

SENATE BILL No. 491

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-19.5; IC 10-21-1.5; IC 20-26-5-36; IC 20-40; IC 20-49-4; IC 21-17-5-6; IC 21-39-4-7; IC 35-47-2.

Synopsis: School emergency response systems. Requires the department of homeland security (department) to establish minimum standards and approve best practices not later than July 1, 2016, for a school emergency response system (system). Creates an advisory committee consisting of law enforcement officials and a deputy director of the department to advise the department in establishing the standards. Requires, beginning July 1, 2016, the department to review and approve a school corporation's: (1) plans and specifications; and (2) use of the department's best practices; if the school corporation purchases, installs, or implements a system. Creates the Indiana school emergency response system fund to provide matching grants to schools to pay the costs of purchasing, installing, and implementing a system. Provides that: (1) each matching grant may not exceed \$125,000; and (2) a school may receive two matching grants annually. Imposes fees on: (1) the retail sale of firearms and ammunition; and (2) handgun licenses; for deposit in the Indiana school emergency response system fund. Allows a school corporation to obtain a loan (not to exceed \$50,000) from the counter-cyclical revenue and economic stabilization fund for the costs of purchasing, installing, and implementing a system. Allows a school corporation to use money from the school capital projects fund to pay: (1) the costs of a system; or (2) advances on a loan from the common school fund to pay for a system. Requires each school corporation that wants to purchase, install, and implement a system to establish a school corporation emergency response system fund. Allows a school corporation to collect one or both of the following: (1) A student safety fee, not to exceed \$20 per year, for each
(Continued next page)

Effective: July 1, 2015.

Boots

January 14, 2015 , read first time and referred to Committee on Homeland Security & Transportation.



Digest Continued

student of a school. (2) A public safety fee, not to exceed \$10 per month on each parcel of real property located within the school corporation district that ends on the earlier of the following dates: (A) When the school board determines sufficient funds have been collected to further its program of purchasing, installing or implementing emergency response systems in the school corporation. (B) 60 months. Requires that a student safety fee or public safety fee collected by a school corporation must be used to pay for the purchase, installation, and implementation of a system, or to provide matching funds for grants to pay for the purchase, installation, and implementation of a system.



Introduced

First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 491

A BILL FOR AN ACT to amend the Indiana Code concerning education.

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

1 SECTION 1. IC 6-1.1-19.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]:
4 **Chapter 19.5. Emergency Response System Loans to School**
5 **Corporations**
6 **Sec. 1. As used in this chapter, "board" refers to the state board**
7 **of finance.**
8 **Sec. 2. (a) A school corporation may apply to the board for a**
9 **loan from the counter-cyclical revenue and economic stabilization**
10 **fund. The loan must be used to purchase, install, and implement a**
11 **school emergency response system (as defined in IC 10-21-1.5-3)**
12 **that meets the standards established by the department of**
13 **homeland security under IC 10-21-1.5.**
14 **(b) The maximum amount of a loan that the board may approve**
15 **for a school corporation is fifty thousand dollars (\$50,000).**

2015

IN 491—LS 6797/DI 87



1 **Sec. 3.** The board, after review by the budget committee, shall
 2 determine the terms of any loan made under this chapter. The
 3 interest rate on the loan is the interest rate established by the
 4 commissioner of the department of state revenue under
 5 IC 6-8.1-10-1 minus two percent (2%), but in no case may the
 6 interest rate be less than one percent (1%).

7 **Sec. 4. (a)** A school corporation receiving a loan under this
 8 chapter must repay the loan within sixty (60) months after the date
 9 on which the loan is made.

10 **(b)** The board may disburse in installments the proceeds of a
 11 loan made under this chapter.

12 **(c)** A school corporation may repay a loan made under this
 13 chapter from any sources of revenue.

14 **(d)** The obligation to repay a loan made under this chapter is
 15 not a basis for a school corporation to obtain an excessive tax levy
 16 under IC 6-1.1-19.

17 **(e)** Whenever the board receives a payment on a loan made
 18 under this chapter, the board shall deposit the amount paid in the
 19 counter-cyclical revenue and economic stabilization fund.

20 **Sec. 5.** The proceeds of a loan received by a school corporation
 21 under this chapter are not considered to be part of the ad valorem
 22 property tax levy actually collected by the school corporation for
 23 taxes first due and payable during a particular calendar year for
 24 the purpose of calculating levy excess.

25 **Sec. 6.** A loan under this chapter is not bonded indebtedness for
 26 purposes of IC 6-1.1-18.5 or IC 6-1.1-20.

27 **Sec. 7.** Upon the failure of a school corporation to repay any of
 28 the school corporation's obligations under this chapter during a
 29 calendar year when due, the treasurer of state, upon being notified
 30 by the board of the failure to repay, shall pay the unpaid
 31 obligations that are due from money in the possession of the state
 32 that would otherwise be available for distribution to the school
 33 corporation under any other law, deducting the payment from the
 34 amount distributed. However, the treasurer of state may not
 35 impair the rights of the school corporation's bondholders.

36 SECTION 2. IC 10-21-1.5 IS ADDED TO THE INDIANA CODE
 37 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]:

39 **Chapter 1.5. School Emergency Response Systems**

40 **Sec. 1.** As used in this chapter, "active shooter" means an
 41 individual actively engaged in killing or attempting to kill people
 42 in a confined and populated area.



