



Reprinted
February 15, 2019

HOUSE BILL No. 1253

DIGEST OF HB 1253 (Updated February 14, 2019 12:55 pm - DI 123)

Citations Affected: IC 5-2; IC 10-14; IC 10-21.

Synopsis: Handgun training for teachers. Creates a specialized firearms safety, education, and training curriculum (curriculum) for teachers, school staff, and school employees. Specifies curriculum requirements. Authorizes funds from the Indiana safe schools fund (fund) to be used for curriculum related expenses. Provides that the identity of any person who: (1) receives a grant from the fund; or (2) enrolls in, participates in, or completes certain specialized firearm instruction; is confidential. Makes conforming amendments.

Effective: July 1, 2019.

Lucas, Judy, Stutzman

January 10, 2019, read first time and referred to Committee on Education.
February 11, 2019, amended, reported — Do Pass.
February 14, 2019, read second time, amended, ordered engrossed.

HB 1253—LS 7358/DI 123



Reprinted
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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.

HOUSE BILL No. 1253

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

1 SECTION 1. IC 5-2-10.1-2, AS AMENDED BY P.L.25-2016,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2019]: Sec. 2. (a) The Indiana safe schools fund is established
4 to do the following:

5 (1) Promote school safety through the:

6 (A) use of dogs trained to detect drugs and illegal substances;
7 and

8 (B) purchase of other equipment and materials used to
9 enhance the safety of schools.

10 (2) Combat truancy.

11 (3) Provide matching grants to schools for school safe haven
12 programs.

13 (4) Provide grants for school safety and safety plans.

14 (5) Provide educational outreach and training to school personnel
15 concerning:

16 (A) the identification of;

17 (B) the prevention of; and

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(C) intervention in;

bullying.

(6) Provide educational outreach to school personnel and training to school safety specialists and school resource officers concerning:

(A) the identification of;

(B) the prevention of; and

(C) intervention in; criminal organization activities.

(7) Provide grants for school wide programs to improve school climate and professional development and training for school personnel concerning:

(A) alternatives to suspension and expulsion; and

(B) evidence based practices that contribute to a positive school environment, including classroom management skills, positive behavioral intervention and support, restorative practices, and social emotional learning.

(8) Increase school safety by:

(A) helping teachers, school staff, and school employees acquire specialized firearms instruction; and

(B) defraying tuition related expenses for teachers, school staff, and school employees who wish to enroll in the course of specialized firearms instruction described in IC 10-21-2.

(b) The fund consists of amounts deposited:

(1) under IC 33-37-9-4; and

(2) from any other public or private source.

(c) The institute shall determine grant recipients from the fund with a priority on awarding grants in the following order:

(1) A grant for a safety plan.

(2) A safe haven grant requested under section 10 of this chapter.

(3) A safe haven grant requested under section 7 of this chapter.

(d) Upon recommendation of the council, the institute shall establish a method for determining the maximum amount a grant recipient may receive under this section.

SECTION 2. IC 10-14-3-33.5, AS AMENDED BY P.L.114-2012, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 33.5. (a) Except as provided in subsection (b), the state, a political subdivision, or any other person may not prohibit or restrict the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during:

(1) a disaster emergency;



(2) an energy emergency; or
 (3) a local disaster emergency;
 declared under this chapter.

(b) Subsection (a) does not authorize the possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during an emergency described in subsection (a):

(1) in or on school property, in or on property that is being used by a school for a school function, or on a school bus in violation of IC 20-33-8-16; ~~or IC 35-47-9-2;~~

(2) 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; or

(E) an emergency shelter care group home;

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

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

(4) in violation of federal law;

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

(6) on the property of a domestic violence shelter; or

(7) on property owned, operated, controlled, or used by an entity that:

(A) is required to:

(i) conduct a vulnerability assessment; and

(ii) develop and implement a site security plan;

under the United States Department of Homeland Security's Chemical Facility Anti-Terrorism Standards issued April 9, 2007; or

(B) is required to have a security plan under the Maritime Transportation Security Act of 2002, Public Law 107-295.

