



March 15, 2019

ENGROSSED SENATE BILL No. 383

DIGEST OF SB 383 (Updated March 6, 2019 2:09 pm - DI 131)

Citations Affected: IC 35-47.

Synopsis: Air or gas operated weapons on school property. Provides that a person who knowingly or intentionally points an air or gas operated weapon designed to expel a projectile at another person while present on a: (1) school bus; or (2) property affiliated with, belonging to, or operated by: (A) an accredited nonpublic school; (B) a charter school; or (C) a school corporation; commits a Class B misdemeanor. Defines certain terms. Makes conforming amendments.

Effective: July 1, 2019.

Koch, Young M, Freeman, Bohacek, Randolph Lonnie M

(HOUSE SPONSORS — STEUERWALD, GOODIN)

January 14, 2019, read first time and referred to Committee on Corrections and Criminal Law.

February 5, 2019, reported favorably — Do Pass.

February 7, 2019, read second time, ordered engrossed.

February 8, 2019, engrossed.

February 11, 2019, read third time, passed. Yeas 48, nays 1.

HOUSE ACTION

February 26, 2019, read first time and referred to Committee on Courts and Criminal Code.

March 7, 2019, amended, reported — Do Pass.

March 14, 2019, referred to Committee on Rules and Legislative Procedures pursuant to Rule 84.

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March 15, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

ENGROSSED SENATE BILL No. 383

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 35-47-4-3, AS AMENDED BY P.L.158-2013,
2 SECTION 589, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 3. **(a) The following terms are**
4 **defined for this section:**
5 (1) "Charter school" has the meaning set forth in
6 IC 20-24-1-4.
7 (2) "Nonpublic school" has the meaning set forth in
8 IC 20-18-2-12.
9 (3) "School corporation" has the meaning set forth in
10 IC 36-1-2-17.
11 (a) (b) This section does not apply to a law enforcement officer who
12 is acting within the scope of the law enforcement officer's official
13 duties or to a person who is justified in using reasonable force against
14 another person under:
15 (1) IC 35-41-3-2; or
16 (2) IC 35-41-3-3.
17 (b) (c) A person who knowingly or intentionally points a firearm at

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1 another person commits a Level 6 felony. However, the offense is a
2 Class A misdemeanor if the firearm was not loaded.
3 **(d) A person who knowingly or intentionally points an air or gas**
4 **operated weapon designed to expel a projectile at another person**
5 **while present on a:**
6 **(1) school bus; or**
7 **(2) property affiliated with, belonging to, or operated by:**
8 **(A) an accredited nonpublic school;**
9 **(B) a charter school; or**
10 **(C) a school corporation;**
11 **commits a Class B misdemeanor.**



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 383, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 383 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 8, Nays 1

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 383, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 4, delete "metal".

and when so amended that said bill do pass.

(Reference is to SB 383 as printed February 6, 2019.)

MCNAMARA

Committee Vote: yeas 9, nays 2.

