

HOUSE BILL No. 1127

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-3-10; IC 5-2-1-9; IC 11-13-1-3.5; IC 14-16-1-23; IC 31-30-1-4; IC 35-33-1-1; IC 35-47.

Synopsis: Constitutional carry. Repeals the law that requires a person to obtain a license to carry a handgun in Indiana. Provides that a nonresident of Indiana may carry a handgun in Indiana without possessing a license or permit to carry a handgun from the person's state of residence. Allows a member of the: (1) general assembly; (2) general assembly's professional staff; or (3) lobby registration commission; to possess a handgun on the Indiana government center campus if the person is otherwise permitted to possess a handgun. Allows a person who wishes to carry a handgun in another state under a reciprocity agreement entered into by Indiana and the other state to obtain a license to carry a handgun. Beginning July 1, 2022, permits a person not otherwise prohibited from possessing a firearm under state or federal law to possess a firearm on any property that is: (1) affiliated with; (2) operated or managed by; (3) owned by; or (4) leased by; the department of natural resources. Defines certain terms. Makes conforming amendments.

Effective: Upon passage.

Jacob, Nisly, Payne, Jeter

January 4, 2022, read first time and referred to Committee on Public Policy.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1127

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 2-3-10-1, AS ADDED BY P.L.181-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 1. The following definitions apply throughout
4 this chapter:

- 5 (1) "Governing authority" means:
- 6 (A) the speaker of the house of representatives, with respect to
- 7 employees of the house of representatives;
- 8 (B) the president pro tempore of the senate, with respect to
- 9 employees of the senate;
- 10 (C) the legislative council, with respect to employees of the
- 11 legislative services agency; or
- 12 (D) the Indiana lobby registration commission established
- 13 under IC 2-7-1.6-1, with respect to employees of the Indiana
- 14 lobby registration commission.

- 15 (2) "**Indiana government center campus**" means the
- 16 following:
- 17 (A) **The state capitol building.**



- 1 **(B) The Indiana government center-north.**
 2 **(C) The Indiana government center-south.**
 3 **(D) The state library.**
 4 **(E) The Washington Street parking garage.**
 5 **(F) The Senate Avenue parking garage.**
 6 **(G) The Indiana government parking surface lot.**
 7 **(H) The Indiana historical society building and parking lot.**
 8 **(I) The land adjacent to the buildings described in clauses**
 9 **(A) through (H) if owned and controlled by the state.**
 10 (2) **(3)** "Professional staff of the general assembly" means a
 11 permanent employee of the house of representatives, senate,
 12 Indiana lobby registration commission, or legislative services
 13 agency whose primary function is:
 14 (A) assisting members of the general assembly in
 15 communicating with constituents and responding to
 16 constituent concerns;
 17 (B) advising members of the general assembly concerning the
 18 preparation, analysis, fiscal impact, and policy implications of
 19 proposed legislation;
 20 (C) preparing, printing, distributing, editing, or revising
 21 proposed legislation and amendments to proposed legislation;
 22 (D) performing administrative and clerical functions necessary
 23 to the operation of the general assembly, including providing
 24 travel and payroll services;
 25 (E) providing technology support to the general assembly or an
 26 employee of the general assembly; or
 27 (F) carrying out the duties of the Indiana lobby registration
 28 commission.
 29 The term includes officers of the house of representatives and of
 30 the senate, and any person whose primary function is to supervise
 31 a person described in clauses (A) through (E).
 32 SECTION 2. IC 2-3-10-2, AS ADDED BY P.L.181-2017,
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 UPON PASSAGE]: Sec. 2. A member of the general assembly who
 35 (1) ~~possesses a valid Indiana license to carry a handgun; and~~
 36 (2) is otherwise permitted to possess a handgun
 37 has the right to carry a handgun within the state capitol building and on
 38 the property of the ~~state capitol complex.~~ **Indiana government center**
 39 **campus.**
 40 SECTION 3. IC 2-3-10-3, AS ADDED BY P.L.181-2017,
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 UPON PASSAGE]: Sec. 3. (a) Subject to governing authority rules and



1 policies concerning personnel practices, a member of the professional
2 staff of the general assembly who

3 ~~(1) possesses a valid Indiana license to carry a handgun; and~~

4 ~~(2) is otherwise permitted to possess a handgun~~

5 has the right to carry a handgun within the state capitol building and on
6 the property of the ~~state capitol complex.~~ **Indiana government center**
7 **campus.**

8 (b) A member of the Indiana lobby registration commission
9 established under IC 2-7-1.6-1 who

10 ~~(1) possesses a valid Indiana license to carry a handgun; and~~

11 ~~(2) is otherwise permitted to possess a handgun~~

12 has the right to carry a handgun within the state capitol building and on
13 the property of the ~~state capitol complex.~~ **Indiana government center**
14 **campus.**

15 SECTION 4. IC 5-2-1-9, AS AMENDED BY P.L.187-2021,
16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 UPON PASSAGE]: Sec. 9. (a) The board shall adopt in accordance
18 with IC 4-22-2 all necessary rules to carry out the provisions of this
19 chapter. The rules, which shall be adopted only after necessary and
20 proper investigation and inquiry by the board, shall include the
21 establishment of the following:

22 (1) Minimum standards of physical, educational, mental, and
23 moral fitness which shall govern the acceptance of any person for
24 training by any law enforcement training school or academy
25 meeting or exceeding the minimum standards established
26 pursuant to this chapter.

27 (2) Minimum standards for law enforcement training schools
28 administered by towns, cities, counties, law enforcement training
29 centers, agencies, or departments of the state.

30 (3) Minimum standards for courses of study, attendance
31 requirements, equipment, and facilities for approved town, city,
32 county, and state law enforcement officer, police reserve officer,
33 and conservation reserve officer training schools.

34 (4) Minimum standards for a course of study on cultural diversity
35 awareness, including training on the U nonimmigrant visa created
36 through the federal Victims of Trafficking and Violence
37 Protection Act of 2000 (P.L. 106-386) that must be required for
38 each person accepted for training at a law enforcement training
39 school or academy. Cultural diversity awareness study must
40 include an understanding of cultural issues related to race,
41 religion, gender, age, domestic violence, national origin, and
42 physical and mental disabilities.



