

# HOUSE BILL No. 1144

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-2-1-9; IC 5-2-8-2; IC 10-13-3-40; IC 11-9-2-4; IC 11-13-1-3.5; IC 14-16-1-23; IC 21-17-5-6; IC 21-39-4-7; IC 31-30-1-4; IC 35-33-1-1; IC 35-47; IC 35-50-2-13.

**Synopsis:** Handgun license repeal. Repeals the law that requires a person to obtain a license to carry a handgun in Indiana. Makes conforming amendments.

**Effective:** July 1, 2015.

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**Lucas, Judy, VanNatter, Ober**

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January 8, 2015, read first time and referred to Committee on Public Policy.

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First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## HOUSE BILL No. 1144

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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 5-2-1-9, AS AMENDED BY P.L.164-2014,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2015]: Sec. 9. (a) The board shall adopt in accordance with  
4 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.  
5 The rules, which shall be adopted only after necessary and proper  
6 investigation and inquiry by the board, shall include the establishment  
7 of the following:  
8 (1) Minimum standards of physical, educational, mental, and  
9 moral fitness which shall govern the acceptance of any person for  
10 training by any law enforcement training school or academy  
11 meeting or exceeding the minimum standards established  
12 pursuant to this chapter.  
13 (2) Minimum standards for law enforcement training schools  
14 administered by towns, cities, counties, law enforcement training  
15 centers, agencies, or departments of the state.



- 1 (3) Minimum standards for courses of study, attendance  
2 requirements, equipment, and facilities for approved town, city,  
3 county, and state law enforcement officer, police reserve officer,  
4 and conservation reserve officer training schools.
- 5 (4) Minimum standards for a course of study on cultural diversity  
6 awareness, including training on the U nonimmigrant visa created  
7 through the federal Victims of Trafficking and Violence  
8 Protection Act of 2000 (P.L. 106-386) that must be required for  
9 each person accepted for training at a law enforcement training  
10 school or academy. Cultural diversity awareness study must  
11 include an understanding of cultural issues related to race,  
12 religion, gender, age, domestic violence, national origin, and  
13 physical and mental disabilities.
- 14 (5) Minimum qualifications for instructors at approved law  
15 enforcement training schools.
- 16 (6) Minimum basic training requirements which law enforcement  
17 officers appointed to probationary terms shall complete before  
18 being eligible for continued or permanent employment.
- 19 (7) Minimum basic training requirements which law enforcement  
20 officers appointed on other than a permanent basis shall complete  
21 in order to be eligible for continued employment or permanent  
22 appointment.
- 23 (8) Minimum basic training requirements which law enforcement  
24 officers appointed on a permanent basis shall complete in order  
25 to be eligible for continued employment.
- 26 (9) Minimum basic training requirements for each person  
27 accepted for training at a law enforcement training school or  
28 academy that include six (6) hours of training in interacting with:  
29 (A) persons with autism, mental illness, addictive disorders,  
30 mental retardation, and developmental disabilities;  
31 (B) missing endangered adults (as defined in IC 12-7-2-131.3);  
32 and  
33 (C) persons with Alzheimer's disease or related senile  
34 dementia;
- 35 to be provided by persons approved by the secretary of family and  
36 social services and the board.
- 37 (10) Minimum standards for a course of study on human and  
38 sexual trafficking that must be required for each person accepted  
39 for training at a law enforcement training school or academy and  
40 for inservice training programs for law enforcement officers. The  
41 course must cover the following topics:  
42 (A) Examination of the human and sexual trafficking laws



- 1 (IC 35-42-3.5).
- 2 (B) Identification of human and sexual trafficking.
- 3 (C) Communicating with traumatized persons.
- 4 (D) Therapeutically appropriate investigative techniques.
- 5 (E) Collaboration with federal law enforcement officials.
- 6 (F) Rights of and protections afforded to victims.
- 7 (G) Providing documentation that satisfies the Declaration of
- 8 Law Enforcement Officer for Victim of Trafficking in Persons
- 9 (Form I-914, Supplement B) requirements established under
- 10 federal law.
- 11 (H) The availability of community resources to assist human
- 12 and sexual trafficking victims.
- 13 (b) A law enforcement officer appointed after July 5, 1972, and
- 14 before July 1, 1993, may not enforce the laws or ordinances of the state
- 15 or any political subdivision unless the officer has, within one (1) year
- 16 from the date of appointment, successfully completed the minimum
- 17 basic training requirements established under this chapter by the board.
- 18 If a person fails to successfully complete the basic training
- 19 requirements within one (1) year from the date of employment, the
- 20 officer may not perform any of the duties of a law enforcement officer
- 21 involving control or direction of members of the public or exercising
- 22 the power of arrest until the officer has successfully completed the
- 23 training requirements. This subsection does not apply to any law
- 24 enforcement officer appointed before July 6, 1972, or after June 30,
- 25 1993.
- 26 (c) Military leave or other authorized leave of absence from law
- 27 enforcement duty during the first year of employment after July 6,
- 28 1972, shall toll the running of the first year, which shall be calculated
- 29 by the aggregate of the time before and after the leave, for the purposes
- 30 of this chapter.
- 31 (d) Except as provided in subsections (e), (l), (r), and (s), a law
- 32 enforcement officer appointed to a law enforcement department or
- 33 agency after June 30, 1993, may not:
- 34 (1) make an arrest;
- 35 (2) conduct a search or a seizure of a person or property; or
- 36 (3) carry a firearm;
- 37 unless the law enforcement officer successfully completes, at a board
- 38 certified law enforcement academy or at a law enforcement training
- 39 center under section 10.5 or 15.2 of this chapter, the basic training
- 40 requirements established by the board under this chapter.
- 41 (e) This subsection does not apply to:
- 42 (1) a gaming agent employed as a law enforcement officer by the



1 Indiana gaming commission; or

2 (2) an:

3 (A) attorney; or

4 (B) investigator;

5 designated by the securities commissioner as a police officer of  
6 the state under IC 23-19-6-1(k).

7 Before a law enforcement officer appointed after June 30, 1993,  
8 completes the basic training requirements, the law enforcement officer  
9 may exercise the police powers described in subsection (d) if the  
10 officer successfully completes the pre-basic course established in  
11 subsection (f). Successful completion of the pre-basic course authorizes  
12 a law enforcement officer to exercise the police powers described in  
13 subsection (d) for one (1) year after the date the law enforcement  
14 officer is appointed.