SECTION 3. IC 10-21-2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 2. Specialized Firearms Instruction for Teachers, School Staff, and School Employees

Sec. 1. The following terms are defined for this chapter:

(1) "Charter school" has the meaning set forth in IC 20-24-1-4.

(2) "Institute" means the Indiana criminal justice institute



established under IC 5-2-6.

(3) "Nonpublic school" means a school that:

(A) is not maintained by a school corporation or charter school; and

(B) employs one (1) or more employees.

The term includes a private school or a parochial school.

(4) "School corporation" has the meaning set forth in IC 20-26-2-4.

Sec. 2. A teacher, staff member, or employee who is:

(1) currently employed by a:

(A) charter school;

(B) nonpublic school; or

(C) school corporation;

(2) is not currently subject to:

(A) an administrative suspension or investigation;

(B) a disciplinary complaint or disciplinary investigation;

(C) a criminal investigation or prosecution; or

(D) any proceeding or investigation comparable to those described in clauses (A) through (C); and

(3) authorized by:

(A) a school board (as defined by IC 20-26-9-4); or

(B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property;

may apply to the institute for a grant from the Indiana safe schools fund established by 5-2-10.1-2.

Sec. 3. (a) A teacher, school staff member, or school employee shall apply for a grant from the institute in the form and manner prescribed by the institute.

(b) The institute may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this section.

Sec. 4. A grant provided to a teacher, school staff member, or school employee under section 3 of this chapter must be used by the teacher, staff member, or employee to enroll in a course of specialized firearms instruction that:

(1) is taught by an instructor who is or instructors who are qualified to provide instruction in the topics described in subdivision (2); and

(2) consists of the following topics:

(A) Not less than one (1) hour of general firearms safety.

This topic shall consist of the following subtopics:

(i) Safe handling of firearms.



- 1 (ii) Safe carrying of firearms.
- 2 (iii) Safe storage of firearms.
- 3 (B) Not less than one (1) half hour of firearms
- 4 maintenance. This topic shall consist of the following
- 5 subtopics:
- 6 (i) General care of firearms.
- 7 (ii) Basic firearm cleaning, oiling, preventative
- 8 maintenance, and repair.
- 9 (C) Not less than twenty four (24) hours on the following
- 10 topics:
- 11 (i) Basic marksmanship training that includes a
- 12 qualification standard established by the instructor.
- 13 (ii) Scenario based training.
- 14 (D) Not less than eight (8) hours of dynamic gun drills.
- 15 This topic shall consist of the following subtopics:
- 16 (i) Shooting in high-stress environments.
- 17 (ii) Shooting in highly populated environments.
- 18 (iii) Shooting while moving and communicating with
- 19 third parties.
- 20 (iv) Shooting at multiple targets.
- 21 (v) Shooting while moving to and from cover.
- 22 (E) Not less than one (1) hour on the topic on firearms
- 23 retention. This topic shall consist of the following
- 24 subtopics:
- 25 (i) Retention of a handgun while holstered.
- 26 (ii) Retention of a handgun while drawn.
- 27 (iii) Retention of shotguns and rifles.
- 28 (iv) Responses to common handgun, shotgun, and rifle
- 29 disarming techniques.
- 30 (F) Not less than two (2) hours on the topic of tactical
- 31 movement and maneuvering while armed. This topic shall
- 32 discuss the presentation and manipulation of a firearm
- 33 while:
- 34 (i) moving;
- 35 (ii) in hallways;
- 36 (iii) at room entrances;
- 37 (iv) in open spaces and venues; and
- 38 (v) in restricted spaces and areas.
- 39 (G) Not less than one (1) hour on the legal consequences of
- 40 a use of force action.
- 41 (H) Not less than one (1) hour on the topic of post-shooting
- 42 considerations and consequences. This topic shall consist



of the following subtopics:

(i) Psychological and emotional responses following a shooting or use of force action.