- 1 (5) Minimum qualifications for instructors at approved law
2 enforcement training schools.
- 3 (6) Minimum basic training requirements which law enforcement
4 officers appointed to probationary terms shall complete before
5 being eligible for continued or permanent employment.
- 6 (7) Minimum basic training requirements which law enforcement
7 officers appointed on other than a permanent basis shall complete
8 in order to be eligible for continued employment or permanent
9 appointment.
- 10 (8) Minimum basic training requirements which law enforcement
11 officers appointed on a permanent basis shall complete in order
12 to be eligible for continued employment.
- 13 (9) Minimum basic training requirements for each person
14 accepted for training at a law enforcement training school or
15 academy that include six (6) hours of training in interacting with:
16 (A) persons with autism, mental illness, addictive disorders,
17 intellectual disabilities, and developmental disabilities;
18 (B) missing endangered adults (as defined in IC 12-7-2-131.3);
19 and
20 (C) persons with Alzheimer's disease or related senile
21 dementia;
- 22 to be provided by persons approved by the secretary of family and
23 social services and the board. The training must include an
24 overview of the crisis intervention teams.
- 25 (10) Minimum standards for a course of study on human and
26 sexual trafficking that must be required for each person accepted
27 for training at a law enforcement training school or academy and
28 for inservice training programs for law enforcement officers. The
29 course must cover the following topics:
30 (A) Examination of the human and sexual trafficking laws (IC
31 35-42-3.5).
32 (B) Identification of human and sexual trafficking.
33 (C) Communicating with traumatized persons.
34 (D) Therapeutically appropriate investigative techniques.
35 (E) Collaboration with federal law enforcement officials.
36 (F) Rights of and protections afforded to victims.
37 (G) Providing documentation that satisfies the Declaration of
38 Law Enforcement Officer for Victim of Trafficking in Persons
39 (Form I-914, Supplement B) requirements established under
40 federal law.
41 (H) The availability of community resources to assist human
42 and sexual trafficking victims.



- 1 (11) Minimum standards for ongoing specialized, intensive, and
 2 integrative training for persons responsible for investigating
 3 sexual assault cases involving adult victims. This training must
 4 include instruction on:
 5 (A) the neurobiology of trauma;
 6 (B) trauma informed interviewing; and
 7 (C) investigative techniques.
- 8 (12) Minimum standards for de-escalation training. De-escalation
 9 training shall be taught as a part of existing use-of-force training
 10 and not as a separate topic.
- 11 (b) A law enforcement officer appointed after July 5, 1972, and
 12 before July 1, 1993, may not enforce the laws or ordinances of the state
 13 or any political subdivision unless the officer has, within one (1) year
 14 from the date of appointment, successfully completed the minimum
 15 basic training requirements established under this chapter by the board.
 16 If a person fails to successfully complete the basic training
 17 requirements within one (1) year from the date of employment, the
 18 officer may not perform any of the duties of a law enforcement officer
 19 involving control or direction of members of the public or exercising
 20 the power of arrest until the officer has successfully completed the
 21 training requirements. This subsection does not apply to any law
 22 enforcement officer appointed before July 6, 1972, or after June 30,
 23 1993.
- 24 (c) Military leave or other authorized leave of absence from law
 25 enforcement duty during the first year of employment after July 6,
 26 1972, shall toll the running of the first year, which shall be calculated
 27 by the aggregate of the time before and after the leave, for the purposes
 28 of this chapter.
- 29 (d) Except as provided in subsections (e), (m), (t), and (u), a law
 30 enforcement officer appointed to a law enforcement department or
 31 agency after June 30, 1993, may not:
 32 (1) make an arrest;
 33 (2) conduct a search or a seizure of a person or property; or
 34 (3) carry a firearm;
 35 unless the law enforcement officer successfully completes, at a board
 36 certified law enforcement academy or at a law enforcement training
 37 center under section 10.5 or 15.2 of this chapter, the basic training
 38 requirements established by the board under this chapter.
- 39 (e) This subsection does not apply to:
 40 (1) a gaming agent employed as a law enforcement officer by the
 41 Indiana gaming commission; or
 42 (2) an:



1 (A) attorney; or
2 (B) investigator;
3 designated by the securities commissioner as a police officer of
4 the state under IC 23-19-6-1(k).
5 Before a law enforcement officer appointed after June 30, 1993,
6 completes the basic training requirements, the law enforcement officer
7 may exercise the police powers described in subsection (d) if the
8 officer successfully completes the pre-basic course established in
9 subsection (f). Successful completion of the pre-basic course authorizes
10 a law enforcement officer to exercise the police powers described in
11 subsection (d) for one (1) year after the date the law enforcement
12 officer is appointed.
13 (f) The board shall adopt rules under IC 4-22-2 to establish a
14 pre-basic course for the purpose of training:
15 (1) law enforcement officers;
16 (2) police reserve officers (as described in IC 36-8-3-20); and
17 (3) conservation reserve officers (as described in IC 14-9-8-27);
18 regarding the subjects of arrest, search and seizure, the lawful use of
19 force, de-escalation training, interacting with individuals with autism,
20 and the operation of an emergency vehicle. The pre-basic course must
21 be offered on a periodic basis throughout the year at regional sites
22 statewide. The pre-basic course must consist of at least forty (40) hours
23 of course work. The board may prepare the classroom part of the
24 pre-basic course using available technology in conjunction with live
25 instruction. The board shall provide the course material, the instructors,
26 and the facilities at the regional sites throughout the state that are used
27 for the pre-basic course. In addition, the board may certify pre-basic
28 courses that may be conducted by other public or private training
29 entities, including postsecondary educational institutions.
30 (g) Subject to subsection (h), the board shall adopt rules under
31 IC 4-22-2 to establish a mandatory inservice training program for
32 police officers and police reserve officers (as described in
33 IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has
34 satisfactorily completed basic training and has been appointed to a law
35 enforcement department or agency on either a full-time or part-time
36 basis is not eligible for continued employment unless the officer
37 satisfactorily completes the mandatory inservice training requirements
38 established by rules adopted by the board. Inservice training must
39 include de-escalation training. Inservice training must also include
40 training in interacting with persons with mental illness, addictive
41 disorders, intellectual disabilities, autism, developmental disabilities,
42 and Alzheimer's disease or related senile dementia, to be provided by



1 persons approved by the secretary of family and social services and the
2 board, and training concerning human and sexual trafficking and high
3 risk missing persons (as defined in IC 5-2-17-1). The board may
4 approve courses offered by other public or private training entities,
5 including postsecondary educational institutions, as necessary in order
6 to ensure the availability of an adequate number of inservice training
7 programs. The board may waive an officer's inservice training
8 requirements if the board determines that the officer's reason for
9 lacking the required amount of inservice training hours is due to either
10 an emergency situation or the unavailability of courses.