15 (f) The board shall adopt rules under IC 4-22-2 to establish a  
16 pre-basic course for the purpose of training:

17 (1) law enforcement officers;

18 (2) police reserve officers (as described in IC 36-8-3-20); and

19 (3) conservation reserve officers (as described in IC 14-9-8-27);

20 regarding the subjects of arrest, search and seizure, the lawful use of  
21 force, interacting with individuals with autism, and the operation of an  
22 emergency vehicle. The pre-basic course must be offered on a periodic  
23 basis throughout the year at regional sites statewide. The pre-basic  
24 course must consist of at least forty (40) hours of course work. The  
25 board may prepare the classroom part of the pre-basic course using  
26 available technology in conjunction with live instruction. The board  
27 shall provide the course material, the instructors, and the facilities at  
28 the regional sites throughout the state that are used for the pre-basic  
29 course. In addition, the board may certify pre-basic courses that may be  
30 conducted by other public or private training entities, including  
31 postsecondary educational institutions.

32 (g) The board shall adopt rules under IC 4-22-2 to establish a  
33 mandatory inservice training program for police officers. After June 30,  
34 1993, a law enforcement officer who has satisfactorily completed basic  
35 training and has been appointed to a law enforcement department or  
36 agency on either a full-time or part-time basis is not eligible for  
37 continued employment unless the officer satisfactorily completes the  
38 mandatory inservice training requirements established by rules adopted  
39 by the board. Inservice training must include training in interacting  
40 with persons with mental illness, addictive disorders, mental  
41 retardation, autism, developmental disabilities, and Alzheimer's disease  
42 or related senile dementia, to be provided by persons approved by the



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

- 10 (1) An emergency situation.  
 11 (2) The unavailability of courses.

12 (h) The board shall also adopt rules establishing a town marshal  
 13 basic training program, subject to the following:

- 14 (1) The program must require fewer hours of instruction and class  
 15 attendance and fewer courses of study than are required for the  
 16 mandated basic training program.  
 17 (2) Certain parts of the course materials may be studied by a  
 18 candidate at the candidate's home in order to fulfill requirements  
 19 of the program.  
 20 (3) Law enforcement officers successfully completing the  
 21 requirements of the program are eligible for appointment only in  
 22 towns employing the town marshal system (IC 36-5-7) and having  
 23 not more than one (1) marshal and two (2) deputies.  
 24 (4) The limitation imposed by subdivision (3) does not apply to an  
 25 officer who has successfully completed the mandated basic  
 26 training program.  
 27 (5) The time limitations imposed by subsections (b) and (c) for  
 28 completing the training are also applicable to the town marshal  
 29 basic training program.  
 30 (6) The program must require training in interacting with  
 31 individuals with autism.

32 (i) The board shall adopt rules under IC 4-22-2 to establish an  
 33 executive training program. The executive training program must  
 34 include training in the following areas:

- 35 (1) Liability.  
 36 (2) Media relations.  
 37 (3) Accounting and administration.  
 38 (4) Discipline.  
 39 (5) Department policy making.  
 40 (6) Lawful use of force.  
 41 (7) Department programs.  
 42 (8) Emergency vehicle operation.



- 1 (9) Cultural diversity.
- 2 (j) A police chief shall apply for admission to the executive training  
3 program within two (2) months of the date the police chief initially  
4 takes office. A police chief must successfully complete the executive  
5 training program within six (6) months of the date the police chief  
6 initially takes office. However, if space in the executive training  
7 program is not available at a time that will allow completion of the  
8 executive training program within six (6) months of the date the police  
9 chief initially takes office, the police chief must successfully complete  
10 the next available executive training program that is offered after the  
11 police chief initially takes office.
- 12 (k) A police chief who fails to comply with subsection (j) may not  
13 continue to serve as the police chief until completion of the executive  
14 training program. For the purposes of this subsection and subsection  
15 (j), "police chief" refers to:
- 16 (1) the police chief of any city;  
17 (2) the police chief of any town having a metropolitan police  
18 department; and  
19 (3) the chief of a consolidated law enforcement department  
20 established under IC 36-3-1-5.1.
- 21 A town marshal is not considered to be a police chief for these  
22 purposes, but a town marshal may enroll in the executive training  
23 program.
- 24 (l) A fire investigator in the division of fire and building safety  
25 appointed after December 31, 1993, is required to comply with the  
26 basic training standards established under this chapter.
- 27 (m) The board shall adopt rules under IC 4-22-2 to establish a  
28 program to certify handgun safety courses, including courses offered  
29 in the private sector, that meet standards approved by the board for  
30 training probation officers in handgun safety as required by  
31 ~~IC 11-13-1-3.5(3)~~. **IC 11-13-1-3.5(2)**.
- 32 (n) The board shall adopt rules under IC 4-22-2 to establish a  
33 refresher course for an officer who:
- 34 (1) is hired by an Indiana law enforcement department or agency  
35 as a law enforcement officer;  
36 (2) has not been employed as a law enforcement officer for at  
37 least two (2) years and less than six (6) years before the officer is  
38 hired under subdivision (1) due to the officer's resignation or  
39 retirement; and  
40 (3) completed at any time a basic training course certified by the  
41 board before the officer is hired under subdivision (1).
- 42 (o) The board shall adopt rules under IC 4-22-2 to establish a



- 1 refresher course for an officer who:
- 2 (1) is hired by an Indiana law enforcement department or agency
- 3 as a law enforcement officer;
- 4 (2) has not been employed as a law enforcement officer for at
- 5 least six (6) years and less than ten (10) years before the officer
- 6 is hired under subdivision (1) due to the officer's resignation or
- 7 retirement;
- 8 (3) is hired under subdivision (1) in an upper level policymaking
- 9 position; and
- 10 (4) completed at any time a basic training course certified by the
- 11 board before the officer is hired under subdivision (1).

12 A refresher course established under this subsection may not exceed

13 one hundred twenty (120) hours of course work. All credit hours

14 received for successfully completing the police chief executive training

15 program under subsection (i) shall be applied toward the refresher

16 course credit hour requirements.

17 (p) Subject to subsection (q), an officer to whom subsection (n) or

18 (o) applies must successfully complete the refresher course described

19 in subsection (n) or (o) not later than six (6) months after the officer's

20 date of hire, or the officer loses the officer's powers of:

- 21 (1) arrest;
- 22 (2) search; and
- 23 (3) seizure.