(ii) The proper securing of a weapon following a shooting.

(iii) The preservation of evidence following a shooting or use of force action.

(iv) Safely identifying oneself to a law enforcement officer while armed or immediately following a use of force action.

(I) Not less than one (1) hour on the topic of school shootings and active shooter incidents. This topic shall evaluate and analyze past school shootings and active shooter incidents for the purpose of:

(i) illustrating concepts discussed during the safety and training course; and

(ii) critiquing ineffective or dangerous responses made by other individuals during the course of a school shooting or active shooter incident.

(J) Any other topic or remedial training:

(i) deemed appropriate or necessary by the course instructor; or

(ii) necessitated by circumstances or conditions unique to a specific school, teacher, or student.

(K) Not less than one (1) hour of tactical emergency medical instruction.

Sec. 5. A teacher, school staff member, or school employee who wishes to apply for a grant from the institute under section 3 of this chapter must:

(1) have successfully completed the Minnesota multiphasic personality inventory 2 (MMPI-II) prior to applying for a grant described under section 3 of this chapter; and

(2) be able to provide proof of having completed the Minnesota multiphasic personality inventory 2 (MMPI-II) to the institute upon request.

Sec. 6. A teacher, school staff member, or school employee who:

(1) receives a grant from the institute under section 3 of this chapter; and

(2) enrolls in a course of firearms instruction that meets the requirements specified in section 4 of this chapter;

may complete the course of firearms instruction in parts or phases if permitted by the course instructor.



1 **Sec. 7. (a) A teacher, school staff member, or school employee**
 2 **who successfully completes a course of firearms instruction**
 3 **described in section 4 of this chapter shall be awarded a certificate**
 4 **of completion by the course instructor.**

5 **(b) A certificate of completion described under this section shall**
 6 **display the following information:**

- 7 **(1) The course enrollee's name.**
- 8 **(2) The course instructor's name.**
- 9 **(3) The course instructor's handwritten signature.**
- 10 **(4) The date of course completion.**
- 11 **(5) Any other information deemed relevant or necessary by**
 12 **the course instructor.**

13 **Sec. 8. A grant provided under section 3 of this chapter may not**
 14 **be used to acquire firearms instruction that:**

- 15 **(1) fails to address each topic and subtopic described in**
 16 **section 4 of this chapter; or**
- 17 **(2) is provided by any person lacking a valid National Rifle**
 18 **Association certification.**

19 **Sec. 9. A teacher, school staff member, or school employee who:**

- 20 **(1) violates section 8 of this chapter;**
- 21 **(2) uses a grant provided under section 3 of this chapter for a**
 22 **purpose not specified in section 4 of this chapter; or**
- 23 **(3) is unable to provide the institute with:**
 - 24 **(A) a certificate of completion described in section 7(b) of**
 25 **this chapter;**
 - 26 **(B) proof that the teacher, school staff member, or school**
 27 **employee is:**
 - 28 **(i) currently enrolled; or**
 - 29 **(ii) otherwise in the process of completing;**
 - 30 **a course of firearms instruction that complies with section**
 31 **4 of this chapter upon request; or**
 - 32 **(C) proof of having completed the Minnesota multiphasic**
 33 **personality inventory 2 (MMPI-II) upon request by the**
 34 **institute;**

35 **must reimburse the institute in an amount equal to the amount of**
 36 **any grant originally issued to the teacher, school staff member, or**
 37 **school employee under this chapter.**

38 **Sec. 10. (a) The identity of a person who:**

- 39 **(1) has received a grant from the institute under section 3 of**
 40 **this chapter; or**
- 41 **(2) has enrolled in, participated in, or completed the firearms**
 42 **training described under section 4 of this chapter;**



1 **is confidential.**
2 **(b) A charter school, nonpublic school, or school corporation**
3 **may not disclose the identity of any person described in subsection**
4 **(a) unless otherwise required by law.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1253, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 19, after "teachers" insert ", **school staff, and school employees**".