11 (h) This subsection applies only to a mandatory inservice training
12 program under subsection (g). Notwithstanding subsection (g), the
13 board may, without adopting rules under IC 4-22-2, modify the course
14 work of a training subject matter, modify the number of hours of
15 training required within a particular subject matter, or add a new
16 subject matter, if the board satisfies the following requirements:

17 (1) The board must conduct at least two (2) public meetings on
18 the proposed modification or addition.

19 (2) After approving the modification or addition at a public
20 meeting, the board must post notice of the modification or
21 addition on the Indiana law enforcement academy's Internet web
22 site at least thirty (30) days before the modification or addition
23 takes effect.

24 If the board does not satisfy the requirements of this subsection, the
25 modification or addition is void. This subsection does not authorize the
26 board to eliminate any inservice training subject matter required under
27 subsection (g).

28 (i) The board shall also adopt rules establishing a town marshal
29 basic training program, subject to the following:

30 (1) The program must require fewer hours of instruction and class
31 attendance and fewer courses of study than are required for the
32 mandated basic training program.

33 (2) Certain parts of the course materials may be studied by a
34 candidate at the candidate's home in order to fulfill requirements
35 of the program.

36 (3) Law enforcement officers successfully completing the
37 requirements of the program are eligible for appointment only in
38 towns employing the town marshal system (IC 36-5-7) and having
39 not more than one (1) marshal and two (2) deputies.

40 (4) The limitation imposed by subdivision (3) does not apply to an
41 officer who has successfully completed the mandated basic
42 training program.



- 1 (5) The time limitations imposed by subsections (b) and (c) for
 2 completing the training are also applicable to the town marshal
 3 basic training program.
- 4 (6) The program must require training in interacting with
 5 individuals with autism.
- 6 (j) The board shall adopt rules under IC 4-22-2 to establish an
 7 executive training program. The executive training program must
 8 include training in the following areas:
- 9 (1) Liability.
 10 (2) Media relations.
 11 (3) Accounting and administration.
 12 (4) Discipline.
 13 (5) Department policy making.
 14 (6) Lawful use of force and de-escalation training.
 15 (7) Department programs.
 16 (8) Emergency vehicle operation.
 17 (9) Cultural diversity.
- 18 (k) A police chief shall apply for admission to the executive training
 19 program within two (2) months of the date the police chief initially
 20 takes office. A police chief must successfully complete the executive
 21 training program within six (6) months of the date the police chief
 22 initially takes office. However, if space in the executive training
 23 program is not available at a time that will allow completion of the
 24 executive training program within six (6) months of the date the police
 25 chief initially takes office, the police chief must successfully complete
 26 the next available executive training program that is offered after the
 27 police chief initially takes office.
- 28 (l) A police chief who fails to comply with subsection (k) may not
 29 continue to serve as the police chief until completion of the executive
 30 training program. For the purposes of this subsection and subsection
 31 (k), "police chief" refers to:
- 32 (1) the police chief of any city;
 33 (2) the police chief of any town having a metropolitan police
 34 department; and
 35 (3) the chief of a consolidated law enforcement department
 36 established under IC 36-3-1-5.1.
- 37 A town marshal is not considered to be a police chief for these
 38 purposes, but a town marshal may enroll in the executive training
 39 program.
- 40 (m) A fire investigator in the department of homeland security
 41 appointed after December 31, 1993, is required to comply with the
 42 basic training standards established under this chapter.



1 (n) The board shall adopt rules under IC 4-22-2 to establish a
 2 program to certify handgun safety courses, including courses offered
 3 in the private sector, that meet standards approved by the board for
 4 training probation officers in handgun safety as required by
 5 ~~IC 11-13-1-3.5(3)~~. **IC 11-13-1-3.5(2)**.

6 (o) The board shall adopt rules under IC 4-22-2 to establish a
 7 refresher course for an officer who:

8 (1) is hired by an Indiana law enforcement department or agency
 9 as a law enforcement officer;

10 (2) has not been employed as a law enforcement officer for:

11 (A) at least two (2) years; and

12 (B) less than six (6) years before the officer is hired under
 13 subdivision (1); and

14 (3) completed at any time a basic training course certified or
 15 recognized by the board before the officer is hired under
 16 subdivision (1).

17 (p) An officer to whom subsection (o) applies must successfully
 18 complete the refresher course described in subsection (o) not later than
 19 six (6) months after the officer's date of hire, or the officer loses the
 20 officer's powers of:

21 (1) arrest;

22 (2) search; and

23 (3) seizure.

24 (q) The board shall adopt rules under IC 4-22-2 to establish a
 25 refresher course for an officer who:

26 (1) is appointed by an Indiana law enforcement department or
 27 agency as a reserve police officer; and

28 (2) has not worked as a reserve police officer for at least two (2)
 29 years after:

30 (A) completing the pre-basic course; or

31 (B) leaving the individual's last appointment as a reserve
 32 police officer.

33 An officer to whom this subsection applies must successfully complete
 34 the refresher course established by the board in order to work as a
 35 reserve police officer.

36 (r) This subsection applies to an individual who, at the time the
 37 individual completes a board certified or recognized basic training
 38 course, has not been appointed as a law enforcement officer by an
 39 Indiana law enforcement department or agency. If the individual is not
 40 employed as a law enforcement officer for at least two (2) years after
 41 completing the basic training course, the individual must successfully
 42 retake and complete the basic training course as set forth in subsection



1 (d).

2 (s) The board shall adopt rules under IC 4-22-2 to establish a
3 refresher course for an individual who:

4 (1) is appointed as a board certified instructor of law enforcement
5 training; and

6 (2) has not provided law enforcement training instruction for
7 more than one (1) year after the date the individual's instructor
8 certification expired.

9 An individual to whom this subsection applies must successfully
10 complete the refresher course established by the board in order to
11 renew the individual's instructor certification.

12 (t) This subsection applies only to a gaming agent employed as a
13 law enforcement officer by the Indiana gaming commission. A gaming
14 agent appointed after June 30, 2005, may exercise the police powers
15 described in subsection (d) if:

16 (1) the agent successfully completes the pre-basic course
17 established in subsection (f); and

18 (2) the agent successfully completes any other training courses
19 established by the Indiana gaming commission in conjunction
20 with the board.

21 (u) This subsection applies only to a securities enforcement officer
22 designated as a law enforcement officer by the securities
23 commissioner. A securities enforcement officer may exercise the police
24 powers described in subsection (d) if:

25 (1) the securities enforcement officer successfully completes the
26 pre-basic course established in subsection (f); and

27 (2) the securities enforcement officer successfully completes any
28 other training courses established by the securities commissioner
29 in conjunction with the board.

