

# SENATE BILL No. 137

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## DIGEST OF INTRODUCED BILL

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

**Synopsis:** Possession of firearms by retired police officers. Provides that a retired law enforcement officer may possess a firearm on school property under certain conditions.

**Effective:** July 1, 2023.

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January 9, 2023, read first time and referred to Committee on Judiciary.

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First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

# SENATE BILL No. 137

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.107-2019,  
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2023]: 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 is a retired law enforcement officer and**  
10 **who:**  
11 (A) **served as a law enforcement officer for not less than**  
12 **ten (10) years;**  
13 (B) **possesses a photographic identification card issued**  
14 **under IC 35-47-15-4; and**  
15 (C) **meets annual training and qualification standards that**  
16 **are established by the retired officer's law enforcement**  
17 **agency.**



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



1           previous twenty-four (24) months.  
2           (c) For purposes of subsection ~~(a)(3)~~ **(a)(4)** and ~~(a)(5)~~; **(a)(6)**, a  
3           motor vehicle does not include a motor vehicle owned, leased, or  
4           controlled by a school or school district unless the person who  
5           possesses the firearm is authorized by the school or school district to  
6           possess a firearm.

