



Reprinted
February 6, 2018

SENATE BILL No. 33

DIGEST OF SB 33 (Updated February 5, 2018 2:19 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, unless prohibited by the house of worship, 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.

Effective: Upon passage.

Sandlin, Tomes, Crane

January 3, 2018, read first time and referred to Committee on Judiciary.
February 1, 2018, amended, reported favorably — Do Pass.
February 5, 2018, read second time, amended, ordered engrossed.

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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) Unless the person knows or reasonably should know that**
 13 **the house of worship has prohibited the person from**
 14 **possessing a firearm on school property, either individually or**
 15 **as a part of a policy adopted by the house of worship, a person**
 16 **who:**
 17 **(A) may legally possess a firearm; and**
 18 **(B) possesses a firearm on school property in connection**
 19 **with or while:**
 20 **(i) attending a worship service or religious ceremony**
 21 **conducted at a house of worship located on the school**
 22 **property; or**
 23 **(ii) carrying out the person's official duties at a house of**
 24 **worship located on the school property, if the person is**
 25 **employed by or a volunteer at the house of worship.**
 26 **This subdivision does not affect the right of a house of**
 27 **worship to prohibit, in whole or in part, the possession of a**
 28 **firearm on school property.**
 29 (b) For purposes of subsection (a)(3) and (a)(5), a person does not
 30 include a person who is:
 31 (1) enrolled as a student in any high school except if the person is
 32 a high school student and is a member of a shooting sports team
 33 and the school's principal has approved the person keeping a
 34 firearm concealed in the person's motor vehicle on the days the
 35 person is competing or practicing as a member of a shooting
 36 sports team; or
 37 (2) a former student of the school if the person is no longer
 38 enrolled in the school due to a disciplinary action within the
 39 previous twenty-four (24) months.
 40 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle
 41 does not include a motor vehicle owned, leased, or controlled by a
 42 school or school district unless the person who possesses the firearm



1 is authorized by the school or school district to possess a firearm.
2 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.

 SENATE MOTION

Madam President: I move that Senate Bill 33 be amended to read as follows:

Page 2, line 12, delete "A" and insert "**Unless the person knows or reasonably should know that the house of worship has prohibited the person from possessing a firearm on school property, either individually or as a part of a policy adopted by the house of worship, a**".

Page 2, line 13, after "firearm;" insert "**and**".

Page 2, delete lines 14 through 15.

Page 2, line 16, delete "(C)" and insert "**(B)**".

Page 2, between lines 23 and 24, begin a new line block indented and insert:

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"This subdivision does not affect the right of a house of worship to prohibit, in whole or in part, the possession of a firearm on school property."

(Reference is to SB 33 as printed February 2, 2018.)

SANDLIN