30 (v) As used in this section, "upper level policymaking position"
31 refers to the following:

32 (1) If the authorized size of the department or town marshal
33 system is not more than ten (10) members, the term refers to the
34 position held by the police chief or town marshal.

35 (2) If the authorized size of the department or town marshal
36 system is more than ten (10) members but less than fifty-one (51)
37 members, the term refers to:

38 (A) the position held by the police chief or town marshal; and

39 (B) each position held by the members of the police
40 department or town marshal system in the next rank and pay
41 grade immediately below the police chief or town marshal.

42 (3) If the authorized size of the department or town marshal



1 system is more than fifty (50) members, the term refers to:

2 (A) the position held by the police chief or town marshal; and

3 (B) each position held by the members of the police
4 department or town marshal system in the next two (2) ranks
5 and pay grades immediately below the police chief or town
6 marshal.

7 (w) This subsection applies only to a correctional police officer
8 employed by the department of correction. A correctional police officer
9 may exercise the police powers described in subsection (d) if:

10 (1) the officer successfully completes the pre-basic course
11 described in subsection (f); and

12 (2) the officer successfully completes any other training courses
13 established by the department of correction in conjunction with
14 the board.

15 (x) This subsection applies only to the sexual assault training
16 described in subsection (a)(11). The board shall:

17 (1) consult with experts on the neurobiology of trauma, trauma
18 informed interviewing, and investigative techniques in developing
19 the sexual assault training; and

20 (2) develop the sexual assault training and begin offering the
21 training not later than July 1, 2022.

22 (y) After July 1, 2023, a law enforcement officer who regularly
23 investigates sexual assaults involving adult victims must complete the
24 training requirements described in subsection (a)(11) within one (1)
25 year of being assigned to regularly investigate sexual assaults involving
26 adult victims.

27 (z) A law enforcement officer who regularly investigates sexual
28 assaults involving adult victims may complete the training
29 requirements described in subsection (a)(11) by attending a:

30 (1) statewide or national training; or

31 (2) department hosted local training.

32 (aa) Notwithstanding any other provisions of this section, the board
33 is authorized to establish certain required standards of training and
34 procedure.

35 SECTION 5. IC 11-13-1-3.5, AS AMENDED BY P.L.4-2017,
36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 UPON PASSAGE]: Sec. 3.5. A probation officer may not carry a
38 handgun as described in ~~IC 35-47-2-1~~ **in any vehicle or on or about**
39 **the probation officer's body** while acting in the scope of employment
40 as a probation officer unless all of the following conditions are met:

41 (1) The appointing court enters an order authorizing the probation
42 officer to carry the handgun while on duty.



1 (2) The probation officer is issued a license to carry the handgun
2 under IC 35-47-2.

3 (3) (2) The probation officer successfully completes a handgun
4 safety course certified by the law enforcement training board
5 under IC 5-2-1-9(n).

6 SECTION 6. IC 14-16-1-23, AS AMENDED BY P.L.35-2011,
7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: Sec. 23. (a) An individual shall not operate a
9 vehicle under any of the following conditions:

10 (1) At a rate of speed greater than is reasonable and proper having
11 due regard for existing conditions or in a manner that
12 unnecessarily endangers the person or property of another.

13 (2) While:

14 (A) under the influence of an alcoholic beverage; or

15 (B) unlawfully under the influence of a narcotic or other habit
16 forming or dangerous depressant or stimulant drug.

17 (3) During the hours from thirty (30) minutes after sunset to thirty
18 (30) minutes before sunrise without displaying a lighted headlight
19 and a lighted taillight.

20 (4) In a forest nursery, a planting area, or public land posted or
21 reasonably identified as an area of forest or plant reproduction
22 and when growing stock may be damaged.

23 (5) On the frozen surface of public waters within:

24 (A) one hundred (100) feet of an individual not in or upon a
25 vehicle; or

26 (B) one hundred (100) feet of a fishing shanty or shelter;
27 except at a speed of not more than five (5) miles per hour.

28 (6) Unless the vehicle is equipped with a muffler in good working
29 order and in constant operation to prevent excessive or unusual
30 noise and annoying smoke.

31 (7) Within one hundred (100) feet of a dwelling between midnight
32 and 6:00 a.m., except on the individual's own property or property
33 under the individual's control or as an invited guest.

34 (8) On any property without the consent of the landowner or
35 tenant.

36 (9) While transporting on or in the vehicle a firearm, unless the
37 firearm is:

38 (A) unloaded; and

39 (B) securely encased or equipped with and made inoperative
40 by a manufactured keylocked trigger housing mechanism.

41 (10) On or across a cemetery or burial ground.

42 (11) Within one hundred (100) feet of a slide, ski, or skating area,



1 except for the purpose of servicing the area.

2 (12) On a railroad track or railroad right-of-way, except railroad
3 personnel in the performance of duties.

4 (13) In or upon a flowing river, stream, or creek, except for the
5 purpose of crossing by the shortest possible route, unless the
6 river, stream, or creek is of sufficient water depth to permit
7 movement by flotation of the vehicle at all times.

8 (14) An individual shall not operate a vehicle while a bow is
9 present in or on the vehicle if the nock of an arrow is in position
10 on the string of the bow.

11 (b) Subsection (a)(9) does not apply to a person who is carrying a
12 firearm:

13 (1) if

14 ~~(A) the firearm is a handgun; and~~

15 ~~(B) the person has been issued an unlimited handgun license~~
16 ~~to carry a handgun under IC 35-47-2;~~

17 (2) if

18 ~~(A) the firearm is a handgun; and~~

19 ~~(B) the person is not required to possess a license to carry a~~
20 ~~handgun under IC 35-47-2-2; or~~

21 (3) if the person carrying the firearm is operating the vehicle on
22 property that the person:

23 (A) owns;

24 (B) has a contractual interest in;

25 (C) otherwise legally possesses; or

26 (D) has permission from a person described in clauses (A)
27 through (C) to possess a firearm on.

28 SECTION 7. IC 31-30-1-4, AS AMENDED BY P.L.28-2016,
29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 UPON PASSAGE]: Sec. 4. (a) The juvenile court does not have
31 jurisdiction over an individual for an alleged violation of:

32 (1) IC 35-41-5-1(a) (attempted murder);

33 (2) IC 35-42-1-1 (murder);

34 (3) IC 35-42-3-2 (kidnapping);

35 (4) IC 35-42-4-1 (rape);

36 (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);

37 (6) IC 35-42-5-1 (robbery) if:

38 (A) the robbery was committed while armed with a deadly
39 weapon; or

40 (B) the robbery results in bodily injury or serious bodily
41 injury;

42 (7) IC 35-42-5-2 (carjacking) (before its repeal);



1 ~~(8) IC 35-47-2-1 (carrying a handgun without a license); if~~
 2 ~~charged as a felony;~~
 3 ~~(9) (8) IC 35-47-10 (children and firearms), if charged as a felony;~~
 4 or
 5 ~~(10) (9) any offense that may be joined under IC 35-34-1-9(a)(2)~~
 6 with any crime listed in this subsection;
 7 if the individual was at least sixteen (16) years of age but less than
 8 eighteen (18) years of age at the time of the alleged violation.

