

# SENATE BILL No. 493

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-6-2; IC 34-28-7-2.5.

**Synopsis:** Employer firearms policies. Provides that a person who: (1) discovers, as a result of an illegal entry into a motor vehicle owned or possessed by the person, that a firearm legally owned or possessed by the person was stolen from the motor vehicle; and (2) reports the theft of the firearm from the motor vehicle to a law enforcement agency; is immune from any adverse administrative sanction concerning the possession of a firearm or ammunition on the property of an approved postsecondary educational institution in certain instances. Provides that a person is required to prove, by a preponderance of the evidence, that the person did not knowingly or intentionally violate any administrative regulation or comparable prohibition concerning the possession of a firearm or ammunition on the property of an approved postsecondary educational institution when raising the defense of immunity.

**Effective:** July 1, 2019.

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## Ford Jon

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January 14, 2019, read first time and referred to Committee on Judiciary.

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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. 493

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

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

1 SECTION 1. IC 34-6-2-10.6 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2019]: **Sec. 10.6. "Approved postsecondary educational  
4 institution", for purposes of IC 34-6-2-72.5, has the meaning set  
5 forth in IC 21-7-13-6.**

6 SECTION 2. IC 34-6-2-72.5 IS ADDED TO THE INDIANA CODE  
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
8 1, 2019]: **Sec. 72.5. "Law enforcement agency", for purposes of  
9 IC 34-28-7-2.5, means an agency or department of:**

- 10 (1) the state;
- 11 (2) a political subdivision of the state; or
- 12 (3) an approved postsecondary educational institution;
- 13 whose principal function is the enforcement of criminal laws or the  
14 apprehension of criminal offenders.

15 SECTION 3. IC 34-28-7-2.5 IS ADDED TO THE INDIANA CODE  
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
17 1, 2019]: **Sec. 2.5. (a) This section does not apply to a person who**



1 **knowingly or intentionally possesses a firearm or ammunition:**  
2 **(1) on a property described in section 2(b)(3) of this chapter;**  
3 **and**  
4 **(2) in violation of an administrative regulation, or any**  
5 **comparable prohibition, that prohibits the possession of a**  
6 **firearm or ammunition on a property described in section**  
7 **2(b)(3) of this chapter.**  
8 **(b) A person who:**  
9 **(1) discovers, as a result of an illegal entry into a motor**  
10 **vehicle owned or possessed by the person, that a firearm**  
11 **legally owned or possessed by the person was stolen from the**  
12 **motor vehicle; and**  
13 **(2) reports the theft of the firearm from the motor vehicle to**  
14 **a law enforcement agency;**  
15 **is immune from any adverse administrative sanction concerning**  
16 **the possession of a firearm or ammunition on a property described**  
17 **in section 2(b)(3) of this chapter.**  
18 **(c) A person who raises the immunity described in subsection**  
19 **(b) has the burden of proving, by a preponderance of the evidence,**  
20 **that the person did not knowingly or intentionally possess a**  
21 **firearm in violation of any administrative regulation concerning**  
22 **the possession of a firearm or ammunition on a property described**  
23 **in section 2(b)(3) of this chapter.**

