

SENATE BILL No. 78

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-9-1.

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

Effective: July 1, 2017.

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January 3, 2017, read first time and referred to Committee on Judiciary.



First Regular Session 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.

SENATE BILL No. 78

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 JULY 1, 2017]: 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 person who may legally possess a firearm and who has been
10 authorized by:
11 (A) a school board (as defined by IC 20-26-9-4); or
12 (B) the body that administers a charter school established
13 under IC 20-24;
14 to carry a firearm in or on school property.
15 (3) Except as provided in subsection (b) or (c), a person who:
16 (A) may legally possess a firearm; and
17 (B) possesses the firearm in a motor vehicle.



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