9 (b) Once an individual described in subsection (a) has been charged
 10 with any offense listed in subsection (a), the court having adult
 11 criminal jurisdiction shall retain jurisdiction over the case if the
 12 individual pleads guilty to or is convicted of any offense listed in
 13 subsection (a)(1) through ~~(a)(9)~~: **(a)(8)**.

14 (c) If:
 15 (1) an individual described in subsection (a) is charged with one
 16 (1) or more offenses listed in subsection (a);
 17 (2) all the charges under subsection (a)(1) through ~~(a)(9)~~ **(a)(8)**
 18 resulted in an acquittal or were dismissed; and
 19 (3) the individual pleads guilty to or is convicted of any offense
 20 other than an offense listed in subsection (a)(1) through ~~(a)(9)~~;
 21 **(a)(8)**;

22 the court having adult criminal jurisdiction may withhold judgment and
 23 transfer jurisdiction to the juvenile court for adjudication and
 24 disposition. In determining whether to transfer jurisdiction to the
 25 juvenile court for adjudication and disposition, the court having adult
 26 criminal jurisdiction shall consider whether there are appropriate
 27 services available in the juvenile justice system, whether the child is
 28 amenable to rehabilitation under the juvenile justice system, and
 29 whether it is in the best interests of the safety and welfare of the
 30 community that the child be transferred to juvenile court. All orders
 31 concerning release conditions remain in effect until a juvenile court
 32 detention hearing, which must be held not later than forty-eight (48)
 33 hours, excluding Saturdays, Sundays, and legal holidays, after the order
 34 of transfer of jurisdiction.

35 SECTION 8. IC 35-33-1-1, AS AMENDED BY P.L.65-2016,
 36 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 UPON PASSAGE]: Sec. 1. (a) A law enforcement officer may arrest
 38 a person when the officer has:

39 (1) a warrant commanding that the person be arrested;
 40 (2) probable cause to believe the person has committed or
 41 attempted to commit, or is committing or attempting to commit,
 42 a felony;



1 (3) probable cause to believe the person has violated the
 2 provisions of IC 9-26-1-1.1 or IC 9-30-5;

3 (4) probable cause to believe the person is committing or
 4 attempting to commit a misdemeanor in the officer's presence;

5 (5) probable cause to believe the person has committed a:

6 (A) battery resulting in bodily injury under IC 35-42-2-1; or

7 (B) domestic battery under IC 35-42-2-1.3.

8 The officer may use an affidavit executed by an individual alleged
 9 to have direct knowledge of the incident alleging the elements of
 10 the offense of battery to establish probable cause;

11 (6) probable cause to believe that the person violated
 12 IC 35-46-1-15.1 (invasion of privacy) or IC 35-46-1-15.3;

13 (7) probable cause to believe that the person violated
 14 ~~IC 35-47-2-1 (carrying a handgun without a license)~~ or
 15 IC 35-47-2-22 (counterfeit handgun license);

16 (8) probable cause to believe that the person is violating or has
 17 violated an order issued under IC 35-50-7;

18 (9) probable cause to believe that the person is violating or has
 19 violated IC 35-47-6-1.1 (undisclosed transport of a dangerous
 20 device);

21 (10) probable cause to believe that the person is:

22 (A) violating or has violated IC 35-45-2-5 (interference with
 23 the reporting of a crime); and

24 (B) interfering with or preventing the reporting of a crime
 25 involving domestic or family violence (as defined in
 26 IC 34-6-2-34.5);

27 (11) probable cause to believe that the person has committed theft
 28 (IC 35-43-4-2);

29 (12) a removal order issued for the person by an immigration
 30 court;

31 (13) a detainer or notice of action for the person issued by the
 32 United States Department of Homeland Security; or

33 (14) probable cause to believe that the person has been indicted
 34 for or convicted of one (1) or more aggravated felonies (as
 35 defined in 8 U.S.C. 1101(a)(43)).

36 (b) A person who:

37 (1) is employed full time as a federal enforcement officer;

38 (2) is empowered to effect an arrest with or without warrant for a
 39 violation of the United States Code; and

40 (3) is authorized to carry firearms in the performance of the
 41 person's duties;

42 may act as an officer for the arrest of offenders against the laws of this



1 state where the person reasonably believes that a felony has been or is
2 about to be committed or attempted in the person's presence.

3 SECTION 9. IC 35-47-2-0.5 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: **Sec. 0.5. This chapter may not be construed:**

6 **(1) to prohibit a person who owns, leases, rents, or otherwise**
7 **legally controls private property from regulating or**
8 **prohibiting the possession of firearms on the private**
9 **property;**

10 **(2) to allow a person to adopt or enforce an ordinance,**
11 **resolution, policy, or rule that:**

12 **(A) prohibits; or**

13 **(B) has the effect of prohibiting;**

14 **an employee of the person from possessing a firearm or**
15 **ammunition that is locked in the trunk of the employee's**
16 **vehicle, kept in the glove compartment of the employee's**
17 **locked vehicle, or stored out of plain sight in the employee's**
18 **locked vehicle, unless the person's adoption or enforcement of**
19 **the ordinance, resolution, policy, or rule is allowed under**
20 **IC 34-28-7-2(b); or**

21 **(3) to allow a person to adopt or enforce a law, statute,**
22 **ordinance, resolution, policy, or rule that allows a person to**
23 **possess or transport a firearm or ammunition if the person is**
24 **prohibited from possessing or transporting the firearm or**
25 **ammunition by state or federal law.**

26 SECTION 10. IC 35-47-2-1, AS AMENDED BY P.L.221-2017,
27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 UPON PASSAGE]: **Sec. 1. (a) Except as provided in subsections (b)**
29 **and (c) and sections 2 through 2.1 of this chapter, a person shall not**
30 **carry a handgun in any vehicle or on or about the person's body without**
31 **being licensed under this chapter to carry a handgun.**

32 **(b) Except as provided in subsection (c), a person may carry a**
33 **handgun without being licensed under this chapter to carry a handgun**
34 **if:**

35 **(1) the person carries the handgun on or about the person's body**
36 **in or on property that is owned, leased, rented, or otherwise**
37 **legally controlled by the person;**