1 **Sec. 2.** As used in this chapter, "department" refers to the
2 department of homeland security established by IC 10-19-2-1.

3 **Sec. 3.** As used in this chapter, "emergency response system"
4 means a unified system using technology and best practices to do
5 all the following:

6 (1) Provide critical information about an active shooter
7 incident in a school to local law enforcement agencies before
8 the agencies arrive at the school, and enable local law
9 enforcement agencies to share critical information with other
10 emergency responders.

11 (2) Provide local law enforcement agencies with real-time
12 alerts and monitoring of an active shooter incident within a
13 school.

14 (3) Provide electronic access control within a school during an
15 active shooter incident.

16 (4) Enable school staff to initiate a schoolwide alarm and alert
17 local law enforcement agencies within two (2) seconds of
18 sounding the alarm.

19 (5) Provide for the remote launch of countermeasures to
20 interrupt, delay, or stop an active shooter before law
21 enforcement officers arrive on the scene.

22 (6) Send an immediate life threat alert message to cellular
23 telephones of key school leadership, department directors,
24 local law enforcement, and any other persons identified for
25 emergency notification.

26 (7) Provide a hardened door system to refuge areas, including
27 offices, libraries, and cafeterias, that:

28 (A) is resistant to breach by small arms fire;

29 (B) has ballistic glass;

30 (C) has electronically controlled door locks that engage
31 automatically when an alert is issued; and

32 (D) locks classroom doors automatically when closed.

33 **Sec. 4.** As used in this chapter, "fund" means the Indiana school
34 emergency response system fund established by section 11 of this
35 chapter.

36 **Sec. 5.** As used in this chapter, "school corporation" means a
37 local public school corporation established under state law. The
38 term includes a school city, school town, school township,
39 metropolitan school district, consolidated school corporation,
40 county school corporation, township school corporation,
41 community school corporation, or united school corporation.

42 **Sec. 6.** Not later than July 1, 2016, the department shall adopt



1 minimum standards and approve best practices for an emergency
2 response system.

3 **Sec. 7. (a) After June 30, 2016, a school corporation may not**
4 **purchase, install, or implement an emergency response system in**
5 **the construction of a new school building or by retrofitting an**
6 **existing school building unless all the following requirements are**
7 **met:**

8 (1) The department reviews and approves the school
9 corporation's plans and specifications for compliance with the
10 standards adopted by the department under this chapter.

11 (2) The department reviews and approves the use of the best
12 practices approved under section 6 of this chapter in the
13 school corporation's emergency response system.

14 (b) The department shall establish procedures for the
15 department's review and approval of plans and specifications and
16 use of best practices as set forth in subsection (a).

17 **Sec. 8. The standards adopted by the department for an**
18 **emergency response system must include the following:**

19 (1) The system must provide an alert of an active shooter
20 incident in a school:

21 (A) to local law enforcement agencies via a virtual private
22 network; and

23 (B) not later than two (2) seconds after an alarm is
24 sounded in the school.

25 (2) The system must allow local law enforcement agencies to
26 do the following not later than thirty (30) seconds after an
27 alarm is sounded in a school:

28 (A) Obtain the location of the active shooter.

29 (B) Acquire a description of:

30 (i) the active shooter; and

31 (ii) any weapons the active shooter possesses.

32 (C) Continuously monitor the movements of the active
33 shooter.

34 (D) Ascertain the status of every classroom in the school.

35 (E) Initiate countermeasures before arriving at the school.

36 (3) The system must allow a local law enforcement officer to
37 have real-time actionable intelligence on an electronic tablet.

38 (4) The system must include an alert system capable of
39 transmitting an alert throughout all school buildings,
40 including classrooms.

41 (5) The system must send an immediate life threatening alert
42 message that an active shooter incident has started, to all



1 cellular telephones identified for receiving the alert.

2 (6) The system must provide a hardened door system to
3 refuge areas including offices, libraries, and cafeterias that:

4 (A) is resistant to breach by small arms fire;

5 (B) has ballistic glass;

6 (C) has electronically controlled door locks that engage
7 automatically when an alert is issued; and

8 (D) locks classroom doors automatically when closed.

9 (7) The system must provide monitoring stations in school
10 administrative offices.

11 Sec. 9. (a) The department shall consult with an advisory
12 committee in establishing the minimum standards set forth in
13 section 8 of this chapter.

14 (b) The advisory committee must consist of at least the following
15 thirteen (13) members appointed by the department's executive
16 director:

17 (1) The superintendent of the Indiana state police department,
18 who shall serve as chairperson of the advisory committee.

19 (2) The deputy director of the division of preparedness and
20 training of the department. The deputy director shall serve as
21 the vice chairperson of the board.

22 (3) The chief of police of a consolidated city.

23 (4) Two (2) county sheriffs from counties with populations of
24 at least one hundred thousand (100,000) who are
25 recommended by the Indiana Sheriffs' Association.

26 (5) Two (2) county sheriffs from counties with populations of
27 at least fifty thousand (50,000) but less than one hundred
28 thousand (100,000) who are recommended by the Indiana
29 Sheriffs' Association.

30 (6) Two (2) county sheriffs from counties with populations of
31 less than fifty thousand (50,000) who are recommended by the
32 Indiana Sheriffs' Association.