24 (q) A law enforcement officer who has worked as a law enforcement

25 officer for less than twenty-five (25) years before being hired under

26 subsection (n)(1) or (o)(1) is not eligible to attend the refresher course

27 described in subsection (n) or (o) and must repeat the full basic training

28 course to regain law enforcement powers. However, a law enforcement

29 officer who has worked as a law enforcement officer for at least

30 twenty-five (25) years before being hired under subsection (n)(1) or

31 (o)(1) and who otherwise satisfies the requirements of subsection (n)

32 or (o) is not required to repeat the full basic training course to regain

33 law enforcement power but shall attend the refresher course described

34 in subsection (n) or (o) and the pre-basic training course established

35 under subsection (f).

36 (r) This subsection applies only to a gaming agent employed as a

37 law enforcement officer by the Indiana gaming commission. A gaming

38 agent appointed after June 30, 2005, may exercise the police powers

39 described in subsection (d) if:

- 40 (1) the agent successfully completes the pre-basic course
- 41 established in subsection (f); and
- 42 (2) the agent successfully completes any other training courses



1 established by the Indiana gaming commission in conjunction  
2 with the board.

3 (s) This subsection applies only to a securities enforcement officer  
4 designated as a law enforcement officer by the securities  
5 commissioner. A securities enforcement officer may exercise the police  
6 powers described in subsection (d) if:

- 7 (1) the securities enforcement officer successfully completes the  
8 pre-basic course established in subsection (f); and  
9 (2) the securities enforcement officer successfully completes any  
10 other training courses established by the securities commissioner  
11 in conjunction with the board.

12 (t) As used in this section, "upper level policymaking position"  
13 refers to the following:

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

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

- 20 (A) the position held by the police chief or town marshal; and  
21 (B) each position held by the members of the police  
22 department or town marshal system in the next rank and pay  
23 grade immediately below the police chief or town marshal.

24 (3) If the authorized size of the department or town marshal  
25 system is more than fifty (50) members, the term refers to:

- 26 (A) the position held by the police chief or town marshal; and  
27 (B) each position held by the members of the police  
28 department or town marshal system in the next two (2) ranks  
29 and pay grades immediately below the police chief or town  
30 marshal.

31 (u) This subsection applies only to a correctional police officer  
32 employed by the department of correction. A correctional police officer  
33 may exercise the police powers described in subsection (d) if:

- 34 (1) the officer successfully completes the pre-basic course  
35 described in subsection (f); and  
36 (2) the officer successfully completes any other training courses  
37 established by the department of correction in conjunction with  
38 the board.

39 SECTION 2. IC 5-2-8-2, AS AMENDED BY P.L.20-2009,  
40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2015]: Sec. 2. (a) The following definitions apply in this  
42 section:



- 1 (1) "Abuse" has the meaning set forth in section 1(a) of this  
 2 chapter.
- 3 (2) "City or town law enforcement agency" includes:
- 4 (A) postsecondary educational institution police officers  
 5 appointed under IC 21-17-5 or IC 21-39-4; and
- 6 (B) school corporation police officers appointed under  
 7 IC 20-26-16.
- 8 (b) There is established in each city and in each town with a city or  
 9 town court a local law enforcement continuing education program. The  
 10 program is funded by amounts appropriated under IC 33-37-8-4 and  
 11 fees collected under IC 9-29-4-2 **and** IC 9-29-11-1. ~~and IC 35-47-2-3.~~
- 12 (c) A city or town law enforcement agency receiving amounts based  
 13 upon claims for law enforcement continuing education funds under  
 14 IC 33-37-8-4 or IC 33-37-8-6 shall deposit each fee collected into the  
 15 local law enforcement continuing education fund.
- 16 (d) Distribution of money in a local law enforcement continuing  
 17 education fund shall be made to a city or town law enforcement agency  
 18 without the necessity of first obtaining an appropriation from the fiscal  
 19 body of the city or town.
- 20 (e) To make a claim under IC 33-37-8-4, a law enforcement agency  
 21 shall submit to the fiscal body a verified statement of cause numbers  
 22 for fees collected that are attributable to the law enforcement efforts of  
 23 that agency.
- 24 (f) A city or town law enforcement agency shall provide to each law  
 25 enforcement officer employed by the city or town law enforcement  
 26 agency continuing education concerning the following:
- 27 (1) Duties of a law enforcement officer in enforcing restraining  
 28 orders, protective orders, temporary injunctions, and permanent  
 29 injunctions involving abuse.
- 30 (2) Guidelines for making felony and misdemeanor arrests in  
 31 cases involving abuse.
- 32 (3) Techniques for handling incidents of abuse that:
- 33 (A) minimize the likelihood of injury to the law enforcement  
 34 officer; and
- 35 (B) promote the safety of a victim.
- 36 (4) Information about the nature and extent of abuse.
- 37 (5) Information about the legal rights of and remedies available  
 38 to victims of abuse.
- 39 (6) How to document and collect evidence in an abuse case.
- 40 (7) The legal consequences of abuse.
- 41 (8) The impact on children of law enforcement intervention in  
 42 abuse cases.



- 1 (9) Services and facilities available to victims of abuse and  
 2 abusers.  
 3 (10) Verification of restraining orders, protective orders,  
 4 temporary injunctions, and permanent injunctions.  
 5 (11) Policies concerning arrest or release of suspects in abuse  
 6 cases.  
 7 (12) Emergency assistance to victims of abuse and criminal  
 8 justice options for victims of abuse.  
 9 (13) Landlord-tenant concerns in abuse cases.  
 10 (14) The taking of an abused child into protective custody.  
 11 (15) Assessment of a situation in which the child may be seriously  
 12 endangered if the child is left in the child's home.  
 13 (16) Assessment of a situation involving an endangered adult (as  
 14 defined in IC 12-10-3-2).  
 15 (17) Response to a sudden, unexpected infant death.  
 16 (18) Performing cardiopulmonary resuscitation and the Heimlich  
 17 maneuver.

18 (g) A city or town law enforcement agency may enter into an  
 19 agreement with other county, city, or town law enforcement agencies  
 20 to provide the continuing education required by this section and section  
 21 1(h) of this chapter.

