



March 10, 2017

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# ENGROSSED HOUSE BILL No. 1095

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DIGEST OF HB 1095 (Updated March 8, 2017 10:53 am - DI 106)

**Citations Affected:** IC 35-31.5; IC 35-47.

**Synopsis:** Plastic-coated ammunition. Defines "armor-piercing ammunition", and prohibits certain persons from possessing, manufacturing, selling, or delivering armor piercing ammunition. Repeals a superseded provision concerning armor piercing handgun ammunition.

**Effective:** July 1, 2017.

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## Burton, Lucas, Eberhart, Goodin

(SENATE SPONSORS — BRAY, TOMES)

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January 5, 2017, read first time and referred to Committee on Public Policy.  
February 2, 2017, reported — Do Pass.  
February 6, 2017, read second time, ordered engrossed. Engrossed.  
February 7, 2017, read third time, passed. Yeas 95, nays 1.

SENATE ACTION

February 20, 2017, read first time and referred to Committee on Judiciary.  
March 9, 2017, amended, reported — Do Pass.

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EH 1095—LS 6240/DI 106





March 10, 2017

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1095

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

- 1 SECTION 1. IC 35-31.5-2-21, AS ADDED BY P.L.114-2012,  
2 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2017]: Sec. 21. "Armor-piercing ~~handgun~~ ammunition", for  
4 purposes of ~~IC 35-47-5-11~~, **IC 35-47-5-11.5**, has the meaning set forth  
5 in ~~IC 35-47-5-11(a)~~: **IC 35-47-5-11.5**.
- 6 SECTION 2. IC 35-47-5-11 IS REPEALED [EFFECTIVE JULY 1,  
7 2017]. Sec. 11: (a) As used in this section, "armor-piercing handgun  
8 ammunition" means a cartridge that:  
9 (1) can be fired in a handgun; and  
10 (2) will, upon firing, expel a projectile that has a metal core and  
11 an outer coating of plastic.  
12 (b) A person who knowingly or intentionally:  
13 (1) manufactures;  
14 (2) possesses;  
15 (3) transfers possession of; or  
16 (4) offers to transfer possession of;  
17 armor-piercing handgun ammunition commits a Level 5 felony.

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1 (c) This section does not apply to nylon coated ammunition; plastic  
2 shot capsules; or ammunition designed to be used in rifles or shotguns.

3 (d) This section does not apply to a law enforcement officer who is  
4 acting in the course of the officer's official duties or to a person who  
5 manufactures or imports for sale or sells armor-piercing handgun  
6 ammunition to a law enforcement agency.

7 SECTION 3. IC 35-47-5-11.5 IS ADDED TO THE INDIANA  
8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2017]: **Sec. 11.5. (a) As used in this section,**  
10 **"armor-piercing ammunition" means:**

11 (1) a projectile or projectile core that is designed and intended  
12 by the manufacturer for use in a handgun and that is  
13 constructed entirely (excluding the presence of traces of other  
14 substances) from one (1) or a combination of tungsten alloys,  
15 steel, iron, brass, bronze, or beryllium copper; or

16 (2) a full jacketed projectile larger than .22 caliber designed  
17 and intended by the manufacturer for use in a handgun and  
18 whose jacket has a weight of more than twenty-five percent  
19 (25%) of the total weight of the projectile.

20 The term does not include shotgun shot required by federal or state  
21 environmental or game regulations for hunting purposes, a  
22 frangible projectile designed for target shooting, a projectile that  
23 is primarily intended by the manufacturer to be used in a rifle or  
24 shotgun, or a handgun projectile that is designed and intended by  
25 the manufacturer to be used for hunting, recreational shooting, or  
26 competitive shooting.

27 (b) Except as provided in subsection (c), a person who  
28 knowingly or intentionally possesses, manufactures, sells, or  
29 delivers armor-piercing ammunition commits a Level 5 felony.

30 (c) Subsection (b) does not apply to the following:

31 (1) A person who manufactures, sells, or delivers  
32 armor-piercing ammunition for the use of:

33 (A) the United States;

34 (B) a department or agency of the United States;

35 (C) a state;

36 (D) a law enforcement agency; or

37 (E) a department, agency, or political subdivision of a  
38 state.

39 (2) A person who manufactures, sells, or delivers  
40 armor-piercing ammunition for export.

41 (3) A person who manufactures, sells, or delivers  
42 armor-piercing ammunition for the purpose of testing or



1           **experimentation.**  
2           **(4) A law enforcement officer acting in the course of the**  
3           **officer's official duties.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1095, 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 HB 1095 as introduced.)

SMALTZ

Committee Vote: Yeas 12, Nays 1

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1095, 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 2, line 10, after ""armor" insert "-".

Page 2, line 29, after "armor" insert "-".

Page 2, line 31, after "armor" insert "-".

Page 2, line 39, after "armor" insert "-".

Page 2, line 41, after "armor" insert "-".

Page 3, after line 1, begin a new line block indented and insert:

**"(4) A law enforcement officer acting in the course of the officer's official duties."**

and when so amended that said bill do pass.

(Reference is to HB 1095 as printed February 3, 2017.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0.

