

Updated February 21, 2022 (8:30am)

HOUSE BILL No. 1077

AM107707 has been incorporated into January 11, 2022 printing.

Synopsis: Firearms matters.

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HB 1077—LS 6915/DI 144



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Reprinted

January 11, 2022

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1077

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 21-17-5-6, AS AMENDED BY P.L.165-2021,
2 SECTION 181, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2022]: Sec. 6. Whenever a police officer retires
4 after at least twenty (20) years of service, the police officer may retain
5 the officer's service weapon. The officer is entitled to receive, in
6 recognition of the service to the educational institution and the public,
7 a badge that indicates that the officer is retired. Upon retirement, the
8 state police department shall issue to the police officer an identification
9 card that:
10 (1) states the police officer's name and rank at retirement;
11 (2) states the officer's retired status; and
12 (3) notes the officer's authority to retain the service weapon.
13 A retired police officer described in this section is entitled to a lifetime
14 license to carry a handgun. ~~as described under IC 35-47-2-3(g).~~
15 SECTION 2. IC 21-39-4-7, AS AMENDED BY P.L.165-2021,
16 SECTION 182, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2022]: Sec. 7. Whenever a police officer retires

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

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

A police officer described in this section is entitled to a lifetime license to carry a handgun. ~~as described under IC 35-47-2-3(g).~~

SECTION 3. IC 35-33-1-1, AS AMENDED BY P.L.65-2016, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) A law enforcement officer may arrest a person when the officer has:

- (1) a warrant commanding that the person be arrested;
- (2) probable cause to believe the person has committed or attempted to commit, or is committing or attempting to commit, a felony;
- (3) probable cause to believe the person has violated the provisions of IC 9-26-1-1.1 or IC 9-30-5;
- (4) probable cause to believe the person is committing or attempting to commit a misdemeanor in the officer's presence;
- (5) probable cause to believe the person has committed a:
 - (A) battery resulting in bodily injury under IC 35-42-2-1; or
 - (B) domestic battery under IC 35-42-2-1.3.

The officer may use an affidavit executed by an individual alleged to have direct knowledge of the incident alleging the elements of the offense of battery to establish probable cause;

- (6) probable cause to believe that the person violated IC 35-46-1-15.1 (invasion of privacy) or IC 35-46-1-15.3;
- (7) probable cause to believe that the person violated IC 35-47-2-1 (carrying a handgun without a license), **IC 35-47-2-2.5 (unlawful carrying of a handgun), IC 35-47-2-3.1 (making a false statement on an application for the provisional carrying of a handgun),** or IC 35-47-2-22 (counterfeit handgun license);
- (8) probable cause to believe that the person is violating or has violated an order issued under IC 35-50-7;
- (9) probable cause to believe that the person is violating or has violated IC 35-47-6-1.1 (undisclosed transport of a dangerous device);

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(10) probable cause to believe that the person is:

(A) violating or has violated IC 35-45-2-5 (interference with the reporting of a crime); and

(B) interfering with or preventing the reporting of a crime involving domestic or family violence (as defined in IC 34-6-2-34.5);

(11) probable cause to believe that the person has committed theft (IC 35-43-4-2);

(12) a removal order issued for the person by an immigration court;

(13) a detainer or notice of action for the person issued by the United States Department of Homeland Security; or

(14) probable cause to believe that the person has been indicted for or convicted of one (1) or more aggravated felonies (as defined in 8 U.S.C. 1101(a)(43)).

(b) A person who:

(1) is employed full time as a federal enforcement officer;

(2) is empowered to effect an arrest with or without warrant for a violation of the United States Code; and

(3) is authorized to carry firearms in the performance of the person's duties;

may act as an officer for the arrest of offenders against the laws of this state where the person reasonably believes that a felony has been or is about to be committed or attempted in the person's presence.

SECTION 4. IC 35-47-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. "Alcohol abuser" means an individual who has had two (2) or more alcohol related offenses ~~any one (1) of~~ which resulted in conviction by a court or treatment in an alcohol abuse facility within three (3) years. ~~prior to the date of the application.~~

SECTION 5. IC 35-47-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. "Drug abuser" means an individual who has had two (2) or more violations of IC 35-48-1, IC 35-48-2, IC 35-48-3, or IC 35-48-4 ~~any one (1) of~~ which resulted in conviction by a court or treatment in a drug abuse facility within five (5) years. ~~prior to the date of application.~~

SECTION 6. IC 35-47-1-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 6.5. "Indiana resident" means an individual who meets at least one (1) of the following requirements:

(1) The individual lives in Indiana for at least one hundred eighty-three (183) days during a calendar year and has a



1 legal residence in another state. However, this subdivision
 2 does not include an individual who lives in Indiana for one
 3 (1) or more of the following purposes:

4 (A) To attend a postsecondary educational institution.

5 (B) To serve on active duty in the armed forces of the
 6 United States.

7 (C) For temporary employment.

8 (D) For another purpose that does not include an
 9 intention to make Indiana a permanent home.

10 (2) The individual lives in Indiana and has no other legal
 11 residence.

12 (3) The individual is:

13 (A) registered to vote in Indiana; or

14 (B) satisfies the standards for determining residency in
 15 Indiana under IC 3-5-5.

16 (4) The individual has a dependent who is enrolled in an
 17 elementary or secondary school located in Indiana.

18 (5) The individual derives more than one-half (1/2) of the
 19 individual's gross income (as defined in Section 61 of the
 20 Internal Revenue Code) from sources in Indiana. For
 21 purposes of this subdivision, whether an individual's
 22 adjusted gross income is derived from sources in Indiana is
 23 determined in the manner described under IC 6-3-2-2.

