

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.

SENATE ENROLLED ACT No. 43

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

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

SECTION 1. IC 2-3-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 10. Handguns

Sec. 1. The following definitions apply throughout this chapter:

(1) "Governing authority" means:

- (A) the speaker of the house of representatives, with respect to employees of the house of representatives;**
- (B) the president pro tempore of the senate, with respect to employees of the senate;**
- (C) the legislative council, with respect to employees of the legislative services agency; or**
- (D) the Indiana lobby registration commission established under IC 2-7-1.6-1, with respect to employees of the Indiana lobby registration commission.**

(2) "Professional staff of the general assembly" means a permanent employee of the house of representatives, senate, Indiana lobby registration commission, or legislative services agency whose primary function is:

- (A) assisting members of the general assembly in communicating with constituents and responding to**



constituent concerns;

(B) advising members of the general assembly concerning the preparation, analysis, fiscal impact, and policy implications of proposed legislation;

(C) preparing, printing, distributing, editing, or revising proposed legislation and amendments to proposed legislation;

(D) performing administrative and clerical functions necessary to the operation of the general assembly, including providing travel and payroll services;

(E) providing technology support to the general assembly or an employee of the general assembly; or

(F) carrying out the duties of the Indiana lobby registration commission.

The term includes officers of the house of representatives and of the senate, and any person whose primary function is to supervise a person described in clauses (A) through (E).

Sec. 2. A member of the general assembly who:

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

(2) is otherwise permitted to possess a handgun;

has the right to carry a handgun within the state capitol building and on the property of the state capitol complex.

Sec. 3. (a) Subject to governing authority rules and policies concerning personnel practices, a member of the professional staff of the general assembly who:

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

(2) is otherwise permitted to possess a handgun;

has the right to carry a handgun within the state capitol building and on the property of the state capitol complex.

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

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

(2) is otherwise permitted to possess a handgun;

has the right to carry a handgun within the state capitol building and on the property of the state capitol complex.

SECTION 2. IC 34-28-7-2, AS AMENDED BY P.L.157-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Notwithstanding any other law and except as provided in ~~subsection~~ subsections (b) and (c), a person may not adopt or enforce an ordinance, a resolution, a policy, or a rule that:

(1) prohibits; or

(2) has the effect of prohibiting;



an employee of the person, including a contract employee, from possessing a firearm or ammunition that is locked in the trunk of the employee's vehicle, kept in the glove compartment of the employee's locked vehicle, or stored out of plain sight in the employee's locked vehicle.

(b) Subsection (a) does not prohibit the adoption or enforcement of an ordinance, a resolution, a policy, or a rule that prohibits or has the effect of prohibiting an employee of the person, including a contract employee, from possessing a firearm or ammunition:

(1) on the property of:

- (A) a child caring institution;
- (B) an emergency shelter care child caring institution;
- (C) a private secure facility;
- (D) a group home;
- (E) an emergency shelter care group home; or
- (F) a child care center;

in violation of 465 IAC 2-9-80, 465 IAC 2-10-79, 465 IAC 2-11-80, 465 IAC 2-12-78, 465 IAC 2-13-77, or 470 IAC 3-4.7-19;

~~(2) on the property of a penal facility (as defined in IC 35-31.5-2-232);~~

~~(3) (2) in violation of federal law;~~

~~(4) (3) in or on property belonging to an approved postsecondary educational institution (as defined in IC 21-7-13-6(b));~~

~~(5) (4) on the property of a domestic violence shelter;~~

~~(6) (5) at the employer's residence;~~

~~(7) (6) on the property of a person that is:~~

(A) subject to the United States Department of Homeland Security's Chemical Facility Anti-Terrorism Standards issued April 9, 2007; and

(B) licensed by the United States Nuclear Regulatory Commission under Title 10 of the Code of Federal Regulations;

~~(8) (7) on property owned by:~~

(A) a public utility (as defined in IC 8-1-2-1) that generates and transmits electric power; or

(B) a department of public utilities created under IC 8-1-11.1; or

~~(9) (8) in the employee's personal vehicle if the employee, including a contract employee, is a direct support professional who:~~

(A) works directly with individuals with developmental



disabilities to assist the individuals to become integrated into the individuals' community or least restrictive environment; and

(B) uses the employee's personal vehicle while transporting an individual with developmental disabilities.

(c) A person shall adopt or enforce an ordinance, a resolution, a policy, or a rule that requires an employee of the person, including a contract employee, who possesses a firearm or ammunition on the property of a penal facility (as defined in IC 35-31.5-2-232), to:

(1) secure the firearm or ammunition or both in a locked case; and

(2) store the firearm or ammunition, or both:

(A) in the trunk of the employee's vehicle;

(B) in the glove compartment of the employee's locked vehicle; or

(C) out of plain sight in the employee's locked vehicle.

SECTION 3. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

SEA 43 — Concur

