

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1095

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AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

SECTION 1. IC 35-31.5-2-21, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 21. "Armor-piercing ~~handgun~~ ammunition", for purposes of ~~IC 35-47-5-11~~, **IC 35-47-5-11.5**, has the meaning set forth in ~~IC 35-47-5-11(a)~~. **IC 35-47-5-11.5**.

SECTION 2. IC 35-47-5-11 IS REPEALED [EFFECTIVE JULY 1, 2017]. Sec. 11. (a) As used in this section, "armor-piercing handgun ammunition" means a cartridge that:

- (1) can be fired in a handgun; and
- (2) will, upon firing, expel a projectile that has a metal core and an outer coating of plastic.

(b) A person who knowingly or intentionally:

- (1) manufactures;
- (2) possesses;
- (3) transfers possession of; or
- (4) offers to transfer possession of;

armor-piercing handgun ammunition commits a Level 5 felony.

(c) This section does not apply to nylon coated ammunition, plastic shot capsules, or ammunition designed to be used in rifles or shotguns.

(d) This section does not apply to a law enforcement officer who is acting in the course of the officer's official duties or to a person who

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manufactures or imports for sale or sells armor-piercing handgun ammunition to a law enforcement agency.

SECTION 3. IC 35-47-5-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 11.5. (a) As used in this section, "armor-piercing ammunition" means:**

- (1) a projectile or projectile core that is designed and intended by the manufacturer for use in a handgun and that is constructed entirely (excluding the presence of traces of other substances) from one (1) or a combination of tungsten alloys, steel, iron, brass, bronze, or beryllium copper; or**
- (2) a full jacketed projectile larger than .22 caliber designed and intended by the manufacturer for use in a handgun and whose jacket has a weight of more than twenty-five percent (25%) of the total weight of the projectile.**

The term does not include shotgun shot required by federal or state environmental or game regulations for hunting purposes, a frangible projectile designed for target shooting, a projectile that is primarily intended by the manufacturer to be used in a rifle or shotgun, or a handgun projectile that is designed and intended by the manufacturer to be used for hunting, recreational shooting, or competitive shooting.

**(b) Except as provided in subsection (c), a person who knowingly or intentionally possesses, manufactures, sells, or delivers armor-piercing ammunition commits a Level 5 felony.**

**(c) Subsection (b) does not apply to the following:**

- (1) A person who manufactures, sells, or delivers armor-piercing ammunition for the use of:**
  - (A) the United States;**
  - (B) a department or agency of the United States;**
  - (C) a state;**
  - (D) a law enforcement agency; or**
  - (E) a department, agency, or political subdivision of a state.**
- (2) A person who manufactures, sells, or delivers armor-piercing ammunition for export.**
- (3) A person who manufactures, sells, or delivers armor-piercing ammunition for the purpose of testing or experimentation.**
- (4) A law enforcement officer acting in the course of the officer's official duties.**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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