33 (7) Two (2) chiefs of police from cities with populations of at
34 least thirty-five thousand (35,000) who are recommended by
35 the Indiana State Fraternal Order of Police.

36 (8) One (1) chief of police from a city with a population of at
37 least ten thousand (10,000) but less than thirty-five thousand
38 (35,000) who is recommended by the Indiana State Fraternal
39 Order of Police.

40 (9) One (1) chief of police from a city with a population of less
41 than ten thousand (10,000) who is recommended by the
42 Indiana State Fraternal Order of Police.



1 (c) Each member of the advisory committee who is not a state
 2 employee is entitled to the minimum salary per diem as provided
 3 by IC 4-10-11-2.1(b) for each day engaged in the official business
 4 of the committee. The member is also entitled to reimbursement
 5 for traveling expenses as provided under IC 4-13-1-4 and other
 6 expenses actually incurred in connection with the member's duties
 7 as provided in the state policies and procedures established by the
 8 Indiana department of administration and approved by the budget
 9 agency.

10 (d) Seven (7) members of the advisory committee constitute a
 11 quorum. An affirmative vote of seven (7) members is required to
 12 recommend standards or any other policy or measure to the
 13 department. The committee may also develop standards for
 14 emergency response systems in addition to those specified in
 15 section 8 of this chapter that supplement and increase law
 16 enforcement command and control of an active shooter incident.

17 (e) The advisory committee shall evaluate whether a proposed
 18 emergency response system for a school meets the specifications for
 19 an emergency response system by witnessing a live demonstration
 20 of the proposed emergency response system. The advisory
 21 committee shall make a recommendation to the department as set
 22 forth in subsection (d).

23 **Sec. 10.** A school may obtain a matching grant from one (1) or
 24 both of the following to pay costs incurred in purchasing,
 25 installing, and implementing an emergency response system:

- 26 (1) The Indiana secured school fund under IC 10-21-1.
- 27 (2) The Indiana school emergency response system fund
 28 established by section 11 of this chapter.

29 **Sec. 11.** (a) The Indiana school emergency response system fund
 30 is established to provide matching grants to schools for costs
 31 incurred in purchasing, installing, and implementing an emergency
 32 response system under this chapter, including purchase of
 33 equipment and technology and making improvements to school
 34 buildings necessary for the installation of a system.

35 (b) The fund shall be administered by the department.

36 (c) The fund consists of the following:

- 37 (1) Appropriations from the general assembly.
- 38 (2) The following fees:
 - 39 (A) Fees imposed on the retail sale of a firearm or
 40 ammunition under IC 35-47-2-2.1.
 - 41 (B) Fees imposed on the issuance of a handgun license
 42 under IC 35-47-2-3 and IC 35-47-2-4.



- 1 **(3) Grants from the Indiana safe schools fund established by**
 2 **IC 5-2-10.1-2.**
 3 **(4) Federal grants.**
 4 **(5) Gifts, donations, and bequests.**
 5 **(6) Amounts deposited from any other public or private**
 6 **source.**
 7 **(d) The expenses of administering the fund shall be paid from**
 8 **money in the fund.**
 9 **(e) The treasurer of state shall invest the money in the fund not**
 10 **currently needed to meet the obligations of the fund in the same**
 11 **manner as other public money may be invested. Interest that**
 12 **accrues from these investments shall be deposited in the fund.**
 13 **(f) Money in the fund at the end of a state fiscal year does not**
 14 **revert to the state general fund.**
 15 **Sec. 12. (a) The secured school safety board established by**
 16 **IC 10-21-1-3 shall approve or disapprove applications for matching**
 17 **grants to fund costs incurred to purchase, install, and implement**
 18 **an emergency response system described in this chapter.**
 19 **(b) The secured school safety board shall establish criteria to be**
 20 **used in evaluating applications for matching grants from the fund.**
 21 **These criteria must:**
 22 **(1) be consistent with the fund's goals; and**
 23 **(2) provide for an equitable distribution of grants to school**
 24 **corporations located throughout Indiana.**
 25 **(c) The board may adopt written guidelines to establish**
 26 **procedures, forms, evaluation criteria, and application deadlines**
 27 **for matching grants from the fund.**
 28 **Sec. 13. (a) A school may receive more than one (1) matching**
 29 **grant, if there is sufficient unexpended money remaining in the**
 30 **fund after all schools that qualified for a matching grant received**
 31 **one (1) matching grant. However, a school may not receive more**
 32 **than two (2) matching grants per calendar year. A matching grant**
 33 **may not exceed one hundred twenty-five thousand dollars**
 34 **(\$125,000).**
 35 **(b) A school that is awarded a matching grant under this**
 36 **chapter is not required to repay or reimburse the board or the**
 37 **fund the amount of the matching grant.**
 38 **Sec. 14. The department shall report before October 1 of each**
 39 **year to the budget committee concerning matching grants awarded**
 40 **under this chapter during the previous fiscal year.**
 41 **SECTION 3. IC 20-26-5-36 IS ADDED TO THE INDIANA CODE**
 42 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**



1, 2015]: Sec. 36. (a) This section applies only to the governing body of a school corporation that purchases, installs, and implements in a school an emergency response system approved by the department of homeland security under IC 10-21-1.5.

