as a**  
 10 **valid National Instant Criminal Background Check System (NICS)**  
 11 **compliant background check for firearm purchases:**

12 **(1) a five (5) year license issued under this section must**  
 13 **conspicuously display the term "Brady Exempt"; and**

14 **(2) a person bearing a valid license described in subdivision**

15 **(1) is exempt from undergoing a:**

16 **(A) state; or**

17 **(B) federal;**

18 **background check when purchasing a firearm.**

19 SECTION 9. IC 35-47-2-7, AS AMENDED BY P.L.152-2014,  
 20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2019]: Sec. 7. **(a) As used in this section, "machine gun"**  
 22 **means any weapon that shoots, is designed to shoot, or can be**  
 23 **readily restored to shoot automatically more than one (1) shot,**  
 24 **without manual reloading, by a single function of the trigger. The**  
 25 **term includes the frame or receiver of any such weapon, any part**  
 26 **designed and intended solely and exclusively, or a combination of**  
 27 **parts designed and intended, for use in converting a weapon into**  
 28 **a machine gun, and any combination of parts from which a**  
 29 **machine gun can be assembled if such parts are in the possession**  
 30 **or under the control of a person.**

31 ~~(a)~~ **(b)** Except an individual acting within a parent-minor child or  
 32 guardian-minor protected person relationship or any other individual  
 33 who is also acting in compliance with IC 35-47-10 (governing children  
 34 and firearms) **and federal law**, a person may not sell, give, or in any  
 35 other manner transfer the ownership or possession of a handgun or  
 36 ~~assault weapon~~ **machine gun** to any person under eighteen (18) years  
 37 of age. **A person who knowingly or intentionally sells, gives, or in**  
 38 **any other manner transfers ownership or possession of a machine**  
 39 **gun to a person under eighteen (18) years of age commits a Level**  
 40 **5 felony. However, the offense is a Level 4 felony if the person who**  
 41 **sells, gives, or transfers ownership of the machine gun has a prior**  
 42 **conviction under this section, and a Level 3 felony if a person**



1 **under eighteen (18) years of age uses the machine gun to commit**  
2 **murder (IC 35-42-1-1).**

3 ~~(b)~~ (c) A person who knowingly or intentionally sells, gives, or in  
4 any other manner transfers the ownership or possession of a handgun  
5 to another person who the person knows:

6 (1) is ineligible for any reason other than the person's age to  
7 purchase or otherwise receive from a dealer a handgun; or

8 (2) intends to use the handgun to commit a crime;  
9 commits criminal transfer of a handgun, a Level 5 felony. However, the  
10 offense is a Level 3 felony if the other person uses the handgun to  
11 commit murder (IC 35-42-1-1).

12 ~~(c)~~ (d) A person who purchases a handgun with the intent to:

13 (1) resell or otherwise provide the handgun to another person who  
14 the person knows is ineligible for any reason to purchase or  
15 otherwise receive from a dealer a handgun;

16 (2) resell or otherwise provide the handgun to another person who  
17 the person knows intends to use the handgun to commit a crime;  
18 or

19 (3) transport the handgun outside Indiana to be resold or  
20 otherwise provided to another person who the transferor knows:

21 (A) is ineligible to purchase or otherwise receive a handgun;  
22 or

23 (B) intends to use the handgun to commit a crime;  
24 commits the straw purchase of a handgun, a Level 5 felony. However,  
25 the offense is a Level 3 felony if the other person uses the handgun to  
26 commit murder (IC 35-42-1-1).

27 ~~(d)~~ (e) As used in this subsection, "NICS" has the meaning set forth  
28 in IC 35-47-2.5-2.5. It is a defense to a prosecution under subsection  
29 ~~(b)(1)~~ (c)(1) that:

30 (1) the accused person contacted NICS (or had a dealer contact  
31 NICS on the person's behalf) to request a background check on  
32 the other person before the accused person sold, gave, or in any  
33 other manner transferred the ownership or possession of the  
34 handgun to the other person; and

35 (2) the accused person (or dealer acting on the person's behalf)  
36 received authorization from NICS to sell, give, or in any other  
37 manner transfer ownership or possession of the handgun to the  
38 other person.

