

HOUSE BILL No. 1129

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-21-1; IC 35-47-9-1.

Synopsis: Training requirements for armed educators. Provides that, after December 31, 2019, a person must be certified by an association or other entity approved by the school safety board (board) in order to be authorized by a school board to legally possess a firearm in or on school property. Provides that the board shall certify certain associations or other entities to approve providers that provide certified firearm proficiency courses to certify persons who may legally possess a firearm in or on school property. Provides that an approved association or other entity may issue a credential or certification to a person who has successfully completed a certified firearm proficiency course and meets certain annual training requirements.

Effective: July 1, 2019.

Judy

January 7, 2019, read first time and referred to Committee on Education.



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. 1129

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

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

1 SECTION 1. IC 10-21-1-1, AS AMENDED BY P.L.109-2015,
2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 1. The following definitions apply throughout this
4 chapter:

5 (1) "ADM" refers to average daily membership determined under
6 IC 20-43-4-2. In the case of a school corporation career and
7 technical education school described in IC 20-37-1-1, "ADM"
8 refers to the count on a full-time equivalency basis of students
9 attending the school on the date ADM is determined under
10 IC 20-43-4-2.

11 (2) "Board" refers to the secured school safety board established
12 by section 3 of this chapter.

13 **(3) "Certified firearm proficiency course" refers to a firearm**
14 **proficiency course offered by a provider approved by an**
15 **association or other entity that is certified by the board under**
16 **section 3(d) of this chapter.**

17 (3) (4) "Fund" refers to the Indiana secured school fund



1 established by section 2 of this chapter.

2 ~~(4)~~ **(5)** "Local plan" means the school safety plan described in
3 IC 20-26-18.2-2(b).

4 ~~(5)~~ **(6)** "School corporation or charter school" refers to an
5 individual school corporation, a school corporation career and
6 technical education school described in IC 20-37-1-1, or a charter
7 school but also includes:

8 (A) a coalition of school corporations;

9 (B) a coalition of charter schools; or

10 (C) a coalition of both school corporations and charter schools;
11 that intend to jointly employ a school resource officer or to jointly
12 apply for a matching grant under this chapter, unless the context
13 clearly indicates otherwise.

14 ~~(6)~~ **(7)** "School resource officer" has the meaning set forth in
15 IC 20-26-18.2-1.

16 SECTION 2. IC 10-21-1-3, AS ADDED BY P.L.172-2013,
17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2019]: Sec. 3. (a) The secured school safety board is
19 established to:

20 **(1)** approve or disapprove applications for matching grants to
21 fund programs described in section 2(a) of this chapter;

22 **(2) certify one (1) or more associations or entities to approve**
23 **providers to offer certified firearm proficiency courses under**
24 **subsection (e) used to certify persons who may legally possess**
25 **a firearm in or on school property under IC 35-47-9-1(a)(2);**
26 **and**

27 **(3) authorize one (1) or more associations or entities to issue,**
28 **on behalf of the board, a credential or certification to a person**
29 **who has successfully completed a certified firearm proficiency**
30 **course and meets annual training requirements set forth in**
31 **section 3.5 of this chapter.**

32 (b) The board consists of seven (7) members appointed as follows:

33 (1) The executive director of the department of homeland security
34 or the executive director's designee. The executive director of the
35 department of homeland security or the executive director's
36 designee serves as the chairperson of the board.

37 (2) The attorney general or the attorney general's designee.

38 (3) The superintendent of the state police department or the
39 superintendent's designee.

40 (4) A local law enforcement officer appointed by the governor.

41 (5) The state superintendent of public instruction or the
42 superintendent's designee.



