



February 2, 2018

SENATE BILL No. 33

DIGEST OF SB 33 (Updated January 31, 2018 5:41 pm - DI 106)

Citations Affected: IC 35-47.

Synopsis: Houses of worship and firearms. Permits a person who may legally possess a firearm to possess a firearm on school property if the person possesses the firearm: (1) with permission of the house of worship located on school property; (2) as an employee or volunteer of a house of worship located on the school property; or (3) while attending a worship service or religious ceremony conducted at a house of worship located on the school property.

Effective: Upon passage.

Sandlin, Tomes

January 3, 2018, read first time and referred to Committee on Judiciary.
February 1, 2018, amended, reported favorably — Do Pass.

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February 2, 2018

Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE BILL No. 33

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.157-2014,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 1. (a) This chapter does not apply to the
4 following:
5 (1) A:
6 (A) federal;
7 (B) state; or
8 (C) local;
9 law enforcement officer.
10 (2) A person who may legally possess a firearm and who has been
11 authorized by:
12 (A) a school board (as defined by IC 20-26-9-4); or
13 (B) the body that administers a charter school established
14 under IC 20-24;
15 to carry a firearm in or on school property.
16 (3) Except as provided in subsection (b) or (c), a person who:
17 (A) may legally possess a firearm; and

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- 1 (B) possesses the firearm in a motor vehicle.
 2 (4) A person who is a school resource officer, as defined in
 3 IC 20-26-18.2-1.
 4 (5) Except as provided in subsection (b) or (c), a person who:
 5 (A) may legally possess a firearm; and
 6 (B) possesses only a firearm that is:
 7 (i) locked in the trunk of the person's motor vehicle;
 8 (ii) kept in the glove compartment of the person's locked
 9 motor vehicle; or
 10 (iii) stored out of plain sight in the person's locked motor
 11 vehicle.
 12 **(6) A person who:**
 13 **(A) may legally possess a firearm;**
 14 **(B) has the permission of the house of worship to possess**
 15 **the firearm on the school property; and**
 16 **(C) possesses a firearm on school property in connection**
 17 **with 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 (b) For purposes of subsection (a)(3) and (a)(5), a person does not
 25 include a person who is:
 26 (1) enrolled as a student in any high school except if the person is
 27 a high school student and is a member of a shooting sports team
 28 and the school's principal has approved the person keeping a
 29 firearm concealed in the person's motor vehicle on the days the
 30 person is competing or practicing as a member of a shooting
 31 sports team; or
 32 (2) a former student of the school if the person is no longer
 33 enrolled in the school due to a disciplinary action within the
 34 previous twenty-four (24) months.
 35 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle
 36 does not include a motor vehicle owned, leased, or controlled by a
 37 school or school district unless the person who possesses the firearm
 38 is authorized by the school or school district to possess a firearm.
 39 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 33, 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:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 12, delete "and".

Page 2, between lines 12 and 13, begin a new line double block indented and insert:

"(B) has the permission of the house of worship to possess the firearm on the school property; and".

Page 2, line 13, delete "(B)" and insert "(C)".

Page 2, after line 35, begin a new paragraph and insert:

"SECTION 2. An emergency is declared for this act."

and when so amended that said bill do pass.

(Reference is to SB 33 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 5, Nays 2.

