



January 10, 2020

SENATE BILL No. 69

DIGEST OF SB 69 (Updated January 8, 2020 11:13 am - DI 128)

Citations Affected: IC 35-47.

Synopsis: Possession of firearms on school property. Exempts certain retired law enforcement officers described in the federal Law Enforcement Officers Safety Act (LEOSA) from the prohibition against carrying a firearm on school property. Makes conforming amendments.

Effective: July 1, 2020.

Sandlin, Koch

January 6, 2020, read first time and referred to Committee on Judiciary.
January 9, 2020, amended, reported favorably — Do Pass.

SB 69—LS 6394/DI 123



January 10, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 69

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 35-47-9-1, AS AMENDED BY P.L.107-2019,
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:
4 (1) A:
5 (A) federal;
6 (B) state; or
7 (C) local;
8 law enforcement officer.
9 (2) **A qualified retired law enforcement officer (as defined in**
10 **18 U.S.C. 926C), if the qualified retired law enforcement**
11 **officer carries the identification required by 18 U.S.C. 926C.**
12 ~~(3)~~ (3) A person who may legally possess a firearm and who has
13 been authorized by:
14 (A) a school board (as defined by IC 20-26-9-4); or
15 (B) the body that administers a charter school established
16 under IC 20-24;
17 to carry a firearm in or on school property.

SB 69—LS 6394/DI 123



- 1 ~~(3)~~ **(4)** Except as provided in subsection (b) or (c), a person who:
 2 (A) may legally possess a firearm; and
 3 (B) possesses the firearm in a motor vehicle.
- 4 ~~(4)~~ **(5)** A person who is a school resource officer, as defined in
 5 IC 20-26-18.2-1.
- 6 ~~(5)~~ **(6)** Except as provided in subsection (b) or (c), a person who:
 7 (A) may legally possess a firearm; and
 8 (B) possesses only a firearm that is:
 9 (i) locked in the trunk of the person's motor vehicle;
 10 (ii) kept in the glove compartment of the person's locked
 11 motor vehicle; or
 12 (iii) stored out of plain sight in the person's locked motor
 13 vehicle.
- 14 ~~(6)~~ **(7)** A person who:
 15 (A) may legally possess a firearm; and
 16 (B) possesses a firearm on school property in connection with
 17 or while:
 18 (i) attending a worship service or religious ceremony
 19 conducted at a house of worship located on the school
 20 property; or
 21 (ii) carrying out the person's official duties at a house of
 22 worship located on the school property, if the person is
 23 employed by or a volunteer at the house of worship.
- 24 This subdivision does not affect the right of a property owner to
 25 prohibit, in whole or in part, the possession of a firearm on a
 26 property where a school or house of worship is located.
- 27 (b) For purposes of subsection ~~(a)(3)~~ **(a)(4)** and ~~(a)(5)~~; **(a)(6)**, a
 28 person does not include a person who is:
 29 (1) enrolled as a student in any high school except if the person is
 30 a high school student and is a member of a shooting sports team
 31 and the school's principal has approved the person keeping a
 32 firearm concealed in the person's motor vehicle on the days the
 33 person is competing or practicing as a member of a shooting
 34 sports team; or
 35 (2) a former student of the school if the person is no longer
 36 enrolled in the school due to a disciplinary action within the
 37 previous twenty-four (24) months.
- 38 (c) For purposes of subsection ~~(a)(3)~~ **(a)(4)** and ~~(a)(5)~~; **(a)(6)**, a
 39 motor vehicle does not include a motor vehicle owned, leased, or
 40 controlled by a school or school district unless the person who
 41 possesses the firearm is authorized by the school or school district to
 42 possess a firearm.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 69, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 9, delete "A:" and insert "A".

Page 1, delete lines 10 through 11.

Page 1, line 12, delete "(B)".

Page 1, line 13, delete ";" and insert ",".

Page 1, line 14, delete "qualified law enforcement officer or".

Page 1, line 16, delete "18 U.S.C. 926B or".

Page 1, run in lines 9 through 16.

and when so amended that said bill do pass.

(Reference is to SB 69 as introduced.)

KOCH, Chairperson

Committee Vote: Yeas 10, Nays 1.

