

HOUSE BILL No. 1044

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2-187.5; IC 35-47.

Synopsis: Minimum age to purchase firearms. Makes it a Level 5 felony for a: (1) licensed importer, licensed manufacturer, licensed dealer, or licensed collector (licensee); or (2) person who is not a licensee (private seller); to knowingly or intentionally sell, trade, give, transport, deliver, or otherwise transfer a firearm to a person whom the licensee or private seller knows is less than 21 years of age. Specifies exceptions that apply to a private seller. Requires a court to impose consecutive sentences upon a private seller who is convicted of certain offenses.

Effective: July 1, 2024.

Errington

January 8, 2024, read first time and referred to Committee on Public Policy.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1044

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 35-31.5-2-187.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 187.5. "Licensed importer,**
4 **licensed manufacturer, licensed dealer, or licensed collector",** for
5 **purposes of IC 35-47-4-10 and IC 35-47-4-11, has the meaning set**
6 **forth in IC 35-47-4-11(a).**

7 SECTION 2. IC 35-47-1-6.5 IS ADDED TO THE INDIANA CODE
8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2024]: **Sec. 6.5. "Licensed importer, licensed manufacturer,**
10 **licensed dealer, or licensed collector",** for purposes of
11 **IC 35-47-4-10 and IC 35-47-4-11, has the meaning set forth in**
12 **IC 35-47-4-11(a).**

13 SECTION 3. IC 35-47-4-10 IS ADDED TO THE INDIANA CODE
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2024]: **Sec. 10. Except an individual acting within a parent-minor**
16 **child or guardian-minor protected person relationship or any other**
17 **individual who is also acting in compliance with IC 35-47-10**



1 (governing children and firearms) and federal law, a person who:
 2 (1) is not a licensed importer, licensed manufacturer, licensed
 3 dealer, or licensed collector (as defined in section 11(a) of this
 4 chapter); and
 5 (2) knowingly or intentionally sells, trades, gives, transports,
 6 delivers, or otherwise transfers a firearm to a person whom
 7 the transferor knows is less than twenty-one (21) years of age;
 8 commits unauthorized private transfer of a firearm, a Level 5
 9 felony.

10 SECTION 4. IC 35-47-4-11 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2024]: Sec. 11. (a) As used in this section, "licensed importer,
 13 licensed manufacturer, licensed dealer, or licensed collector" has
 14 the meaning set forth in 18 U.S.C. 921(a) corresponding to each
 15 term, as applicable.

16 (b) A licensed importer, licensed manufacturer, licensed dealer,
 17 or licensed collector who knowingly or intentionally sells, trades,
 18 gives, transports, delivers, or otherwise transfers a firearm to a
 19 person whom the licensed importer, licensed manufacturer,
 20 licensed dealer, or licensed collector knows is less than twenty-one
 21 (21) years of age commits unauthorized transfer of a firearm by a
 22 licensee, a Level 5 felony.

23 SECTION 5. IC 35-47-10-9 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. A court shall impose
 25 consecutive sentences upon a person who has a conviction under this
 26 chapter and a conviction under:

- 27 (1) IC 35-47-2-7; or
 28 (2) IC 35-47-4-10.