(b) A student safety fee may be charged to a parent or a student of a school that purchases, installs, and implements an emergency response system. The governing body shall set the student safety fee. However, the fee may not exceed twenty dollars (\$20) per student per year. Proceeds of the student safety fee may be used only to:

(1) provide matching funds for grants to purchase, install, or implement; or

(2) pay the costs of purchasing, installing, or implementing; an emergency response system under IC 10-21-1.5 for the school in which the student safety fee is imposed.

(c) The governing body of a school corporation may impose on each owner of real property located within the school corporation district a public safety fee of not more than ten dollars (\$10) per month on each parcel. Proceeds of the fee may be used only to:

(1) provide matching funds for grants to purchase, install, or implement; or

(2) pay the costs of purchasing, installing, or implementing; an emergency response system for a school in the school corporation under IC 10-21-1.5. However, if a public safety fee is imposed under this subsection, a student safety fee may not also be imposed under subsection (b).

(d) The governing body of the school corporation may impose the public safety fee under subsection (c) until the earlier of the following dates:

(1) The governing body has collected funds in an amount that the governing body considers sufficient to further its program of purchasing, installing, or implementing emergency response systems in schools; or

(2) sixty (60) months.

(e) The county auditor shall enter the public safety fee on the tax duplicate for each parcel located within the school corporation district. Public safety fees assessed under this chapter are collected at the same time and in the same manner that property taxes are collected.

(f) The school corporation shall deposit any student safety fees or any public safety fees collected under this section in the school corporation emergency response system fund established under



1 **IC 20-40-16.5.**

2 **(g) A school corporation may impose both a student safety fee**
 3 **and a public safety fee.**

4 SECTION 4. IC 20-40-8-13 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. Money in the fund
 6 may be used for any of the following purposes:

7 (1) To purchase, lease, upgrade, maintain, or repair one (1) or
 8 more of the following:

9 (A) Computer hardware.

10 (B) Computer software.

11 (C) Wiring and computer networks.

12 (D) Communication access systems used to connect with
 13 computer networks or electronic gateways.

14 (2) To pay for the services of full-time or part-time computer
 15 maintenance employees.

16 (3) To conduct nonrecurring in-service technology training of
 17 school employees.

18 (4) To pay advances, together with interest on the advances, from
 19 the common school fund for educational technology programs
 20 under IC 20-49-4.

21 (5) To acquire any equipment or services necessary:

22 (A) to implement the technology preparation curriculum under
 23 IC 20-30-12;

24 (B) to participate in a program to provide educational
 25 technologies, including:

26 (i) computers in the homes of students (commonly referred
 27 to as "the buddy system project") under IC 20-20-13-6;

28 (ii) the 4R's technology program; or

29 (iii) any other program under the educational technology
 30 program described in IC 20-20-13; or

31 (C) to obtain any combination of equipment or services
 32 described in clauses (A) and (B).

33 **(6) To acquire any equipment or services necessary to**
 34 **implement a school emergency response system that is**
 35 **approved by the department of homeland security under**
 36 **IC 10-21-1.5.**

37 **(7) To pay advances, together with interest on the advances,**
 38 **from the common school fund for emergency response system**
 39 **programs under IC 20-49-4-8.**

40 SECTION 5. IC 20-40-16.5 IS ADDED TO THE INDIANA CODE
 41 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]:



1 **Chapter 16.5. School Corporation Emergency Response System**
 2 **Fund**

3 **Sec. 1. As used in this chapter, "fund" refers to a school**
 4 **corporation emergency response system fund established under**
 5 **section 2 of this chapter.**

6 **Sec. 2. (a) Each school corporation that wants to purchase,**
 7 **install, and implement a school emergency response system under**
 8 **IC 10-21-1.5 shall establish a school corporation emergency**
 9 **response system fund.**

10 **(b) The fund consists of the following:**

11 **(1) Money transferred to the fund from fees collected under**
 12 **IC 20-26-5-36.**

13 **(2) Gifts, donations, and bequests.**

14 **(3) Grants from the Indiana secured schools fund under**
 15 **IC 10-21-1-2.**

16 **(4) Grants from the Indiana school emergency response**
 17 **system fund established by IC 10-21-1.5-11.**

18 **(5) Amounts deposited from any other public or private**
 19 **source.**

20 **(c) Property taxes levied by a school corporation for a capital**
 21 **projects fund may not be transferred to the fund.**

22 **Sec. 3. Money in the fund may be used only to:**

23 **(1) provide matching funds to schools for grants to purchase,**
 24 **install, and implement; or**

25 **(2) pay the costs of purchasing, installing, and implementing;**
 26 **a school emergency response system under IC 10-21-1.5.**

27 **SECTION 6. IC 20-49-4-5.5 IS ADDED TO THE INDIANA CODE**
 28 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 29 **1, 2015]: Sec. 5.5. As used in this chapter, "emergency response**
 30 **system" or "system" means an emergency response system that is**
 31 **approved by the department of homeland security under**
 32 **IC 10-21-1.5.**

33 **SECTION 7. IC 20-49-4-5.6 IS ADDED TO THE INDIANA CODE**
 34 **AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY**
 35 **1, 2015]: Sec. 5.6. As used in this chapter, "emergency response**
 36 **system program" means a program to purchase, install, and**
 37 **implement an emergency response system by retrofitting an**
 38 **existing school building or by incorporating the system into new**
 39 **construction of a school building. The program includes:**

40 **(1) construction, remodeling, repairing, or improving of**
 41 **school buildings by a school corporation; and**

42 **(2) purchasing, leasing, or financing of equipment, including**



1 computers, software, cameras, telecommunications
 2 equipment, and other technology;
 3 **only for purposes related to implementing and equipping the**
 4 **system. The term does not include the construction, remodeling,**
 5 **repair, improvement, or equipping of facilities used or to be used**
 6 **primarily for interscholastic or extracurricular activities.**

7 SECTION 8. IC 20-49-4-8, AS ADDED BY P.L.2-2006, SECTION
 8 172, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
 9 1, 2015]: Sec. 8. The state board may advance money to school
 10 corporations to be used for:

- 11 (1) school building construction programs; ~~and~~
 12 (2) educational technology programs; **and**
 13 **(3) emergency response system programs;**

14 as provided in this chapter.