38 **(2) the person carries the handgun on or about the person's body**
39 **while lawfully present in or on property that is owned, leased,**
40 **rented, or otherwise legally controlled by another person, if the**
41 **person:**

42 **(A) has the consent of the owner, renter, lessor, or person who**



- 1 legally controls the property to have the handgun on the
2 premises;
- 3 (B) is attending a firearms related event on the property;
4 including a gun show, firearms expo, gun owner's club or
5 convention, hunting club, shooting club, or training course; or
6 (C) is on the property to receive firearms related services;
7 including the repair, maintenance, or modification of a
8 firearm;
- 9 (3) the person carries the handgun in a vehicle that is owned;
10 leased, rented, or otherwise legally controlled by the person; if the
11 handgun is:
- 12 (A) unloaded;
- 13 (B) not readily accessible; and
- 14 (C) secured in a case;
- 15 (4) the person carries the handgun while lawfully present in a
16 vehicle that is owned, leased, rented, or otherwise legally
17 controlled by another person; if the handgun is:
- 18 (A) unloaded;
- 19 (B) not readily accessible; and
- 20 (C) secured in a case;
- 21 (5) the person carries the handgun:
- 22 (A) at a shooting range (as defined in IC 14-22-31.5-3);
- 23 (B) while attending a firearms instructional course; or
- 24 (C) while engaged in a legal hunting activity; or
- 25 (6) the person is permitted to carry a handgun without a license
26 under section 2.1 of this chapter (persons protected by a
27 protection order).
- 28 (e) (a) Unless the person's right to possess a firearm has been
29 restored under IC 35-47-4-7, a person who has been convicted of
30 domestic battery under IC 35-42-2-1.3 may not possess or carry a
31 handgun.
- 32 (d) This section may not be construed:
- 33 (1) to prohibit a person who owns, leases, rents, or otherwise
34 legally controls private property from regulating or prohibiting the
35 possession of firearms on the private property;
- 36 (2) to allow a person to adopt or enforce an ordinance, resolution,
37 policy, or rule that:
- 38 (A) prohibits; or
- 39 (B) has the effect of prohibiting;
- 40 an employee of the person from possessing a firearm or
41 ammunition that is locked in the trunk of the employee's vehicle;
42 kept in the glove compartment of the employee's locked vehicle;



1 or stored out of plain sight in the employee's locked vehicle;
 2 unless the person's adoption or enforcement of the ordinance;
 3 resolution, policy, or rule is allowed under IC 34-28-7-2(b); or
 4 (3) to allow a person to adopt or enforce a law, statute, ordinance,
 5 resolution, policy, or rule that allows a person to possess or
 6 transport a firearm or ammunition if the person is prohibited from
 7 possessing or transporting the firearm or ammunition by state or
 8 federal law.

9 (e) (b) A person who knowingly or intentionally violates this section
 10 commits a Class A misdemeanor. However, the offense is a Level 5
 11 felony:

12 (1) if the offense is committed:

13 (A) on or in school property;

14 (B) within five hundred (500) feet of school property; or

15 (C) on a school bus; or

16 (2) if the person:

17 (A) has a prior conviction of **any the** offense under

18 (i) this section; or

19 (ii) ~~section 22 of this chapter~~; or

20 (B) has been convicted of a felony within fifteen (15) years
 21 before the date of the offense.

22 SECTION 11. IC 35-47-2-2.1 IS REPEALED [EFFECTIVE UPON
 23 PASSAGE]. Sec. 2.1. (a) As used in this section, "protection order"
 24 means a civil protection order issued under IC 34-26-5.

25 (b) A person may carry a handgun without a license if the person:

26 (1) has applied for a license to carry a handgun as described in
 27 IC 35-47-2-3;

28 (2) is protected by a protection order;

29 (3) is at least eighteen (18) years of age; and

30 (4) is not otherwise barred by state or federal law from possessing
 31 a handgun;

32 during the period described in subsection (c):

33 (c) A person described in subsection (b) may carry a handgun
 34 without a license for a period ending sixty (60) days after the date the
 35 protection order is issued.

36 SECTION 12. IC 35-47-2-3, AS AMENDED BY P.L.165-2021,
 37 SECTION 196, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A person desiring a
 39 license to carry a handgun shall apply: **who is not prohibited from**
 40 **carrying or possessing a firearm under state or federal law is not**
 41 **required to obtain or possess a license from the state of Indiana in**
 42 **order to carry a handgun in Indiana. A nonresident of Indiana is**



1 **not required to possess a license or permit to carry a handgun from**
 2 **the person's state of residence in order to carry a handgun in**
 3 **Indiana. A resident of this state who wishes to carry a handgun in**
 4 **another state under a reciprocity agreement entered into by this**
 5 **state and another state may obtain a license to carry a handgun**
 6 **under this chapter by applying:**

- 7 (1) to the chief of police or corresponding law enforcement officer
 8 of the municipality in which the applicant resides;
 9 (2) if that municipality has no such officer, or if the applicant does
 10 not reside in a municipality, to the sheriff of the county in which
 11 the applicant resides after the applicant has obtained an
 12 application form prescribed by the superintendent; or
 13 (3) if the applicant is a resident of another state and has a regular
 14 place of business or employment in Indiana, to the sheriff of the
 15 county in which the applicant has a regular place of business or
 16 employment.

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

21 (b) This subsection applies before July 1, 2020. The law
 22 enforcement agency which accepts an application for a handgun license
 23 shall collect the following application fees:

- 24 (1) From a person applying for a four (4) year handgun license, a
 25 ten dollar (\$10) application fee, five dollars (\$5) of which shall be
 26 refunded if the license is not issued.
 27 (2) From a person applying for a lifetime handgun license who
 28 does not currently possess a valid Indiana handgun license, a fifty
 29 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
 30 refunded if the license is not issued.
 31 (3) From a person applying for a lifetime handgun license who
 32 currently possesses a valid Indiana handgun license, a forty dollar
 33 (\$40) application fee, thirty dollars (\$30) of which shall be
 34 refunded if the license is not issued.

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



1 collected under this subsection.

2 (c) This subsection applies after June 30, 2020, and before July 1,
3 2021. The law enforcement agency which accepts an application for a
4 handgun license shall not collect a fee from a person applying for a five
5 (5) year handgun license and shall collect the following application
6 fees:

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

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

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

24 (d) This subsection applies after June 30, 2021. The law
25 enforcement agency which accepts an application for a handgun license
26 shall not collect a fee from a person applying for a handgun license.