39 SECTION 10. IC 35-47-9-1, AS AMENDED BY P.L.157-2014,  
40 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2019]: Sec. 1. (a) This chapter does not apply to the following:

42 (1) A:



- 1 (A) federal;  
 2 (B) state; or  
 3 (C) local;  
 4 law enforcement officer.
- 5 (2) A person who may legally possess a firearm and who has been  
 6 authorized by:  
 7 (A) a school board (as defined by IC 20-26-9-4); or  
 8 (B) the body that administers a charter school established  
 9 under IC 20-24;  
 10 to carry a firearm in or on school property.
- 11 (3) Except as provided in subsection (b) or (c), a person who:  
 12 (A) may legally possess a firearm; and  
 13 (B) possesses the firearm in a motor vehicle.
- 14 (4) A person who is a school resource officer, as defined in  
 15 IC 20-26-18.2-1.
- 16 (5) Except as provided in subsection (b) or (c), a person who:  
 17 (A) may legally possess a firearm; and  
 18 (B) possesses only a firearm that is:  
 19 (i) locked in the trunk of the person's motor vehicle;  
 20 (ii) kept in the glove compartment of the person's locked  
 21 motor vehicle; or  
 22 (iii) stored out of plain sight in the person's locked motor  
 23 vehicle.
- 24 **(6) A person who:**  
 25 **(A) may legally possess a firearm; and**  
 26 **(B) possesses a firearm on school property in connection**  
 27 **with or while:**  
 28 **(i) attending a worship service or religious ceremony**  
 29 **conducted at a house of worship located on the school**  
 30 **property; or**  
 31 **(ii) carrying out the person's official duties at a house of**  
 32 **worship located on the school property, if the person is**  
 33 **employed by or a volunteer at the house of worship.**
- 34 **This subdivision does not affect the right of a property owner**  
 35 **to prohibit, in whole or in part, the possession of a firearm on**  
 36 **a property where a school or house of worship is located.**
- 37 (b) For purposes of subsection (a)(3) and (a)(5), a person does not  
 38 include a person who is:  
 39 (1) enrolled as a student in any high school except if the person is  
 40 a high school student and is a member of a shooting sports team  
 41 and the school's principal has approved the person keeping a  
 42 firearm concealed in the person's motor vehicle on the days the



1 person is competing or practicing as a member of a shooting  
2 sports team; or  
3 (2) a former student of the school if the person is no longer  
4 enrolled in the school due to a disciplinary action within the  
5 previous twenty-four (24) months.  
6 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle  
7 does not include a motor vehicle owned, leased, or controlled by a  
8 school or school district unless the person who possesses the firearm  
9 is authorized by the school or school district to possess a firearm.



## COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 119, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 13 through 17, begin a new paragraph and insert:

"~~(a)~~ **(b)** Except an individual acting within a parent-minor child or guardian-minor protected person relationship or any other individual who is also acting in compliance with IC 35-47-10 (governing children and firearms) **and federal law**, a person may not sell, give, or in any other manner transfer the ownership or possession of:

**(1) a handgun or ~~assault weapon~~ to any person under eighteen (18) years of age; or**

**(2) a machine gun to any person under twenty-one (21) years of age.**

**A person who knowingly or intentionally sells, gives, or in any other manner transfers ownership or possession of a machine gun to a person under twenty-one (21) years of age commits a Level 5 felony. However, the offense is a Level 4 felony if the person who sells, gives, or transfers ownership of the machine gun has a prior conviction under this section, and a Level 3 felony if a person under twenty-one (21) years of age uses the machine gun to commit murder (IC 35-42-1-1)."**

Page 2, delete lines 1 through 11.

and when so amended that said bill do pass.

(Reference is to SB 119 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 10, Nays 1.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 119, 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 1, between the enacting clause and line 1, begin a new

ES 119—LS 6280/DI 123





paragraph and insert:

"SECTION 1. IC 3-7-18-2, AS AMENDED BY P.L.128-2015, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. **(a) Except as provided in subsection (b) and as provided in 52 U.S.C. 20506(a)(4)(A)(i) and 52 U.S.C. 20506(a)(6)(A), an agency designated under IC 3-7-19 (board of registration offices), IC 3-7-20.5 (unemployment compensation offices and law enforcement offices), and IC 3-7-21 (additional designated voter registration offices) shall distribute a voter registration form prescribed under this chapter to each person applying for assistance from the agency whenever the applicant:**

- (1) applies for service or assistance;
- (2) applies for recertification or renewal of services or assistance;
- or
- (3) submits a change of address form relating to the service or assistance;

unless the applicant declines in writing to register to vote.