- 1 (6) The director of the criminal justice institute or the director's
2 designee.
- 3 (7) An employee of a local school corporation or a charter school
4 appointed by the governor.
- 5 (c) The board shall establish criteria to be used in evaluating
6 applications for matching grants from the fund. These criteria must:
7 (1) be consistent with the fund's goals; and
8 (2) provide for an equitable distribution of grants to school
9 corporations and charter schools located throughout Indiana.
- 10 **(d) The board shall establish criteria to be used to certify one (1)**
11 **or more associations or other entities to approve providers that**
12 **offer certified firearm proficiency courses used to certify persons**
13 **under section 3.5 of this chapter who may legally possess a firearm**
14 **in or on school property under IC 35-47-9-1(a)(2). An association**
15 **or other entity may apply to the board, in a manner prescribed by**
16 **the board, to become certified under this subsection. An association**
17 **or other entity certified by the board must, at a minimum, consist**
18 **of the following individuals:**
- 19 (1) A physician.
20 (2) An educator.
21 (3) A law enforcement officer.
22 (4) A mental health professional.
23 (5) An attorney.
24 (6) A firearms instructor certified by a nationally recognized
25 firearm organization.
26 (7) A black-belt level martial arts instructor who is certified
27 by a national martial arts organization.
- 28 (e) An association or other entity certified by the board under
29 subsection (d) may approve providers to offer certified firearm
30 proficiency courses. A certified firearm proficiency course offered
31 by a provider approved by a certified association or other entity
32 must:
- 33 (1) provide at least forty (40) hours of firearm training; and
34 (2) include training that provides:
35 (A) instruction in firearm proficiency;
36 (B) instruction in weapon retention during a physical
37 altercation;
38 (C) scenario based training;
39 (D) instruction on psychological and medical issues that
40 may arise from use of a firearm in a school setting;
41 (E) instruction on Indiana firearm laws; and
42 (F) instruction in any other area specified by the board.



1 **(f) In addition to certifying one (1) or more associations or other**
 2 **entities to approve providers that provide certified firearm**
 3 **proficiency courses under subsection (e), the board shall certify one**
 4 **(1) or more associations or other entities to approve providers that**
 5 **offer courses or training necessary for a person to meet the annual**
 6 **firearm proficiency training requirements under section 3.5(b)(2)**
 7 **of this chapter.**

8 SECTION 3. IC 10-21-1-3.5 IS ADDED TO THE INDIANA CODE
 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 10 1, 2019]: **Sec. 3.5. (a) A person may apply to an association or other**
 11 **entity certified by the board under section 3 of this chapter, in a**
 12 **manner prescribed by the board, to receive an annual certification**
 13 **to legally possess a firearm in or on school property under**
 14 **IC 35-47-9-1(a)(2).**

15 **(b) An association or other entity certified by the board under**
 16 **section 3 of this chapter may issue an annual certification to a**
 17 **person if the person:**

18 **(1) successfully completes a certified firearm proficiency**
 19 **course described in section 3(e) of this chapter;**

20 **(2) completes at least eight (8) hours of annual continuing**
 21 **education training provided by a provider approved by an**
 22 **association or other entity certified by the board under**
 23 **section 3(f) of this chapter each year after the year the person**
 24 **initially completes the initial certified firearm proficiency**
 25 **course; and**

26 **(3) meets other requirements established by the board.**

27 SECTION 4. IC 10-21-1-4, AS AMENDED BY P.L.30-2014,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2019]: **Sec. 4. (a) The board may award a matching grant**
 30 **under section 3(a)(1) of this chapter** to enable a school corporation
 31 or charter school (or a coalition of schools applying jointly) to establish
 32 a program to employ a school resource officer, provide school resource
 33 officer training described in IC 20-26-18.2-1(b)(2), conduct a threat
 34 assessment, or purchase equipment to restrict access to the school or
 35 expedite the notification of first responders in accordance with section
 36 2(a) of this chapter.

37 **(b) A matching grant awarded to a school corporation or charter**
 38 **school (or a coalition of schools applying jointly) may not exceed the**
 39 **lesser of the following during a two (2) year period beginning on or**
 40 **after May 1, 2013:**

41 **(1) The total cost of the program established by the school**
 42 **corporation or charter school (or the coalition of schools applying**