15 SECTION 9. IC 20-49-4-10, AS ADDED BY P.L.2-2006,
 16 SECTION 172, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2015]: Sec. 10. Priority of advances for
 18 educational technology programs **and emergency response system**
 19 **programs** shall be on whatever basis the state board, after consulting
 20 with the department and the budget agency, periodically determines.

21 SECTION 10. IC 20-49-4-10.5 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2015]: **Sec. 10.5. An advance to a school**
 24 **corporation for any emergency response system program may not**
 25 **exceed fifty thousand dollars (\$50,000).**

26 SECTION 11. IC 20-49-4-16, AS ADDED BY P.L.2-2006,
 27 SECTION 172, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2015]: Sec. 16. (a) Money advanced to a school
 29 corporation for an educational technology program **or an emergency**
 30 **response system program** may be for a period not exceeding five (5)
 31 years. The school corporation to which an advance is made shall pay
 32 interest on the advance. Advances for educational technology programs
 33 **or emergency response system programs** may be prepaid at any time.

34 (b) The state board of finance shall periodically establish the rate or
 35 rates of interest payable on advances for educational technology
 36 programs **or emergency response system programs** as long as the
 37 established interest rate or rates:

- 38 (1) are not less than one percent (1%); and
 39 (2) do not exceed four percent (4%).

40 SECTION 12. IC 21-17-5-6, AS ADDED BY P.L.2-2007,
 41 SECTION 258, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2015]: Sec. 6. Whenever a police officer retires



1 after at least twenty (20) years of service, the police officer may retain
 2 the officer's service weapon. The officer is entitled to receive, in
 3 recognition of the service to the educational institution and the public,
 4 a badge that indicates that the officer is retired. Upon retirement, the
 5 state police department shall issue to the police officer an identification
 6 card that:

- 7 (1) states the police officer's name and rank at retirement;
- 8 (2) states the officer's retired status; and
- 9 (3) notes the officer's authority to retain the service weapon.

10 A retired police officer described in this section is entitled to a lifetime
 11 license to carry a handgun under ~~IC 35-47-2-3(e)~~: **IC 35-47-2-3(f)**.

12 SECTION 13. IC 21-39-4-7, AS ADDED BY P.L.2-2007,
 13 SECTION 280, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2015]: Sec. 7. Whenever a police officer retires
 15 after at least twenty (20) years of service, the police officer may retain
 16 the officer's service weapon. The officer is entitled to receive, in
 17 recognition of the service to the state educational institution and the
 18 public, a badge that indicates that the officer is retired. Upon
 19 retirement, the state police department shall issue to the police officer
 20 an identification card that:

- 21 (1) states the police officer's name and rank at retirement;
- 22 (2) states the officer's retired status; and
- 23 (3) notes the officer's authority to retain the service weapon.

24 A police officer described in this section is entitled to a lifetime license
 25 to carry a handgun under ~~IC 35-47-2-3(e)~~: **IC 35-47-2-3(f)**.

26 SECTION 14. IC 35-47-2-2.1 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2015]: **Sec. 2.1. (a) A fee of four-hundredths**
 29 **of one percent (.04%) of the gross retail income received by a retail**
 30 **merchant in a retail unitary transaction is imposed on each sale of**
 31 **the following:**

- 32 (1) A firearm (as defined in IC 35-47-1-5).
- 33 (2) A box of ammunition (as defined in IC 35-47-1-2.5).

34 (b) A person that sells a firearm or ammunition at retail to the
 35 ultimate consumer of the firearm or ammunition shall collect the
 36 fee imposed by this section.

37 (c) A person that collects a fee under subsection (b):

- 38 (1) shall pay the fees collected under subsection (b):
- 39 (A) to the department of state revenue; and
- 40 (B) at the same time and in the same manner that the
- 41 person pays the state gross retail tax collected by the
- 42 person to the department of state revenue; and



1 **(2) shall indicate on the return:**

2 **(A) prescribed by the department of state revenue; and**

3 **(B) used for the payment of state gross retail taxes;**

4 **that the person is paying fees also collected under subsection (b).**

5 **(d) The department of state revenue shall transfer the fees**
 6 **collected under this section on the first day of each month to the**
 7 **auditor of state. Not later than the tenth day of each month, the**
 8 **auditor of state shall transfer the fees to the treasurer of state for**
 9 **deposit in the Indiana school emergency response system fund**
 10 **established by IC 10-21-1.5-11.**

11 SECTION 15. IC 35-47-2-3, AS AMENDED BY P.L.158-2013,
 12 SECTION 574, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) A person desiring a license
 14 to carry a handgun shall apply:

15 (1) to the chief of police or corresponding law enforcement officer
 16 of the municipality in which the applicant resides;

17 (2) if that municipality has no such officer, or if the applicant does
 18 not reside in a municipality, to the sheriff of the county in which
 19 the applicant resides after the applicant has obtained an
 20 application form prescribed by the superintendent; or

21 (3) if the applicant is a resident of another state and has a regular
 22 place of business or employment in Indiana, to the sheriff of the
 23 county in which the applicant has a regular place of business or
 24 employment.