22 SECTION 3. IC 10-13-3-40 IS REPEALED [EFFECTIVE JULY 1,  
 23 2015]. ~~Sec. 40: If the amount of money that is deposited in the state~~  
 24 ~~general fund during a state fiscal year from handgun license fees (as~~  
 25 ~~described in IC 35-47-2-4) exceeds one million one hundred thousand~~  
 26 ~~dollars (\$1,100,000), the excess is appropriated from the state general~~  
 27 ~~fund to the department. An appropriation under this section is subject~~  
 28 ~~to allotment by the budget agency.~~

29 SECTION 4. IC 11-9-2-4 IS REPEALED [EFFECTIVE JULY 1,  
 30 2015]. ~~Sec. 4: The governor may issue a pardon that conditions the~~  
 31 ~~removal of all disabilities applicable to holding a handgun permit or~~  
 32 ~~other license issued under IC 35-47-2 upon a determination by the~~  
 33 ~~superintendent of state police that circumstances have changed to such~~  
 34 ~~an extent since the pardoned conviction was entered that the applicant~~  
 35 ~~for the permit or license is likely to handle handguns in compliance~~  
 36 ~~with the law.~~

37 SECTION 5. IC 11-13-1-3.5 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3.5. A probation officer  
 39 may not carry a handgun as ~~described in IC 35-47-2-1~~ **in any vehicle**  
 40 **or on or about the probation officer's body** while acting in the scope  
 41 of employment as a probation officer unless all of the following  
 42 conditions are met:



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

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

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

8 SECTION 6. IC 14-16-1-23, AS AMENDED BY P.L.35-2011,  
9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
10 JULY 1, 2015]: Sec. 23. (a) An individual shall not operate a vehicle  
11 under any of the following conditions:

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

15 (2) While:

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

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

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

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

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

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

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

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

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

36 (8) On any property without the consent of the landowner or  
37 tenant.

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

40 (A) unloaded; and

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



- 1 (10) On or across a cemetery or burial ground.  
 2 (11) Within one hundred (100) feet of a slide, ski, or skating area,  
 3 except for the purpose of servicing the area.  
 4 (12) On a railroad track or railroad right-of-way, except railroad  
 5 personnel in the performance of duties.  
 6 (13) In or upon a flowing river, stream, or creek, except for the  
 7 purpose of crossing by the shortest possible route, unless the  
 8 river, stream, or creek is of sufficient water depth to permit  
 9 movement by flotation of the vehicle at all times.  
 10 (14) An individual shall not operate a vehicle while a bow is  
 11 present in or on the vehicle if the nock of an arrow is in position  
 12 on the string of the bow.  
 13 (b) Subsection (a)(9) does not apply to a person who is carrying a  
 14 firearm:  
 15 (1) if  
 16 (A) the firearm is a handgun; and  
 17 (B) the person has been issued an unlimited handgun license  
 18 to carry a handgun under IC 35-47-2;  
 19 (2) if:  
 20 (A) the firearm is a handgun; and  
 21 (B) the person is not required to possess a license to carry a  
 22 handgun under IC 35-47-2-2; or  
 23 (3) (2) if the person carrying the firearm is operating the vehicle  
 24 on property that the person:  
 25 (A) owns;  
 26 (B) has a contractual interest in;  
 27 (C) otherwise legally possesses; or  
 28 (D) has permission from a person described in clauses (A)  
 29 through (C) to possess a firearm on.  
 30 SECTION 7. IC 21-17-5-6, AS ADDED BY P.L.2-2007, SECTION  
 31 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
 32 1, 2015]: Sec. 6. Whenever a police officer retires after at least twenty  
 33 (20) years of service, the police officer may retain the officer's service  
 34 weapon. The officer is entitled to receive, in recognition of the service  
 35 to the educational institution and the public, a badge that indicates that  
 36 the officer is retired. Upon retirement, the state police department shall  
 37 issue to the police officer an identification card that:  
 38 (1) states the police officer's name and rank at retirement;  
 39 (2) states the officer's retired status; and  
 40 (3) notes the officer's authority to retain the service weapon.  
 41 A retired police officer described in this section is entitled to a lifetime  
 42 license to carry a handgun under IC 35-47-2-3(e).



1 SECTION 8. IC 21-39-4-7, AS ADDED BY P.L.2-2007, SECTION  
 2 280, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY  
 3 1, 2015]: Sec. 7. Whenever a police officer retires after at least twenty  
 4 (20) years of service, the police officer may retain the officer's service  
 5 weapon. The officer is entitled to receive, in recognition of the service  
 6 to the state educational institution and the public, a badge that indicates  
 7 that the officer is retired. Upon retirement, the state police department  
 8 shall issue to the police officer an identification card that:

- 9 (1) states the police officer's name and rank at retirement;  
 10 (2) states the officer's retired status; and  
 11 (3) notes the officer's authority to retain the service weapon.

12 ~~A police officer described in this section is entitled to a lifetime license~~  
 13 ~~to carry a handgun under IC 35-47-2-3(c).~~

14 SECTION 9. IC 31-30-1-4, AS AMENDED BY P.L.168-2014,  
 15 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2015]: Sec. 4. (a) The juvenile court does not have jurisdiction  
 17 over an individual for an alleged violation of:

- 18 (1) IC 35-41-5-1(a) (attempted murder);  
 19 (2) IC 35-42-1-1 (murder);  
 20 (3) IC 35-42-3-2 (kidnapping);  
 21 (4) IC 35-42-4-1 (rape);  
 22 (5) IC 35-42-4-2 (criminal deviate conduct) (before its repeal);  
 23 (6) IC 35-42-5-1 (robbery) if:  
 24 (A) the robbery was committed while armed with a deadly  
 25 weapon; or  
 26 (B) the robbery results in bodily injury or serious bodily  
 27 injury;  
 28 (7) IC 35-42-5-2 (carjacking) (before its repeal);  
 29 ~~(8) IC 35-47-2-1 (carrying a handgun without a license); if~~  
 30 ~~charged as a felony;~~  
 31 ~~(9) (8) IC 35-47-10 (children and firearms), if charged as a felony;~~  
 32 ~~(+0) (9) IC 35-47-5-4.1 (dealing in a sawed-off shotgun); or~~  
 33 ~~(+1) (10) any offense that may be joined under IC 35-34-1-9(a)(2)~~  
 34 ~~with any crime listed in subdivisions (1) through (+0); (9);~~

35 if the individual was at least sixteen (16) years of age at the time of the  
 36 alleged violation.

37 (b) Once an individual described in subsection (a) has been charged  
 38 with any crime listed in subsection (a), the court having adult criminal  
 39 jurisdiction shall retain jurisdiction over the case even if the individual  
 40 pleads guilty to or is convicted of a lesser included offense. A plea of  
 41 guilty to or a conviction of a lesser included offense does not vest  
 42 jurisdiction in the juvenile court.



