

SENATE BILL No. 134

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2; IC 35-47-2-25.

Synopsis: Storage of firearms at public venues. Requires certain facilities owned or operated by a political subdivision to provide a secure storage location for handguns owned by visitors. Permits a handgun permit holder to carry a handgun on the property of certain facilities for the purpose of safely and securely storing the handgun. Provides that a law enforcement officer or an off duty law enforcement officer may carry or possess a handgun on the grounds or premises of certain buildings, facilities, structures, or venues without restriction. Creates certain exceptions. Provides that any: (1) administrative rule; (2) contractual term; (3) ordinance; (4) policy; (5) regulation; (6) rule; or (7) statute; that prevents or prohibits a person possessing a valid handgun permit or a law enforcement officer or off duty law enforcement officer from carrying or possessing a handgun on the grounds or premises of certain buildings, facilities, structures, or venues is void. Creates certain exceptions.

Effective: July 1, 2019.

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January 3, 2019, read first time and referred to Committee on Judiciary.



First Regular Session of the 121st General Assembly (2019)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 134

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 35-31.5-2-177.6 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 177.6. "Invitee", for purposes of**
4 **IC 35-47-2-25, has the meaning set forth in IC 35-47-2-25.**

5 SECTION 2. IC 35-31.5-2-237.5 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2019]: **Sec. 237.5. "Political subdivision", for**
8 **purposes of IC 35-47-2-25, has the meaning set forth in**
9 **IC 35-47-2-25.**

10 SECTION 3. IC 35-47-2-25 IS ADDED TO THE INDIANA CODE
11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2019]: **Sec. 25. (a) The following definitions apply throughout**
13 **this section:**

14 (1) "Invitee" means a person who pays consideration for a
15 license to attend a concert, competition, exhibition, show, or
16 activity of a comparable nature at a specific building, facility,
17 structure, or venue.



- 1 (2) "Law enforcement officer" has the meaning set forth in
 2 IC 35-31.5-2-185(a).
 3 (3) "Political subdivision" has the meaning set forth in
 4 IC 36-1-2-13.
- 5 **(b) A building, facility, structure, or venue that is:**
 6 **(1) administered, controlled, maintained, managed, operated,**
 7 **or owned by a political subdivision; and**
 8 **(2) used:**
 9 **(A) by a professional sports franchise for practice or**
 10 **competitive sporting events; or**
 11 **(B) as a site for:**
 12 **(i) the hosting of conventions serving national or regional**
 13 **markets;**
 14 **(ii) the hosting of tourism related events serving national**
 15 **or regional markets;**
 16 **(iii) a museum;**
 17 **(iv) a zoo;**
 18 **(v) public attractions of national significance;**
 19 **(vi) a performing arts venue; or**
 20 **(vii) a concert;**
- 21 shall provide invitees with the means to safely and securely store
 22 a handgun on grounds or premises affiliated with or located within
 23 a building, facility, structure, or venue described in this section.
- 24 **(c) A person in possession of a:**
 25 **(1) valid Indiana handgun permit; or**
 26 **(2) valid handgun permit from a state sharing a reciprocity**
 27 **agreement with Indiana;**
- 28 may carry or possess a handgun on the grounds or premises
 29 affiliated with or located within a building, facility, structure, or
 30 venue described in subsection (b) for the purpose of safely and
 31 securely storing the person's handgun in a handgun storage facility
 32 required under subsection (b).
- 33 **(d) Subject to subsection (g):**
 34 **(1) an identifiable law enforcement officer; or**
 35 **(2) an off duty law enforcement officer:**
 36 **(A) displaying; or**
 37 **(B) in possession of;**
 38 **identification or credentials capable of identifying the officer**
 39 **as a law enforcement officer;**
- 40 may carry or possess a handgun on the grounds or premises
 41 affiliated with or located within a building, facility, structure, or
 42 venue described in subsection (b) without restriction.



1 (e) Notwithstanding any other law or provision, any:

- 2 (1) administrative rule;
 3 (2) contractual term entered into or renewed after June 30,
 4 2019;
 5 (3) ordinance;
 6 (4) policy;
 7 (5) regulation;
 8 (6) rule; or
 9 (7) statute;

10 that prevents or prohibits a person in possession of a valid Indiana
 11 handgun permit or a valid handgun permit from a state sharing a
 12 reciprocity agreement with Indiana from carrying or possessing a
 13 handgun on the grounds or premises affiliated with or located
 14 within a building, facility, structure, or venue described in
 15 subsection (b) for the purpose of safely and securely storing the
 16 person's handgun in a handgun storage facility required under
 17 subsection (b) is void.

18 (f) Notwithstanding any other law or provision, any:

- 19 (1) administrative rule;
 20 (2) contractual term entered into or renewed after June 30,
 21 2019;
 22 (3) ordinance;
 23 (4) policy;
 24 (5) regulation;
 25 (6) rule; or
 26 (7) statute;

27 that prevents or prohibits an identifiable law enforcement officer
 28 or an off duty law enforcement officer displaying or possessing
 29 credentials or identification that identify the off duty law
 30 enforcement officer as a law enforcement officer from carrying or
 31 possessing a handgun on the grounds or premises affiliated with or
 32 located within a building, facility, structure, or venue described in
 33 subsection (b) is void.

34 (g) This section may not be construed to prevent building,
 35 facility, structure, or venue management from regulating the
 36 carrying or possession of firearms:

- 37 (1) by building, facility, structure, or venue employees
 38 (subject to IC 35-47-11.1-4);
 39 (2) in controlled or restricted access areas of the building,
 40 facility, structure, or venue;
 41 (3) in areas where alcohol may be purchased or consumed by
 42 invitees;



- 1 **(4) in areas where children are present or expected to be**
- 2 **present; or**
- 3 **(5) in areas where invitees congregate, need to congregate, or**
- 4 **are expected to congregate for the purpose of attending or**
- 5 **observing a concert, competition, exhibition, show, or activity**
- 6 **of a comparable nature.**