25 The superintendent and local law enforcement agencies shall allow an
 26 applicant desiring to obtain or renew a license to carry a handgun to
 27 submit an application electronically under this chapter if funds are
 28 available to establish and maintain an electronic application system.

29 (b) The law enforcement agency which accepts an application for a
 30 handgun license shall collect the following application fees:

31 (1) From a person applying for a four (4) year handgun license, a
 32 ten dollar (\$10) application fee, five dollars (\$5) of which shall be
 33 refunded if the license is not issued.

34 (2) From a person applying for a lifetime handgun license who
 35 does not currently possess a valid Indiana handgun license, a fifty
 36 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
 37 refunded if the license is not issued.

38 (3) From a person applying for a lifetime handgun license who
 39 currently possesses a valid Indiana handgun license, a forty dollar
 40 (\$40) application fee, thirty dollars (\$30) of which shall be
 41 refunded if the license is not issued.

42 Except as provided in subsection ~~(h)~~; **(i)**, the fee shall be deposited into



1 the law enforcement agency's firearms training fund or other
 2 appropriate training activities fund and used by the agency to train law
 3 enforcement officers in the proper use of firearms or in other law
 4 enforcement duties, or to purchase firearms, firearm related equipment,
 5 or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement
 6 officers employed by the law enforcement agency. The state board of
 7 accounts shall establish rules for the proper accounting and expenditure
 8 of funds collected under this subsection.

9 **(c) The law enforcement agency that accepts an application for**
 10 **a handgun license shall collect the following fees in addition to the**
 11 **application fees collected under subsection (b):**

12 **(1) The fee for a four (4) year handgun license is five dollars**
 13 **(\$5), one dollar (\$1) of which shall be refunded if the license**
 14 **is not issued.**

15 **(2) The fee for a lifetime handgun license is twenty dollars**
 16 **(\$20), two dollars (\$2) of which shall be refunded if the license**
 17 **is not issued.**

18 ~~(c)~~ **(d)** The officer to whom the application is made shall ascertain
 19 the applicant's name, full address, length of residence in the
 20 community, whether the applicant's residence is located within the
 21 limits of any city or town, the applicant's occupation, place of business
 22 or employment, criminal record, if any, and convictions (minor traffic
 23 offenses excepted), age, race, sex, nationality, date of birth, citizenship,
 24 height, weight, build, color of hair, color of eyes, scars and marks,
 25 whether the applicant has previously held an Indiana license to carry
 26 a handgun and, if so, the serial number of the license and year issued,
 27 whether the applicant's license has ever been suspended or revoked,
 28 and if so, the year and reason for the suspension or revocation, and the
 29 applicant's reason for desiring a license. The officer to whom the
 30 application is made shall conduct an investigation into the applicant's
 31 official records and verify thereby the applicant's character and
 32 reputation, and shall in addition verify for accuracy the information
 33 contained in the application, and shall forward this information
 34 together with the officer's recommendation for approval or disapproval
 35 and one (1) set of legible and classifiable fingerprints of the applicant
 36 to the superintendent.

37 ~~(d)~~ **(e)** The superintendent may make whatever further investigation
 38 the superintendent deems necessary. Whenever disapproval is
 39 recommended, the officer to whom the application is made shall
 40 provide the superintendent and the applicant with the officer's complete
 41 and specific reasons, in writing, for the recommendation of
 42 disapproval.



1 ~~(e)~~ **(f)** If it appears to the superintendent that the applicant:

2 (1) has a proper reason for carrying a handgun;

3 (2) is of good character and reputation;

4 (3) is a proper person to be licensed; and

5 (4) is:

6 (A) a citizen of the United States; or

7 (B) not a citizen of the United States but is allowed to carry a
8 firearm in the United States under federal law;

9 the superintendent shall issue to the applicant a qualified or an
10 unlimited license to carry any handgun lawfully possessed by the
11 applicant. The original license shall be delivered to the licensee. A
12 copy shall be delivered to the officer to whom the application for
13 license was made. A copy shall be retained by the superintendent for
14 at least four (4) years in the case of a four (4) year license. The
15 superintendent may adopt guidelines to establish a records retention
16 policy for a lifetime license. A four (4) year license shall be valid for
17 a period of four (4) years from the date of issue. A lifetime license is
18 valid for the life of the individual receiving the license. The license of
19 police officers, sheriffs or their deputies, and law enforcement officers
20 of the United States government who have been honorably retired by
21 a lawfully created pension board or its equivalent after twenty (20) or
22 more years of service shall be valid for the life of these individuals.
23 However, a lifetime license is automatically revoked if the license
24 holder does not remain a proper person.