27 (e) The officer to whom the application is made shall ascertain the
28 applicant's name, full address, length of residence in the community,
29 whether the applicant's residence is located within the limits of any city
30 or town, the applicant's occupation, place of business or employment,
31 criminal record, if any, and convictions (minor traffic offenses
32 excepted), age, race, sex, nationality, date of birth, citizenship, height,
33 weight, build, color of hair, color of eyes, scars and marks, whether the
34 applicant has previously held an Indiana license to carry a handgun
35 and, if so, the serial number of the license and year issued, whether the
36 applicant's license has ever been suspended or revoked, and if so, the
37 year and reason for the suspension or revocation, and the applicant's
38 reason for desiring a license. If the applicant is not a United States
39 citizen, the officer to whom the application is made shall ascertain the
40 applicant's country of citizenship, place of birth, and any alien or
41 admission number issued by the United States Citizenship and
42 Immigration Services or United States Customs and Border Protection



1 or any successor agency as applicable. The officer to whom the
 2 application is made shall conduct an investigation into the applicant's
 3 official records and verify thereby the applicant's character and
 4 reputation, and shall in addition verify for accuracy the information
 5 contained in the application, and shall forward this information
 6 together with the officer's recommendation for approval or disapproval
 7 and one (1) set of legible and classifiable fingerprints of the applicant
 8 to the superintendent. An investigation conducted under this section
 9 must include the consulting of available local, state, and federal
 10 criminal history data banks, including the National Instant Criminal
 11 Background Check System (NICS), to determine whether possession
 12 of a firearm by an applicant would be a violation of state or federal law.

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

19 (g) If it appears to the superintendent that the applicant:

- 20 (1) has a proper reason for carrying a handgun;
- 21 (2) is of good character and reputation;
- 22 (3) is a proper person to be licensed; and
- 23 (4) is:

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

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

27 the superintendent shall issue to the applicant a qualified or an
 28 unlimited license to carry any handgun lawfully possessed by the
 29 applicant. The original license shall be delivered to the licensee. A
 30 copy shall be delivered to the officer to whom the application for
 31 license was made. A copy shall be retained by the superintendent for
 32 at least five (5) years in the case of a five (5) year license. The
 33 superintendent may adopt guidelines to establish a records retention
 34 policy for a lifetime license. A five (5) year license shall be valid for a
 35 period of five (5) years from the date of issue. A lifetime license is
 36 valid for the life of the individual receiving the license. The license of
 37 police officers, sheriffs or their deputies, and law enforcement officers
 38 of the United States government who have twenty (20) or more years
 39 of service shall be valid for the life of these individuals. However, a
 40 lifetime license is automatically revoked if the license holder does not
 41 remain a proper person.

42 (h) At the time a license is issued and delivered to a licensee under



1 subsection (g), the superintendent shall include with the license
2 information concerning handgun safety rules that:

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

5 (2) is:

6 (A) recommended by a nonprofit educational organization that
7 is dedicated to providing education on safe handling and use
8 of firearms;

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

10 (C) approved by the superintendent.

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

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

19 (1) has been convicted of a felony;

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

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

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

26 (5) has been arrested for a Class A or Class B felony for an
27 offense committed before July 1, 2014, for a Level 1, Level 2,
28 Level 3, or Level 4 felony for an offense committed after June 30,
29 2014, or any other felony that was committed while armed with
30 a deadly weapon or that involved the use of violence, if a court
31 has found probable cause to believe that the person committed the
32 offense charged; or

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

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

40 (j) If the law enforcement agency that charges a fee under
41 subsection (b) or (c) is a city or town law enforcement agency, the fee
42 shall be deposited in the law enforcement continuing education fund



1 established under IC 5-2-8-2.

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

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

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

16 (l) The state police shall indicate on the form for a license to carry
17 a handgun the notification requirements of subsection (k).

18 (m) The state police department shall adopt rules under IC 4-22-2
19 to

- 20 (†) implement an electronic application system under subsection
21 (a). ~~and~~
22 (‡) expedite the processing of an application made by a person
23 described in section 2-1(b) of this chapter.

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

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

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

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

35 a license to carry a handgun.

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

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

41 a license to carry a handgun issued under this chapter.

42 (3) The name, address, and any other information that may be



- 1 used to identify a person who holds a license to carry a handgun
 2 issued under this chapter.
- 3 (o) Notwithstanding subsection (n):
- 4 (1) any information concerning an applicant for or a person who
 5 holds a license to carry a handgun issued under this chapter may
 6 be released to a federal, state, or local government entity:
- 7 (A) for law enforcement purposes; or
 8 (B) to determine the validity of a license to carry a handgun;
 9 and
- 10 (2) general information concerning the issuance of licenses to
 11 carry handguns in Indiana may be released to a person conducting
 12 journalistic or academic research, but only if all personal
 13 information that could disclose the identity of any person who
 14 holds a license to carry a handgun issued under this chapter has
 15 been removed from the general information.
- 16 (p) A person who knowingly or intentionally violates this section
 17 commits a Class B misdemeanor.
- 18 SECTION 13. IC 35-47-2-24 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) In an
 20 information or indictment brought for the enforcement of any provision
 21 of this chapter, it is not necessary to negate any exemption specified
 22 under this chapter. ~~or to allege the absence of a license required under~~
 23 ~~this chapter.~~ The burden of proof is on the defendant to prove ~~that he~~
 24 ~~is exempt an exemption~~ under section 2 of this chapter. ~~or that he has~~
 25 ~~a license as required under this chapter.~~
- 26 (b) Whenever a person who has been arrested or charged with a
 27 violation of section 1 of this chapter ~~presents a valid license to the~~
 28 ~~prosecuting attorney or establishes that he is exempt an exemption~~
 29 under section 2 of this chapter, any prosecution for a violation of
 30 section 1 of this chapter shall be dismissed immediately, and all
 31 records of an arrest or proceedings following arrest shall be destroyed
 32 immediately.
- 33 SECTION 14. IC 35-47-2.5-1, AS AMENDED BY P.L.152-2014,
 34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 UPON PASSAGE]: Sec. 1. (a) Sections 2 through 5 of this chapter do
 36 not apply to the following:
- 37 (1) Transactions between persons who are licensed as firearms
 38 importers or collectors or firearms manufacturers or dealers under
 39 18 U.S.C. 923.
- 40 (2) Purchases by or sales to a law enforcement officer or agent of
 41 the United States, the state, or a county or local government.
- 42 (3) Indiana residents ~~licensed to carry handguns under~~



1 ~~IC 35-47-2-3~~. **who possess a license to carry a handgun.**

2 (b) Notwithstanding any other provision of this chapter, the state
3 shall participate in the NICS if federal funds are available to assist the
4 state in participating in the NICS. If:

5 (1) the state participates in the NICS; and

6 (2) there is a conflict between:

7 (A) a provision of this chapter; and

8 (B) a procedure required under the NICS;

9 the procedure required under the NICS prevails over the conflicting
10 provision of this chapter.