**(b) A law enforcement agency is not required to distribute the voter registration form described under subsection (a) unless a person is applying for a license to carry a handgun under IC 35-47-2-3.**

SECTION 2. IC 3-7-20.5-1, AS AMENDED BY P.L.128-2015, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. Each ~~office of the department of employment and training services that provides assistance or services concerning unemployment compensation~~ **following locations** is designated as a voter registration office under 52 U.S.C. 20506:

- (1) Each office of the department of employment and training services that provides assistance or services concerning unemployment compensation.**
- (2) Each office affiliated with the Indiana state police.**
- (3) Each office affiliated with the sheriff of a county.**
- (4) Each office affiliated with a municipal law enforcement agency.**

SECTION 3. IC 3-7-20.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. For purposes of this chapter, the ~~executive director of the department of employment and training services is the following persons shall act as a "governing body"~~ under IC 3-7-18:

- (1) The executive director of the department of employment and training services.**
- (2) The superintendent of state police.**



**(3) The sheriff of a county.**

**(4) The chief of police or comparable law enforcement officer for a municipal law enforcement agency.**

SECTION 4. IC 3-7-24-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 1.5. (a) An organization or entity that sells a hunting, fishing, or trapping license described under IC 14-22 shall be designated as a distribution site for registration by mail forms.**

**(b) The NVRA official may enter into an agreement on behalf of the commission with the board of trustees or comparable executive authority for an organization or entity described in subsection (a) to designate the organization or entity described in subsection (a) as a distribution site for registration by mail forms under this section.**

SECTION 5. IC 14-8-2-236.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 236.5. "Registration by mail form" means the mail voter registration application form as described under IC 3-7-22.**

SECTION 6. IC 14-22-11-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 2.5. (a) Except as otherwise provided, the issuance of any license described in this chapter shall be accompanied by a registration by mail form.**

**(b) A person provided with a registration by mail form under this section may refuse receipt of the registration by mail form. The issuance of a license described under this chapter may not be contingent upon a person:**

**(1) accepting the registration by mail form described in subsection (a); or**

**(2) registering to vote.**

SECTION 8. IC 35-47-2-3, AS AMENDED BY P.L.86-2018, SECTION 335, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 3. (a) A person desiring a license to carry a handgun shall apply:**

**(1) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides;**

**(2) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the applicant resides after the applicant has obtained an application form prescribed by the superintendent; or**

**(3) if the applicant is a resident of another state and has a regular**



place of business or employment in Indiana, to the sheriff of the county in which the applicant has a regular place of business or employment.

The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if funds are available to establish and maintain an electronic application system.

(b) The law enforcement agency which accepts an application for a handgun license shall **not collect a fee from a person applying for a five (5) year handgun license and shall** collect the following application fees:

~~(1) From a person applying for a four (4) year handgun license, a ten dollar (\$10) application fee, five dollars (\$5) of which shall be refunded if the license is not issued:~~

~~(2) (1) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar (\$50) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.~~

~~(3) (2) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar (\$40) application fee, thirty dollars (\$30) of which shall be refunded if the license is not issued.~~

Except as provided in subsection (h), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(c) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's



reason for desiring a license. **If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the applicant's country of citizenship, place of birth, and any alien or admission number issued by United States Immigration and Customs Enforcement or any successor agency as applicable.** The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. **An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.**

(d) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(e) If it appears to the superintendent that the applicant:

- (1) has a proper reason for carrying a handgun;
- (2) is of good character and reputation;
- (3) is a proper person to be licensed; and
- (4) is:
  - (A) a citizen of the United States; or
  - (B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least ~~four (4)~~ **five (5)** years in the case of a ~~four (4)~~ **five (5)** year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A ~~four (4)~~ **five (5)** year license shall be valid for a period of ~~four (4)~~ **five (5)** years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and



law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

(f) At the time a license is issued and delivered to a licensee under subsection (e), the superintendent shall include with the license information concerning handgun safety rules that:

- (1) neither opposes nor supports an individual's right to bear arms; and
- (2) is:
  - (A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;
  - (B) prepared by the state police department; and
  - (C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(g) A license to carry a handgun shall not be issued to any person who:

- (1) has been convicted of a felony;
- (2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;
- (3) is under eighteen (18) years of age;
- (4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; ~~or~~
- (5) has been arrested for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; ~~or~~
- (6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g).**

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are



dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

(h) If the law enforcement agency that charges a fee under subsection (b) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(i) If a person who holds a valid license to carry a handgun issued under this chapter:

- (1) changes the person's name;
- (2) changes the person's address; or
- (3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(j) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (i).

(k) The state police department shall adopt rules under IC 4-22-2 to:

- (1) implement an electronic application system under subsection (a); and
- (2) expedite the processing of an application made by a person described in section 2.1(b) of this chapter.

Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

(l) Except as provided in subsection (m), for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection:

(1) Information submitted by a person under this section to:

- (A) obtain; or
- (B) renew;

a license to carry a handgun.