25 ~~(f)~~ **(g)** At the time a license is issued and delivered to a licensee
26 under subsection ~~(e)~~, **(f)**, the superintendent shall include with the
27 license information concerning handgun safety rules that:

28 (1) neither opposes nor supports an individual's right to bear
29 arms; and

30 (2) is:

31 (A) recommended by a nonprofit educational organization that
32 is dedicated to providing education on safe handling and use
33 of firearms;

34 (B) prepared by the state police department; and

35 (C) approved by the superintendent.

36 The superintendent may not deny a license under this section because
37 the information required under this subsection is unavailable at the
38 time the superintendent would otherwise issue a license. The state
39 police department may accept private donations or grants to defray the
40 cost of printing and mailing the information required under this
41 subsection.

42 ~~(g)~~ **(h)** A license to carry a handgun shall not be issued to any



- 1 person who:
- 2 (1) has been convicted of a felony;
- 3 (2) has had a license to carry a handgun suspended, unless the
- 4 person's license has been reinstated;
- 5 (3) is under eighteen (18) years of age;
- 6 (4) is under twenty-three (23) years of age if the person has been
- 7 adjudicated a delinquent child for an act that would be a felony if
- 8 committed by an adult; or
- 9 (5) has been arrested for a Class A or Class B felony for an
- 10 offense committed before July 1, 2014, for a Level 1, Level 2,
- 11 Level 3, or Level 4 felony for an offense committed after June 30,
- 12 2014, or any other felony that was committed while armed with
- 13 a deadly weapon or that involved the use of violence, if a court
- 14 has found probable cause to believe that the person committed the
- 15 offense charged.

16 In the case of an arrest under subdivision (5), a license to carry a

17 handgun may be issued to a person who has been acquitted of the

18 specific offense charged or if the charges for the specific offense are

19 dismissed. The superintendent shall prescribe all forms to be used in

20 connection with the administration of this chapter.

21 ~~(h)~~ **(i)** If the law enforcement agency that charges a fee under

22 ~~subsection subsections (b) and (c)~~ is a city or town law enforcement

23 agency, **fees shall be deposited as follows:**

24 **(1)** The fee **collected under subsection (b)** shall be deposited in

25 the law enforcement continuing education fund established under

26 IC 5-2-8-2.

27 **(2)** **The fee collected under subsection (c) shall be remitted to**

28 **the city or town fiscal officer who shall, on the first day of**

29 **each month, transfer the fees to the auditor of state. Not later**

30 **than the tenth day of each month, the auditor of state shall**

31 **transfer the fees to the treasurer of state for deposit in the**

32 **Indiana school emergency response system fund established**

33 **by IC 10-21-1.5-11.**

34 ~~(i)~~ **(j)** If a person who holds a valid license to carry a handgun

35 issued under this chapter:

- 36 (1) changes the person's name;
- 37 (2) changes the person's address; or
- 38 (3) experiences a change, including an arrest or a conviction, that
- 39 may affect the person's status as a proper person (as defined in
- 40 IC 35-47-1-7) or otherwise disqualify the person from holding a
- 41 license;

42 the person shall, not later than thirty (30) days after the date of a



1 change described under subdivision (3), and not later than sixty (60)
 2 days after the date of the change described under subdivision (1) or (2),
 3 notify the superintendent, in writing, of the event described under
 4 subdivision (3) or, in the case of a change under subdivision (1) or (2),
 5 the person's new name or new address.

6 ~~(j)~~ **(k)** The state police shall indicate on the form for a license to
 7 carry a handgun the notification requirements of subsection ~~(j)~~: **(j)**.

8 ~~(k)~~ **(l)** The state police department shall adopt rules under IC 4-22-2
 9 to implement an electronic application system under subsection (a).
 10 Rules adopted under this section must require the superintendent to
 11 keep on file one (1) set of classifiable and legible fingerprints from
 12 every person who has received a license to carry a handgun so that a
 13 person who applies to renew a license will not be required to submit an
 14 additional set of fingerprints.

15 ~~(l)~~ **(m)** Except as provided in subsection ~~(m)~~; **(n)**, for purposes of
 16 IC 5-14-3-4(a)(1), the following information is confidential, may not
 17 be published, and is not open to public inspection:

18 (1) Information submitted by a person under this section to:

19 (A) obtain; or

20 (B) renew;

21 a license to carry a handgun.

22 (2) Information obtained by a federal, state, or local government
 23 entity in the course of an investigation concerning a person who
 24 applies to:

25 (A) obtain; or

26 (B) renew;

27 a license to carry a handgun issued under this chapter.

28 (3) The name, address, and any other information that may be
 29 used to identify a person who holds a license to carry a handgun
 30 issued under this chapter.

31 ~~(m)~~ **(n)** Notwithstanding subsection ~~(j)~~: **(m)**:

32 (1) any information concerning an applicant for or a person who
 33 holds a license to carry a handgun issued under this chapter may
 34 be released to a federal, state, or local government entity:

35 (A) for law enforcement purposes; or

36 (B) to determine the validity of a license to carry a handgun;

37 and

38 (2) general information concerning the issuance of licenses to
 39 carry handguns in Indiana may be released to a person conducting
 40 journalistic or academic research, but only if all personal
 41 information that could disclose the identity of any person who
 42 holds a license to carry a handgun issued under this chapter has



1 been removed from the general information.

2 ~~(n)~~ (o) A person who knowingly or intentionally violates this section
3 commits a Class B misdemeanor.