1 SECTION 10. IC 35-33-1-1, AS AMENDED BY P.L.226-2014(ts),  
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2015]: Sec. 1. (a) A law enforcement officer may arrest a  
 4 person when the officer has:

- 5 (1) a warrant commanding that the person be arrested;  
 6 (2) probable cause to believe the person has committed or  
 7 attempted to commit, or is committing or attempting to commit,  
 8 a felony;  
 9 (3) probable cause to believe the person has violated the  
 10 provisions of IC 9-26-1-1.1 or IC 9-30-5;  
 11 (4) probable cause to believe the person is committing or  
 12 attempting to commit a misdemeanor in the officer's presence;  
 13 (5) probable cause to believe the person has committed a:  
 14 (A) battery resulting in bodily injury under IC 35-42-2-1; or  
 15 (B) domestic battery under IC 35-42-2-1.3.

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

- 19 (6) probable cause to believe that the person violated  
 20 IC 35-46-1-15.1 (invasion of privacy);  
 21 ~~(7) probable cause to believe that the person violated~~  
 22 ~~IC 35-47-2-1 (carrying a handgun without a license) or~~  
 23 ~~IC 35-47-2-22 (counterfeit handgun license);~~  
 24 ~~(8)~~ (7) probable cause to believe that the person is violating or has  
 25 violated an order issued under IC 35-50-7;  
 26 ~~(9)~~ (8) probable cause to believe that the person is violating or has  
 27 violated IC 35-47-6-1.1 (undisclosed transport of a dangerous  
 28 device);  
 29 ~~(10)~~ (9) probable cause to believe that the person is:  
 30 (A) violating or has violated IC 35-45-2-5 (interference with  
 31 the reporting of a crime); and  
 32 (B) interfering with or preventing the reporting of a crime  
 33 involving domestic or family violence (as defined in  
 34 IC 34-6-2-34.5);  
 35 ~~(11)~~ (10) probable cause to believe that the person has committed  
 36 theft (IC 35-43-4-2);  
 37 ~~(12)~~ (11) a removal order issued for the person by an immigration  
 38 court;  
 39 ~~(13)~~ (12) a detainer or notice of action for the person issued by the  
 40 United States Department of Homeland Security; or  
 41 ~~(14)~~ (13) probable cause to believe that the person has been  
 42 indicted for or convicted of one (1) or more aggravated felonies



1 (as defined in 8 U.S.C. 1101(a)(43)).

2 (b) A person who:

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

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

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

8 may act as an officer for the arrest of offenders against the laws of this  
9 state where the person reasonably believes that a felony has been or is  
10 about to be committed or attempted in the person's presence.

11 SECTION 11. IC 35-47-1-8 IS REPEALED [EFFECTIVE JULY 1,  
12 2015]. Sec. 8. "Proper reason" means for the defense of oneself or the  
13 state of Indiana:

14 SECTION 12. IC 35-47-2-1, AS AMENDED BY P.L.158-2013,  
15 SECTION 573, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Except as provided in  
17 subsections (b) and (c) and section 2 of this chapter, a person shall not  
18 carry a handgun in any vehicle or on or about the person's body without  
19 being licensed under this chapter to carry a handgun.

20 (b) Except as provided in subsection (c), a person may carry a  
21 handgun without being licensed under this chapter to carry a handgun  
22 if:

23 (1) the person carries the handgun on or about the person's body  
24 in or on property that is owned, leased, rented, or otherwise  
25 legally controlled by the person;

26 (2) the person carries the handgun on or about the person's body  
27 while lawfully present in or on property that is owned, leased,  
28 rented, or otherwise legally controlled by another person, if the  
29 person:

30 (A) has the consent of the owner, renter, lessor, or person who  
31 legally controls the property to have the handgun on the  
32 premises;

33 (B) is attending a firearms related event on the property,  
34 including a gun show, firearms expo, gun owner's club or  
35 convention, hunting club, shooting club, or training course; or

36 (C) is on the property to receive firearms related services,  
37 including the repair, maintenance, or modification of a  
38 firearm;

39 (3) the person carries the handgun in a vehicle that is owned,  
40 leased, rented, or otherwise legally controlled by the person, if the  
41 handgun is:

42 (A) unloaded;



- 1 (B) not readily accessible; and  
 2 (C) secured in a case;  
 3 (4) the person carries the handgun while lawfully present in a  
 4 vehicle that is owned, leased, rented, or otherwise legally  
 5 controlled by another person; if the handgun is:  
 6 (A) unloaded;  
 7 (B) not readily accessible; and  
 8 (C) secured in a case; or  
 9 (5) the person carries the handgun:  
 10 (A) at a shooting range (as defined in IC 14-22-31.5-3);  
 11 (B) while attending a firearms instructional course; or  
 12 (C) while engaged in a legal hunting activity.  
 13 (c) (a) Unless the person's right to possess a firearm has been  
 14 restored under IC 35-47-4-7, a person who has been convicted of  
 15 domestic battery under IC 35-42-2-1.3 may not possess or carry a  
 16 handgun.  
 17 (d) This section may be not construed:  
 18 (1) to prohibit a person who owns, leases, rents, or otherwise  
 19 legally controls private property from regulating or prohibiting the  
 20 possession of firearms on the private property;  
 21 (2) to allow a person to adopt or enforce an ordinance, resolution,  
 22 policy, or rule that:  
 23 (A) prohibits; or  
 24 (B) has the effect of prohibiting;  
 25 an employee of the person from possessing a firearm or  
 26 ammunition that is locked in the trunk of the employee's vehicle,  
 27 kept in the glove compartment of the employee's locked vehicle,  
 28 or stored out of plain sight in the employee's locked vehicle;  
 29 unless the person's adoption or enforcement of the ordinance,  
 30 resolution, policy, or rule is allowed under IC 34-28-7-2(b); or  
 31 (3) to allow a person to adopt or enforce a law, statute, ordinance,  
 32 resolution, policy, or rule that allows a person to possess or  
 33 transport a firearm or ammunition if the person is prohibited from  
 34 possessing or transporting the firearm or ammunition by state or  
 35 federal law.  
 36 (e) (b) A person who knowingly or intentionally violates this section  
 37 commits a Class A misdemeanor. However, the offense is a Level 5  
 38 felony:  
 39 (1) if the offense is committed:  
 40 (A) on or in school property;  
 41 (B) within five hundred (500) feet of school property; or  
 42 (C) on a school bus; or



1 (2) if the person:

2 (A) has a prior conviction of any offense under

3 (i) this section; or

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

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

7 SECTION 13. IC 35-47-2-2 IS REPEALED [EFFECTIVE JULY 1,  
8 2015]. ~~Sec. 2: Section 1 of this chapter does not apply to:~~