11 SECTION 15. IC 35-47-11.1-4, AS AMENDED BY P.L.147-2014,
12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 UPON PASSAGE]: Sec. 4. This chapter may not be construed to
14 prevent any of the following:

15 (1) A law enforcement agency of a political subdivision from
16 enacting and enforcing regulations pertaining to firearms,
17 ammunition, or firearm accessories issued to or used by law
18 enforcement officers in the course of their official duties.

19 (2) Subject to IC 34-28-7-2, an employer from regulating or
20 prohibiting the employees of the employer from carrying firearms
21 and ammunition in the course of the employee's official duties.

22 (3) A court or administrative law judge from hearing and
23 resolving any case or controversy or issuing any opinion or order
24 on a matter within the jurisdiction of the court or judge.

25 (4) The enactment or enforcement of generally applicable zoning
26 or business ordinances that apply to firearms businesses to the
27 same degree as other similar businesses. However, a provision of
28 an ordinance that is designed or enforced to effectively restrict or
29 prohibit the sale, purchase, transfer, manufacture, or display of
30 firearms, ammunition, or firearm accessories that is otherwise
31 lawful under the laws of this state is void. A unit (as defined in
32 IC 36-1-2-23) may not use the unit's planning and zoning powers
33 under IC 36-7-4 to prohibit the sale of firearms within a
34 prescribed distance of any other type of commercial property or
35 of school property or other educational property.

36 (5) Subject to IC 35-47-16-1, the enactment or enforcement of a
37 provision prohibiting or restricting the possession of a firearm in
38 any building that contains the courtroom of a circuit, superior,
39 city, town, or small claims court. However, if a portion of the
40 building is occupied by a residential tenant or private business,
41 any provision restricting or prohibiting the possession of a firearm
42 does not apply to the portion of the building that is occupied by



- 1 the residential tenant or private business, or to common areas of
 2 the building used by a residential tenant or private business.
- 3 (6) The enactment or enforcement of a provision prohibiting or
 4 restricting the intentional display of a firearm at a public meeting.
- 5 (7) The enactment or enforcement of a provision prohibiting or
 6 restricting the possession of a firearm in a public hospital
 7 corporation that contains a secure correctional health unit that is
 8 staffed by a law enforcement officer twenty-four (24) hours a day.
- 9 (8) The imposition of any restriction or condition placed on a
 10 person participating in:
- 11 (A) a community corrections program (IC 11-12-1);
 12 (B) a forensic diversion program (IC 11-12-3.7); or
 13 (C) a pretrial diversion program (IC 33-39-1).
- 14 (9) The enforcement or prosecution of the offense of criminal
 15 recklessness (IC 35-42-2-2) involving the use of a firearm.
- 16 (10) For an event occurring on property leased from a political
 17 subdivision or municipal corporation by the promoter or organizer
 18 of the event:
- 19 (A) the establishment, by the promoter or organizer, at the
 20 promoter's or organizer's own discretion, of rules of conduct or
 21 admission upon which attendance at or participation in the
 22 event is conditioned; or
 23 (B) the implementation or enforcement of the rules of conduct
 24 or admission described in clause (A) by a political subdivision
 25 or municipal corporation in connection with the event.
- 26 (11) The enactment or enforcement of a provision prohibiting or
 27 restricting the possession of a firearm in a hospital established
 28 and operated under IC 16-22-2 or IC 16-23.
- 29 (12) A unit from using the unit's planning and zoning powers
 30 under IC 36-7-4 to prohibit the sale of firearms within two
 31 hundred (200) feet of a school by a person having a business that
 32 did not sell firearms within two hundred (200) feet of a school
 33 before April 1, 1994.
- 34 (13) Subject to IC 35-47-16-1, a unit (as defined in IC 36-1-2-23)
 35 from enacting or enforcing a provision prohibiting or restricting
 36 the possession of a firearm in a building owned or administered
 37 by the unit if:
- 38 (A) metal detection devices are located at each public entrance
 39 to the building;
- 40 (B) each public entrance to the building is staffed by at least
 41 one (1) law enforcement officer:
- 42 (i) who has been adequately trained to conduct inspections



1 of persons entering the building by use of metal detection
 2 devices and proper physical pat down searches; and
 3 (ii) when the building is open to the public; and
 4 (C) each:
 5 (i) individual who enters the building through the public
 6 entrance when the building is open to the public; and
 7 (ii) bag, package, and other container carried by the
 8 individual;
 9 is inspected by a law enforcement officer described in clause
 10 (B).

11 However, except as provided in subdivision (5) concerning a
 12 building that contains a courtroom, a unit may not prohibit or
 13 restrict the possession of a handgun under this subdivision in a
 14 building owned or administered by the unit if the person who
 15 possesses the handgun ~~has been issued a valid license to carry the~~
 16 ~~handgun under IC 35-47-2. is not otherwise prohibited by law~~
 17 **from possessing the handgun.**

18 SECTION 16. IC 35-47-11.1-4.1 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE UPON PASSAGE]: **Sec. 4.1. (a) As used in this section,**
 21 **"department" means the Indiana department of natural resources.**

22 **(b) A person not otherwise prohibited from carrying or**
 23 **possessing a firearm under federal or state law is permitted**
 24 **beginning July 1, 2022, to carry or possess, without restriction, a**
 25 **firearm on any property:**

- 26 (1) affiliated with;
 27 (2) operated or managed by;
 28 (3) owned by; or
 29 (4) leased by;

30 **the department.**

31 **(c) A rule adopted by the department that conflicts with**
 32 **subsection (b) after June 30, 2022, is void.**

33 **(d) Before July 1, 2022, the department shall adopt emergency**
 34 **rules in the manner provided under IC 4-22-2-37.1 to implement**
 35 **this section and to ensure that 312 IAC 8-2-3 conforms with**
 36 **subsection (b). An emergency rule adopted by the department**
 37 **under this subsection expires on the earlier of the following:**

- 38 (1) The date the emergency rule is amended or repealed by a
 39 later rule adopted under IC 4-22-2-24 through IC 4-22-2-36.
 40 (2) July 2, 2023.

41 **(e) The department shall adopt rules under IC 4-22-2 that**
 42 **conform to subsection (b) not later than July 1, 2023.**



1 **SECTION 17. An emergency is declared for this act.**