Page 2, line 21, after "teachers" insert ", **school staff, and school employees**".

Page 3, line 36, after "Teachers" insert ", **School Staff, and School Employees**".

Page 4, line 7, after "teacher" insert ", **staff member, or employee**".

Page 4, line 11, delete "and".

Page 4, line 17, after "(C);" insert "**and**".

Page 4, between lines 17 and 18, begin a new line block indented and insert:

"(3) authorized by:

(A) a school board (as defined by IC 20-26-9-4); or

(B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property;".

Page 4, line 20, after "teacher" insert ", **school staff member, or school employee**".

Page 4, line 24, after "teacher" insert ", **school staff member, or school employee**".

Page 4, line 25, after "teacher" insert ", **staff member, or employee**".

Page 4, delete lines 27 through 28, begin a new line block indented and insert:

"(1) is taught by an instructor who is or instructors who are qualified to provide instruction in the topics described in subdivision (2); and".

Page 4, delete lines 41 through 42, begin a new line double block indented and insert:

"(C) Not less than twenty four (24) hours on the following topics:

(i) Basic marksmanship training that includes a qualification standard established by the instructor.

(ii) Scenario based training."

Page 5, delete lines 1 through 2.

Page 6, between lines 13 and 14, begin a new line double block



indented and insert:

"(K) Not less than one (1) hour of tactical emergency medical instruction.

Sec. 5. A teacher, school staff member, or school employee who wishes to apply for a grant from the institute under section 3 of this chapter must:

- (1) have successfully completed the Minnesota multiphasic personality inventory 2 (MMPI-II) prior to applying for a grant described under section 3 of this chapter; and**
- (2) be able to provide proof of having completed the Minnesota multiphasic personality inventory 2 (MMPI-II) to the institute upon request."**

Page 6, line 14, delete "5." and insert "6."

Page 6, line 14, after "teacher" insert ", school staff member, or school employee".

Page 6, line 21, delete "6." and insert "7."

Page 6, line 21, after "teacher" insert ", school staff member, or school employee".

Page 6, line 32, delete "7." and insert "8."

Page 6, delete lines 38 through 42, begin a new paragraph and insert:

"Sec. 9. A teacher, school staff member, or school employee who:

- (1) violates section 8 of this chapter;**
- (2) uses a grant provided under section 3 of this chapter for a purpose not specified in section 4 of this chapter; or**
- (3) is unable to provide the institute with:**
 - (A) a certificate of completion described in section 7(b) of this chapter;**
 - (B) proof that the teacher, school staff member, or school employee is:**
 - (i) currently enrolled; or**
 - (ii) otherwise in the process of completing;**
 - a course of firearms instruction that complies with section 4 of this chapter upon request; or**
 - (C) proof of having completed the Minnesota multiphasic personality inventory 2 (MMPI-II) upon request by the institute;**

must reimburse the institute in an amount equal to the amount of any grant originally issued to the teacher, school staff member, or



school employee under this chapter."

Delete pages 7 through 8.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1253 as introduced.)

BEHNING

Committee Vote: yeas 8, nays 2.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1253 be amended to read as follows:

Page 7, after line 37, begin a new paragraph and insert:

"Sec. 10. (a) The identity of a person who:

(1) has received a grant from the institute under section 3 of this chapter; or

(2) has enrolled in, participated in, or completed the firearms training described under section 4 of this chapter;

is confidential.

(b) A charter school, nonpublic school, or school corporation may not disclose the identity of any person described in subsection (a) unless otherwise required by law."

Renumber all SECTIONS consecutively.

(Reference is to HB 1253 as printed February 12, 2019.)

JUDY