9 (1) ~~marshals;~~

10 (2) ~~sheriffs;~~

11 (3) ~~the commissioner of the department of correction or persons~~  
12 ~~authorized by the commissioner in writing to carry firearms;~~

13 (4) ~~judicial officers;~~

14 (5) ~~law enforcement officers;~~

15 (6) ~~members of the armed forces of the United States or of the~~  
16 ~~national guard or organized reserves while they are on duty;~~

17 (7) ~~regularly enrolled members of any organization duly~~  
18 ~~authorized to purchase or receive such weapons from the United~~  
19 ~~States or from this state who are at or are going to or from their~~  
20 ~~place of assembly or target practice;~~

21 (8) ~~employees of the United States duly authorized to carry~~  
22 ~~handguns;~~

23 (9) ~~employees of express companies when engaged in company~~  
24 ~~business; or~~

25 (10) ~~any person engaged in the business of manufacturing;~~  
26 ~~repairing; or dealing in firearms or the agent or representative of~~  
27 ~~any such person having in the person's possession, using, or~~  
28 ~~carrying a handgun in the usual or ordinary course of that~~  
29 ~~business.~~

30 SECTION 14. IC 35-47-2-3 IS REPEALED [EFFECTIVE JULY 1,  
31 2015]. ~~Sec. 3: (a) A person desiring a license to carry a handgun shall~~  
32 ~~apply:~~

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

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

39 (3) ~~if the applicant is a resident of another state and has a regular~~  
40 ~~place of business or employment in Indiana, to the sheriff of the~~  
41 ~~county in which the applicant has a regular place of business or~~  
42 ~~employment.~~



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

5 (b) The law enforcement agency which accepts an application for a  
6 handgun license shall collect the following application fees:

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

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

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

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

27 (c) 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. The officer to whom the application is  
39 made shall conduct an investigation into the applicant's official records  
40 and verify thereby the applicant's character and reputation; and shall in  
41 addition verify for accuracy the information contained in the  
42 application; and shall forward this information together with the



1 officer's recommendation for approval or disapproval and one (1) set  
 2 of legible and classifiable fingerprints of the applicant to the  
 3 superintendent.

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

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

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

12 (2) is of good character and reputation;

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

14 (4) is:

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

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

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

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

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

39 (2) is:

40 (A) recommended by a nonprofit educational organization that  
 41 is dedicated to providing education on safe handling and use  
 42 of firearms;



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

2 (C) approved by the superintendent.

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

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

11 (1) has been convicted of a felony;

12 (2) has had a license to carry a handgun suspended; unless the  
13 person's license has been reinstated;

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

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

18 (5) has been arrested for a Class A or Class B felony for an  
19 offense committed before July 1, 2014; for a Level 1, Level 2,  
20 Level 3; or Level 4 felony for an offense committed after June 30,  
21 2014; or any other felony that was committed while armed with  
22 a deadly weapon or that involved the use of violence; if a court  
23 has found probable cause to believe that the person committed the  
24 offense charged.

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

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

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

36 (1) changes the person's name;

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

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

42 the person shall; not later than thirty (30) days after the date of a



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

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

8 (k) The state police department shall adopt rules under IC 4-22-2 to  
 9 implement an electronic application system under subsection (a). Rules  
 10 adopted under this section must require the superintendent to keep on  
 11 file one (1) set of classifiable and legible fingerprints from every  
 12 person who has received a license to carry a handgun so that a person  
 13 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 15. IC 35-47-2-4 IS REPEALED [EFFECTIVE JULY 1,  
5 2015]. Sec. 4: (a) Licenses to carry handguns shall be either qualified  
6 or unlimited; and are valid for:

7           (1) four (4) years from the date of issue in the case of a four (4)  
8 year license; or

9           (2) the life of the individual receiving the license in the case of a  
10 lifetime license:

11 A qualified license shall be issued for hunting and target practice. The  
12 superintendent may adopt rules imposing limitations on the use and  
13 carrying of handguns under a license when handguns are carried by a  
14 licensee as a condition of employment. Unlimited licenses shall be  
15 issued for the purpose of the protection of life and property:

16           (b) In addition to the application fee, the fee for:

17           (1) a qualified license shall be:

18           (A) five dollars (\$5) for a four (4) year qualified license;

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

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

25           (2) an unlimited license shall be:

26           (A) thirty dollars (\$30) for a four (4) year unlimited license;

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

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

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

36           (e) Licensed dealers are exempt from the payment of fees specified  
37 in subsection (b) for a qualified license or an unlimited license:

38           (d) The following officers of this state or the United States who have  
39 been honorably retired by a lawfully created pension board or its  
40 equivalent after at least twenty (20) years of service or because of a  
41 disability are exempt from the payment of fees specified in subsection  
42 (b):



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

5 (e) Fees collected under this section shall be deposited in the state  
 6 general fund:

7 (f) The superintendent may not issue a lifetime qualified license or  
 8 a lifetime unlimited license to a person who is a resident of another  
 9 state. The superintendent may issue a four (4) year qualified license or  
 10 a four (4) year unlimited license to a person who is a resident of  
 11 another state and who has a regular place of business or employment  
 12 in Indiana as described in section 3(a)(3) of this chapter:

13 (g) A person who knowingly or intentionally violates this section  
 14 commits a Class B misdemeanor:

15 SECTION 16. IC 35-47-2-5 IS REPEALED [EFFECTIVE JULY 1,  
 16 2015]. Sec. 5: (a) The superintendent may suspend or revoke any  
 17 license issued under this chapter if the superintendent has reasonable  
 18 grounds to believe that the person's license should be suspended or  
 19 revoked:

20 (b) Documented evidence that a person is not a "proper person" to  
 21 be licensed as defined by IC 35-47-1-7, or is prohibited under section  
 22 3(g)(5) of this chapter from being issued a license, shall be grounds for  
 23 immediate suspension or revocation of a license previously issued  
 24 under this chapter. However, if a license is suspended or revoked based  
 25 solely on an arrest under section 3(g)(5) of this chapter, the license  
 26 shall be reinstated upon the acquittal of the defendant in that case or  
 27 upon the dismissal of the charges for the specific offense:

28 (c) A person who knowingly or intentionally fails to promptly return  
 29 the person's license after written notice of suspension or revocation  
 30 commits a Class A misdemeanor. The observation of a handgun license  
 31 in the possession of a person whose license has been suspended or  
 32 revoked constitutes a sufficient basis for the arrest of that person for  
 33 violation of this subsection:

34 (d) The superintendent shall establish rules under IC 4-22-2  
 35 concerning the procedure for suspending or revoking a person's license:

36 SECTION 17. IC 35-47-2-6 IS REPEALED [EFFECTIVE JULY 1,  
 37 2015]. Sec. 6: (a) Every initial application for any license under this  
 38 chapter shall be granted or rejected within sixty (60) days after the  
 39 application is filed:

40 (b) The period during which an application for the renewal of an  
 41 existing license may be filed begins three hundred sixty-five (365) days  
 42 before the expiration of the existing license. If the application for



1 renewal of an existing license is filed within thirty (30) days of its  
 2 expiration; the existing license is automatically extended until the  
 3 application for renewal is passed upon.