4 SECTION 16. IC 35-47-2-4, AS AMENDED BY P.L.158-2013,
5 SECTION 575, IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) Licenses to carry handguns
7 shall be either qualified or unlimited, and are valid for:

8 (1) four (4) years from the date of issue in the case of a four (4)
9 year license; or

10 (2) the life of the individual receiving the license in the case of a
11 lifetime license.

12 A qualified license shall be issued for hunting and target practice. The
13 superintendent may adopt rules imposing limitations on the use and
14 carrying of handguns under a license when handguns are carried by a
15 licensee as a condition of employment. Unlimited licenses shall be
16 issued for the purpose of the protection of life and property.

17 (b) In addition to the application fee, the fee for:

18 (1) a qualified license shall be:

19 (A) five dollars (\$5) for a four (4) year qualified license;

20 (B) twenty-five dollars (\$25) for a lifetime qualified license
21 from a person who does not currently possess a valid Indiana
22 handgun license; or

23 (C) twenty dollars (\$20) for a lifetime qualified license from
24 a person who currently possesses a valid Indiana handgun
25 license; and

26 (2) an unlimited license shall be:

27 (A) thirty dollars (\$30) for a four (4) year unlimited license;

28 (B) seventy-five dollars (\$75) for a lifetime unlimited license
29 from a person who does not currently possess a valid Indiana
30 handgun license; or

31 (C) sixty dollars (\$60) for a lifetime unlimited license from a
32 person who currently possesses a valid Indiana handgun
33 license.

34 The superintendent shall charge a twenty dollar (\$20) fee for the
35 issuance of a duplicate license to replace a lost or damaged license.

36 These fees shall be deposited in accordance with subsection ~~(e)~~: (f).

37 **(c) The superintendent shall collect the following fees in addition**
38 **to the application fee and the fees collected under subsection (b):**

39 **(1) The following fees shall be collected for a qualified license:**

40 **(A) One dollar (\$1) for a four (4) year qualified license.**

41 **(B) Five dollars (\$5) for a lifetime qualified license from a**
42 **person who does not currently possess a valid Indiana**



- 1 handgun license.
 2 (C) Three dollars (\$3) for a lifetime qualified license from
 3 a person who currently possesses a valid Indiana handgun
 4 license.
 5 (2) The following fees shall be collected for an unlimited
 6 license:
 7 (A) Seven dollars (\$7) for a four (4) year unlimited license.
 8 (B) Ten dollars (\$10) for a lifetime unlimited license from
 9 a person who does not currently possess a valid Indiana
 10 handgun license.
 11 (C) Fifteen dollars (\$15) for a lifetime unlimited license
 12 from a person who currently possesses a valid Indiana
 13 handgun license.

14 **The fees collected under this subsection shall be deposited in the**
 15 **Indiana school emergency response system fund established by**
 16 **IC 10-21-1.5-11.**

17 ~~(c)~~ (d) Licensed dealers are exempt from the payment of fees
 18 specified in ~~subsection~~ **subsections (b) and (c)** for a qualified license
 19 or an unlimited license.

20 ~~(d)~~ (e) The following officers of this state or the United States who
 21 have been honorably retired by a lawfully created pension board or its
 22 equivalent after at least twenty (20) years of service or because of a
 23 disability are exempt from the payment of fees specified in ~~subsection~~
 24 **subsections (b) and (c):**

- 25 (1) Police officers.
 26 (2) Sheriffs or their deputies.
 27 (3) Law enforcement officers.
 28 (4) Correctional officers.

29 ~~(e)~~ (f) **Except as provided in subsection (c),** fees collected under
 30 this section shall be deposited in the state general fund.

31 ~~(f)~~ (g) The superintendent may not issue a lifetime qualified license
 32 or a lifetime unlimited license to a person who is a resident of another
 33 state. The superintendent may issue a four (4) year qualified license or
 34 a four (4) year unlimited license to a person who is a resident of
 35 another state and who has a regular place of business or employment
 36 in Indiana as described in section 3(a)(3) of this chapter.

37 ~~(g)~~ (h) A person who knowingly or intentionally violates this section
 38 commits a Class B misdemeanor.

39 SECTION 17. IC 35-47-2-5, AS AMENDED BY P.L.158-2013,
 40 SECTION 576, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The superintendent may
 42 suspend or revoke any license issued under this chapter if the



1 superintendent has reasonable grounds to believe that the person's
2 license should be suspended or revoked.

3 (b) Documented evidence that a person is not a "proper person" to
4 be licensed as defined by IC 35-47-1-7, or is prohibited under section
5 ~~3(g)(5)~~ **3(h)(5)** of this chapter from being issued a license, shall be
6 grounds for immediate suspension or revocation of a license previously
7 issued under this chapter. However, if a license is suspended or
8 revoked based solely on an arrest under section ~~3(g)(5)~~ **3(h)(5)** of this
9 chapter, the license shall be reinstated upon the acquittal of the
10 defendant in that case or upon the dismissal of the charges for the
11 specific offense.

12 (c) A person who knowingly or intentionally fails to promptly return
13 the person's license after written notice of suspension or revocation
14 commits a Class A misdemeanor. The observation of a handgun license
15 in the possession of a person whose license has been suspended or
16 revoked constitutes a sufficient basis for the arrest of that person for
17 violation of this subsection.

18 (d) The superintendent shall establish rules under IC 4-22-2
19 concerning the procedure for suspending or revoking a person's license.

