

SENATE BILL No. 263

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-2.5-12.5.

Synopsis: Minimum age to purchase assault weapons. Defines the term "regulated weapon". Prohibits the: (1) sale; (2) trade; or (3) transfer; of a regulated weapon to a person less than 21 years of age. Provides that a dealer or person who knowingly or intentionally: (1) sells; (2) trades; or (3) transfers; a regulated weapon to a person less than 21 years of age commits a Level 6 felony. Provides certain defenses.

Effective: July 1, 2019.

Mrvan

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. 263

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 35-47-2.5-12.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: **Sec. 12.5. (a) This section does not**
4 **apply to a dealer or person who sells, trades, or transfers a**
5 **regulated weapon in compliance with IC 35-47-10 (governing**
6 **children and firearms).**
7 **(b) The following definitions apply throughout this section:**
8 **(1) "Action" means any mechanism on a firearm responsible**
9 **for one (1) or more of the following:**
10 **(A) Loading a cartridge.**
11 **(B) Locking a cartridge.**
12 **(C) Firing a cartridge.**
13 **(D) Ejecting or extracting a cartridge.**
14 **(2) "Centerfire rifle" means a rifle capable of firing a**
15 **projectile from a metallic cartridge containing the primer in**
16 **the center of the cartridge case head.**
17 **(3) "Magazine" means any ammunition feeding and storage**



1 device within or attachable to a firearm.

2 (4) "Regulated weapon" means a semiautomatic, centerfire
3 rifle with an internal magazine or the capability to accept a
4 detachable magazine and at least one (1) of the following
5 characteristics:

6 (A) A pistol grip that protrudes beneath the action of the
7 weapon.

8 (B) A thumb hole stock.

9 (C) A folding or telescoping stock.

10 (D) A mount or lug capable of accepting or affixing a:

11 (i) bayonet;

12 (ii) flare launcher; or

13 (iii) grenade launcher.

14 (E) A flash suppressor.

15 (F) A forward pistol grip.

16 (5) "Rifle" means a weapon intended to be fired from the
17 shoulder and:

18 (A) designed or redesigned; or

19 (B) made or remade;

20 to use the energy of an explosive in a fixed metallic cartridge
21 to fire a single projectile through a rifled bore or barrel.

22 (6) "Semiautomatic" means any action that:

23 (A) uses a portion of the energy of a firing cartridge to
24 extract the fired cartridge case and chamber the next
25 cartridge; and

26 (B) requires a separate pull of the trigger to fire each
27 cartridge.

28 (c) A dealer or person may not sell, trade, or transfer a
29 regulated weapon to a person who is less than twenty-one (21)
30 years of age.

31 (d) A dealer or person who knowingly or intentionally violates
32 this section commits unlawful transfer of a regulated weapon, a
33 Level 6 felony.

34 (e) It is a defense to a prosecution under subsection (c) that the
35 dealer or person responsible for the sale, trade, or transfer of the
36 regulated weapon reasonably believed the recipient of the
37 regulated weapon to be at least twenty-one (21) years of age at the
38 time of the sale, trade, or transfer.