4 SECTION 18. IC 35-47-2-17, AS AMENDED BY P.L.158-2013,  
 5 SECTION 581, IS AMENDED TO READ AS FOLLOWS  
 6 [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) No person, in purchasing or  
 7 otherwise securing delivery of a firearm, ~~or in applying for a license to~~  
 8 ~~carry a handgun~~, shall knowingly or intentionally:

- 9 (1) give false information on a form required to  
 10 (A) purchase or secure delivery of a firearm; or  
 11 (B) ~~apply for a license to carry a handgun~~; or  
 12 (2) offer false evidence of identity.

13 In addition to any penalty provided by this chapter, any firearm  
 14 obtained through false information shall be subject to confiscation and  
 15 disposition as provided in this chapter. Upon notice of a violation of  
 16 this section by the superintendent, it shall be the duty of the sheriff or  
 17 chief of police or corresponding officer of the jurisdiction in which the  
 18 purchaser resides to confiscate the firearm and retain it as evidence  
 19 pending trial for the offense.

20 (b) A person who knowingly or intentionally violates this section  
 21 commits a Level 5 felony.

22 SECTION 19. IC 35-47-2-20 IS AMENDED TO READ AS  
 23 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 20. (a) A full pardon  
 24 from the governor of Indiana for:

- 25 (1) a felony other than a felony that is included in IC 35-42; or  
 26 (2) a violation of this chapter;

27 removes any disability under this chapter imposed because of that  
 28 offense, if fifteen (15) years have elapsed between the time of the  
 29 offense and the application for a license under this chapter.

30 (b) A conditional pardon ~~described in~~ **issued under IC 11-9-2-4**  
 31 **(before its repeal)** for:

- 32 (1) a felony; or  
 33 (2) a violation of this chapter;

34 removes a disability under this chapter if the superintendent determines  
 35 after an investigation that circumstances have changed since the  
 36 pardoned conviction was entered to such an extent that the pardoned  
 37 person is likely to handle handguns in compliance with the law.

38 SECTION 20. IC 35-47-2-22 IS REPEALED [EFFECTIVE JULY  
 39 1, 2015]. ~~Sec. 22: (a) It is unlawful for any person to use; or to attempt~~  
 40 ~~to use; a false, counterfeit, spurious, or altered handgun-carrying~~  
 41 ~~license to obtain a handgun contrary to the provisions of this chapter.~~

42 (b) A person who knowingly or intentionally violates this section



1 commits a Level 6 felony:

2 SECTION 21. IC 35-47-2-24 IS REPEALED [EFFECTIVE JULY  
3 1, 2015]. Sec. 24. (a) In an information or indictment brought for the  
4 enforcement of any provision of this chapter, it is not necessary to  
5 negate any exemption specified under this chapter, or to allege the  
6 absence of a license required under this chapter. The burden of proof  
7 is on the defendant to prove that he is exempt under section 2 of this  
8 chapter, or that he has a license as required under this chapter.

9 (b) Whenever a person who has been arrested or charged with a  
10 violation of section 1 of this chapter presents a valid license to the  
11 prosecuting attorney or establishes that he is exempt under section 2 of  
12 this chapter, any prosecution for a violation of section 1 of this chapter  
13 shall be dismissed immediately, and all records of an arrest or  
14 proceedings following arrest shall be destroyed immediately.

15 SECTION 22. IC 35-47-2.5-1, AS AMENDED BY P.L.152-2014,  
16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 2015]: Sec. 1. (a) Sections 2 through 5 of this chapter do not  
18 apply to the following:

- 19 (1) Transactions between persons who are licensed as firearms  
20 importers or collectors or firearms manufacturers or dealers under  
21 18 U.S.C. 923.  
22 (2) Purchases by or sales to a law enforcement officer or agent of  
23 the United States, the state, or a county or local government.  
24 (3) ~~Indiana residents licensed to carry handguns under~~  
25 ~~IC 35-47-2-3.~~

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

- 29 (1) the state participates in the NICS; and  
30 (2) there is a conflict between:  
31 (A) a provision of this chapter; and  
32 (B) a procedure required under the NICS;

33 the procedure required under the NICS prevails over the conflicting  
34 provision of this chapter.

35 SECTION 23. IC 35-47-11.1-4, AS AMENDED BY P.L.147-2014,  
36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2015]: Sec. 4. This chapter may not be construed to prevent  
38 any of the following:

- 39 (1) A law enforcement agency of a political subdivision from  
40 enacting and enforcing regulations pertaining to firearms,  
41 ammunition, or firearm accessories issued to or used by law  
42 enforcement officers in the course of their official duties.



- 1 (2) Subject to IC 34-28-7-2, an employer from regulating or  
 2 prohibiting the employees of the employer from carrying firearms  
 3 and ammunition in the course of the employee's official duties.  
 4 (3) A court or administrative law judge from hearing and  
 5 resolving any case or controversy or issuing any opinion or order  
 6 on a matter within the jurisdiction of the court or judge.  
 7 (4) The enactment or enforcement of generally applicable zoning  
 8 or business ordinances that apply to firearms businesses to the  
 9 same degree as other similar businesses. However, a provision of  
 10 an ordinance that is designed or enforced to effectively restrict or  
 11 prohibit the sale, purchase, transfer, manufacture, or display of  
 12 firearms, ammunition, or firearm accessories that is otherwise  
 13 lawful under the laws of this state is void. A unit (as defined in  
 14 IC 36-1-2-23) may not use the unit's planning and zoning powers  
 15 under IC 36-7-4 to prohibit the sale of firearms within a  
 16 prescribed distance of any other type of commercial property or  
 17 of school property or other educational property.  
 18 (5) Subject to IC 35-47-16-1, the enactment or enforcement of a  
 19 provision prohibiting or restricting the possession of a firearm in  
 20 any building that contains the courtroom of a circuit, superior,  
 21 city, town, or small claims court. However, if a portion of the  
 22 building is occupied by a residential tenant or private business,  
 23 any provision restricting or prohibiting the possession of a firearm  
 24 does not apply to the portion of the building that is occupied by  
 25 the residential tenant or private business, or to common areas of  
 26 the building used by a residential tenant or private business.  
 27 (6) The enactment or enforcement of a provision prohibiting or  
 28 restricting the intentional display of a firearm at a public meeting.  
 29 (7) The enactment or enforcement of a provision prohibiting or  
 30 restricting the possession of a firearm in a public hospital  
 31 corporation that contains a secure correctional health unit that is  
 32 staffed by a law enforcement officer twenty-four (24) hours a day.  
 33 (8) The imposition of any restriction or condition placed on a  
 34 person participating in:  
 35 (A) a community corrections program (IC 11-12-1);  
 36 (B) a forensic diversion program (IC 11-12-3.7); or  
 37 (C) a pretrial diversion program (IC 33-39-1).  
 38 (9) The enforcement or prosecution of the offense of criminal  
 39 recklessness (IC 35-42-2-2) involving the use of a firearm.  
 40 (10) For an event occurring on property leased from a political  
 41 subdivision or municipal corporation by the promoter or organizer  
 42 of the event:



- 1 (A) the establishment, by the promoter or organizer, at the  
 2 promoter's or organizer's own discretion, of rules of conduct or  
 3 admission upon which attendance at or participation in the  
 4 event is conditioned; or  
 5 (B) the implementation or enforcement of the rules of conduct  
 6 or admission described in clause (A) by a political subdivision  
 7 or municipal corporation in connection with the event.
- 8 (11) The enactment or enforcement of a provision prohibiting or  
 9 restricting the possession of a firearm in a hospital established  
 10 and operated under IC 16-22-2 or IC 16-23.
- 11 (12) A unit from using the unit's planning and zoning powers  
 12 under IC 36-7-4 to prohibit the sale of firearms within two  
 13 hundred (200) feet of a school by a person having a business that  
 14 did not sell firearms within two hundred (200) feet of a school  
 15 before April 1, 1994.
- 16 (13) Subject to IC 35-47-16-1, a unit (as defined in IC 36-1-2-23)  
 17 from enacting or enforcing a provision prohibiting or restricting  
 18 the possession of a firearm in a building owned or administered  
 19 by the unit if:
- 20 (A) metal detection devices are located at each public entrance  
 21 to the building;
- 22 (B) each public entrance to the building is staffed by at least  
 23 one (1) law enforcement officer:
- 24 (i) who has been adequately trained to conduct inspections  
 25 of persons entering the building by use of metal detection  
 26 devices and proper physical pat down searches; and  
 27 (ii) when the building is open to the public; and
- 28 (C) each:
- 29 (i) individual who enters the building through the public  
 30 entrance when the building is open to the public; and  
 31 (ii) bag, package, and other container carried by the  
 32 individual;
- 33 is inspected by a law enforcement officer described in clause  
 34 (B).
- 35 However, except as provided in subdivision (5) concerning a  
 36 building that contains a courtroom, a unit may not prohibit or  
 37 restrict the possession of a handgun under this subdivision in a  
 38 building owned or administered by the unit if the person who  
 39 possesses the handgun ~~has been issued a valid license to carry the~~  
 40 ~~handgun under IC 35-47-2.~~ **is otherwise legally entitled to**  
 41 **possess the handgun.**
- 42 SECTION 24. IC 35-47-14-6, AS ADDED BY P.L.1-2006,



1 SECTION 537, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) In a hearing conducted under  
 3 section 5 of this chapter, the state has the burden of proving all material  
 4 facts by clear and convincing evidence.

5 (b) If the court, in a hearing under section 5 of this chapter,  
 6 determines that the state has proved by clear and convincing evidence  
 7 that the individual is dangerous, the court may order that the law  
 8 enforcement agency having custody of the seized firearm retain the  
 9 firearm. ~~In addition, if the individual has received a license to carry a~~  
 10 ~~handgun, the court shall suspend the individual's license to carry a~~  
 11 ~~handgun.~~ If the court determines that the state has failed to prove that  
 12 the individual is dangerous, the court shall order the law enforcement  
 13 agency having custody of the firearm to return the firearm to the  
 14 individual from whom it was seized.

15 (c) If the court, in a hearing under section 5 of this chapter, orders  
 16 a law enforcement agency to retain a firearm, the law enforcement  
 17 agency shall retain the firearm until the court orders the firearm  
 18 returned or otherwise disposed of.

19 SECTION 25. IC 35-50-2-13, AS AMENDED BY P.L.71-2005,  
 20 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2015]: Sec. 13. (a) The state may seek, on a page separate  
 22 from the rest of a charging instrument, to have a person who allegedly  
 23 committed an offense of dealing in a controlled substance under  
 24 IC 35-48-4-1 through IC 35-48-4-4 sentenced to an additional fixed  
 25 term of imprisonment if the state can show beyond a reasonable doubt  
 26 that the person knowingly or intentionally:

27 (1) used a firearm; or

28 (2) possessed a:

29 ~~(A) handgun in violation of IC 35-47-2-1;~~

30 ~~(B)~~ (A) sawed-off shotgun in violation of IC 35-47-5-4.1; or

31 ~~(C)~~ (B) machine gun in violation of IC 35-47-5-8;

32 while committing the offense.

33 (b) If the person was convicted of the offense in a jury trial, the jury  
 34 shall reconvene to hear evidence in the enhancement hearing. If the  
 35 trial was to the court, or the judgment was entered on a guilty plea, the  
 36 court alone shall hear evidence in the enhancement hearing.

37 (c) If the jury (if the hearing is by jury) or the court (if the hearing  
 38 is to the court alone) finds that the state has proved beyond a  
 39 reasonable doubt that the person knowingly or intentionally committed  
 40 an offense as described in subsection (a), the court may sentence the  
 41 person to an additional fixed term of imprisonment of not more than  
 42 five (5) years, except as follows:



- 1 (1) If the firearm is a sawed-off shotgun, the court may sentence  
2 the person to an additional fixed term of imprisonment of not  
3 more than ten (10) years.  
4 (2) If the firearm is a machine gun or is equipped with a firearm  
5 silencer or firearm muffler, the court may sentence the person to  
6 an additional fixed term of imprisonment of not more than twenty  
7 (20) years. The additional sentence under this subdivision is in  
8 addition to any additional sentence imposed under section 11 of  
9 this chapter for use of a firearm in the commission of an offense.