(2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to:



- (A) obtain; or
  - (B) renew;
- a license to carry a handgun issued under this chapter.
- (3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter.
- (m) Notwithstanding subsection (l):
- (1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a federal, state, or local government entity:
    - (A) for law enforcement purposes; or
    - (B) to determine the validity of a license to carry a handgun;
 and
  - (2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has been removed from the general information.
- (n) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 9. IC 35-47-2-4, AS AMENDED BY P.L.17-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited, and are valid for:

- (1) ~~four (4)~~ **five (5)** years from the date of issue in the case of a ~~four (4)~~ **five (5)** year license; or
- (2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. **An individual may separately apply for and simultaneously hold both a five (5) year license and a lifetime license.** The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) **This subsection applies before July 1, 2020.** In addition to the application fee, the fee for:

- (1) a qualified license shall be:
  - (A) five dollars (\$5) for a ~~four (4)~~ **five (5)** year qualified license;
  - (B) twenty-five dollars (\$25) for a lifetime qualified license



from a person who does not currently possess a valid Indiana handgun license; or

(C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and

(2) an unlimited license shall be:

(A) thirty dollars (\$30) for a ~~four (4)~~ **five (5)** year unlimited license;

(B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; or

(C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection ~~(f)~~ **(g)**.

**(c) This subsection applies after June 30, 2020. In addition to the application fee, the fee for:**

**(1) a qualified license is:**

**(A) zero dollars (\$0) for a five (5) year qualified license;**

**(B) twenty-five dollars (\$25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; and**

**(C) twenty dollars (\$20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and**

**(2) an unlimited license is:**

**(A) zero dollars (\$0) for a five (5) year unlimited license;**

**(B) seventy-five dollars (\$75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; and**

**(C) sixty dollars (\$60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.**

**The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).**

~~(e)~~ **(d)** Licensed dealers are exempt from the payment of fees specified in ~~subsection~~ **subsections (b) and (c)** for a qualified license or an unlimited license.

~~(d)~~ **(e)** The following officers of this state or the United States who





have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in ~~subsection~~ **subsections (b) and (c):**

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers.
- (4) Correctional officers.

~~(e)~~ **(f)** The following officers described in section 3(e) of this chapter who have at least twenty (20) years of service are exempt from the payment of fees for a lifetime qualified license or a lifetime unlimited license specified in ~~subsection~~ **subsections (b) and (c):**

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers of the United States government.

~~(f)~~ **(g)** Fees collected under this section shall be deposited in the state general fund.

~~(g)~~ **(h)** The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a ~~four (4)~~ **five (5)** year qualified license or a ~~four (4)~~ **five (5)** year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

~~(h)~~ **(i)** A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

**(j) If the Bureau of Alcohol, Tobacco, Firearms and Explosives certifies the five (5) year license described under this section as a valid National Instant Criminal Background Check System (NICS) compliant background check for firearm purchases:**

- (1) a five (5) year license issued under this section must conspicuously display the term "Brady Exempt"; and**
  - (2) a person bearing a valid license described in subdivision (1) is exempt from undergoing a:**
    - (A) state; or**
    - (B) federal;**
- background check when purchasing a firearm."**

Page 1, line 17, delete ":".

Page 2, line 1, delete "(1)".

Page 2, line 1, reset in roman "or".

Page 2, line 1, after "weapon" insert "**machine gun**".

Page 2, line 2, delete "; or" and insert ".".

Page 2, delete lines 3 through 4.



Page 1, run in line 17 through page 2, line 5.

Page 2, line 7, delete "twenty-one (21)" and insert "**eighteen (18)**".

Page 2, line 11, delete "twenty-one (21)" and insert "**eighteen (18)**".

Page 3, after line 6, begin a new paragraph and insert:

"SECTION 10. IC 35-47-9-1, AS AMENDED BY P.L.157-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who has been 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.

(3) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in IC 20-26-18.2-1.

(5) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses only a firearm that is:

(i) locked in the trunk of the person's motor vehicle;

(ii) kept in the glove compartment of the person's locked motor vehicle; or

(iii) stored out of plain sight in the person's locked motor vehicle.

**(6) A person who:**

**(A) may legally possess a firearm; and**

**(B) possesses a firearm on school property in connection with or while:**

**(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or**

**(ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.**

**This subdivision does not affect the right of a property owner**



**to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.**

(b) For purposes of subsection (a)(3) and (a)(5), a person does not include a person who is:

(1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or

(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

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

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 119 Digest Correction as printed February 1, 2019.)

SMALTZ

Committee Vote: yeas 13, nays 0.

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#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to ESB 119 as printed March 26, 2019 First Regular Session of the 121st General Assembly

HUSTON

Committee Vote: Yeas 16, Nays 7