- 1 jointly).
- 2 (2) The following amounts:
- 3 (A) Fifty thousand dollars (\$50,000) per year, in the case of a
- 4 school corporation or charter school that:
- 5 (i) has an ADM of at least one thousand (1,000); and
- 6 (ii) is not applying jointly with any other school corporation
- 7 or charter school.
- 8 (B) Thirty-five thousand dollars (\$35,000) per year, in the case
- 9 of a school corporation or charter school that:
- 10 (i) has an ADM of less than one thousand (1,000); and
- 11 (ii) is not applying jointly with any other school corporation
- 12 or charter school.
- 13 (C) Fifty thousand dollars (\$50,000) per year, in the case of a
- 14 coalition of schools applying jointly.
- 15 (c) A school corporation or charter school may receive only one (1)
- 16 matching grant under this section each year.
- 17 (d) The board may not award a grant to a school corporation or
- 18 charter school under this chapter unless the school corporation or
- 19 charter school is in a county that has a county school safety
- 20 commission, as described in IC 5-2-10.1-10.
- 21 SECTION 5. IC 10-21-1-5, AS AMENDED BY P.L.211-2018(ss),
- 22 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2019]: Sec. 5. (a) A school corporation or charter school may
- 24 annually apply to the board for a matching grant **under section 3(a)(1)**
- 25 **of this chapter** from the fund for a program described in section 2(a)
- 26 of this chapter.
- 27 (b) The application must include the following:
- 28 (1) A concise description of the school corporation's or charter
- 29 school's security needs.
- 30 (2) The estimated cost of the program to the school corporation or
- 31 charter school.
- 32 (3) The extent to which the school corporation or charter school
- 33 has access to and support from a nearby law enforcement agency,
- 34 if applicable.
- 35 (4) The ADM of the school corporation or charter school (or the
- 36 combined ADM of the coalition of schools applying jointly).
- 37 (5) Any other information required by the board.
- 38 (6) A statement whether the school corporation or charter school
- 39 has completed a local plan and has filed the plan with the county
- 40 school safety commission for the county in which the school
- 41 corporation or charter school is located.
- 42 (7) A statement whether the school corporation or charter school



- 1 (or coalition of public schools applying jointly) requests an
 2 advance under IC 20-49-10 in addition to a matching grant under
 3 this chapter.
- 4 SECTION 6. IC 35-47-9-1, AS AMENDED BY P.L.157-2014,
 5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2019]: Sec. 1. (a) This chapter does not apply to the following:
- 7 (1) A:
- 8 (A) federal;
 9 (B) state; or
 10 (C) local;
 11 law enforcement officer.
- 12 (2) A person who may legally possess a firearm and who has been
 13 authorized by:
- 14 (A) a school board (as defined by IC 20-26-9-4); or
 15 (B) the body that administers a charter school established
 16 under IC 20-24;
 17 to carry a firearm in or on school property. **After December 31,**
 18 **2019, the person must be certified under IC 10-21-1-3.5 to**
 19 **legally possess a firearm under this subdivision.**
- 20 (3) Except as provided in subsection (b) or (c), a person who:
- 21 (A) may legally possess a firearm; and
 22 (B) possesses the firearm in a motor vehicle.
- 23 (4) A person who is a school resource officer, as defined in
 24 IC 20-26-18.2-1.
- 25 (5) Except as provided in subsection (b) or (c), a person who:
- 26 (A) may legally possess a firearm; and
 27 (B) possesses only a firearm that is:
- 28 (i) locked in the trunk of the person's motor vehicle;
 29 (ii) kept in the glove compartment of the person's locked
 30 motor vehicle; or
 31 (iii) stored out of plain sight in the person's locked motor
 32 vehicle.
- 33 (b) For purposes of subsection (a)(3) and (a)(5), a person does not
 34 include a person who is:
- 35 (1) enrolled as a student in any high school except if the person is
 36 a high school student and is a member of a shooting sports team
 37 and the school's principal has approved the person keeping a
 38 firearm concealed in the person's motor vehicle on the days the
 39 person is competing or practicing as a member of a shooting
 40 sports team; or
 41 (2) a former student of the school if the person is no longer
 42 enrolled in the school due to a disciplinary action within the



1 previous twenty-four (24) months.
2 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle
3 does not include a motor vehicle owned, leased, or controlled by a
4 school or school district unless the person who possesses the firearm
5 is authorized by the school or school district to possess a firearm.