24 SECTION 7. IC 35-47-1-7, AS AMENDED BY P.L.289-2019,
 25 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2022]: Sec. 7. "Proper person" means a person who:

27 (1) does not have a conviction for resisting law enforcement
 28 under IC 35-44.1-3-1 within five (5) years before the person
 29 applies for a license or permit under this chapter;

30 (2) does not have a conviction for a crime for which the person
 31 could have been sentenced for more than one (1) year;

32 (3) does not have a conviction for a crime of domestic violence
 33 (as defined in IC 35-31.5-2-78) **or a conviction for domestic**
 34 **battery under IC 35-42-2-1.3**, unless a court has restored the
 35 person's right to possess a firearm under IC 35-47-4-7;

36 (4) is not prohibited by a court order from possessing a handgun;

37 (5) does not have a record of being an alcohol or drug abuser as
 38 defined in this chapter;

39 (6) does not have documented evidence which would give rise
 40 to a reasonable belief that the person has a propensity for violent
 41 or ~~emotionally unstable~~ **suicidal** conduct;

42 (7) does not make a false statement of material fact on the

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person's application;

(8) does not have a conviction for any crime involving an inability to safely handle a handgun;

(9) does not have a conviction for violation of the provisions of this article within five (5) years of the person's application;

(10) does not have an adjudication as a delinquent child for an act that would be a felony if committed by an adult, if the person applying for a license or permit under this chapter is less than twenty-three (23) years of age;

(11) has not been involuntarily committed, other than a temporary commitment for observation or evaluation, to a mental institution by a court, board, commission, or other lawful authority;

(12) has not been the subject of a:

(A) ninety (90) day commitment as a result of proceeding under IC 12-26-6; or

(B) regular commitment under IC 12-26-7;

(13) has not been found by a court to be mentally incompetent, including being found:

(A) not guilty by reason of insanity;

(B) guilty but mentally ill; or

(C) incompetent to stand trial; or

(14) is not currently designated as dangerous (as defined in IC 35-47-14-1) by a court following a hearing under IC 35-47-14-6.

SECTION 8. IC 35-47-2-1, AS AMENDED BY P.L.221-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 1. (a) Except as provided in ~~subsections~~ **subsection** (b) ~~and (c)~~ and sections 2 through 2.1 of this chapter, a person shall not carry a handgun in any vehicle or on or about the person's body without being licensed under this chapter to carry a handgun.

(b) ~~Except as provided in subsection (c)~~; A person may carry a handgun without being licensed under this chapter to carry a handgun if:

(1) the person carries the handgun on or about the person's body in or on property that is owned, leased, rented, or otherwise legally controlled by the person;

(2) the person carries the handgun on or about the person's body while lawfully present in or on property that is owned, leased, rented, or otherwise legally controlled by another person, if the person:

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- 1 (A) has the consent of the owner, renter, lessor, or person
 2 who legally controls the property to have the handgun on
 3 the premises;
 4 (B) is attending a firearms related event on the property,
 5 including a gun show, firearms expo, gun owner's club or
 6 convention, hunting club, shooting club, or training course;
 7 or
 8 (C) is on the property to receive firearms related services,
 9 including the repair, maintenance, or modification of a
 10 firearm;
 11 (3) the person carries the handgun in a vehicle that is owned,
 12 leased, rented, or otherwise legally controlled by the person, if
 13 the handgun is:
 14 (A) unloaded;
 15 (B) not readily accessible; and
 16 (C) secured in a case;
 17 (4) the person carries the handgun while lawfully present in a
 18 vehicle that is owned, leased, rented, or otherwise legally
 19 controlled by another person, if the handgun is:
 20 (A) unloaded;
 21 (B) not readily accessible; and
 22 (C) secured in a case;
 23 (5) the person carries the handgun:
 24 (A) at a shooting range (as defined in IC 14-22-31.5-3);
 25 (B) while attending a firearms instructional course; or
 26 (C) while engaged in a legal hunting activity; ~~or~~
 27 (6) the person is permitted to carry a handgun without a license
 28 under section 2.1 of this chapter (persons protected by a
 29 protection order); **or**
 30 **(7) the person is permitted to carry a handgun without a**
 31 **license under section 2.5 of this chapter (provisional carrying**
 32 **of a handgun without a license).**
 33 ~~(c) Unless the person's right to possess a firearm has been restored~~
 34 ~~under IC 35-47-4-7, a person who has been convicted of domestic~~
 35 ~~battery under IC 35-42-2-1.3 may not possess or carry a handgun.~~
 36 ~~(d)~~ **(c)** This section may not be construed:
 37 (1) to prohibit a person who owns, leases, rents, or otherwise
 38 legally controls private property from regulating or prohibiting
 39 the possession of firearms on the private property;
 40 (2) to allow a person to adopt or enforce an ordinance,
 41 resolution, policy, or rule that:
 42 (A) prohibits; or



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1 (B) has the effect of prohibiting;
 2 an employee of the person from possessing a firearm or
 3 ammunition that is locked in the trunk of the employee's vehicle,
 4 kept in the glove compartment of the employee's locked vehicle,
 5 or stored out of plain sight in the employee's locked vehicle,
 6 unless the person's adoption or enforcement of the ordinance,
 7 resolution, policy, or rule is allowed under IC 34-28-7-2(b); or
 8 (3) to allow a person to adopt or enforce a law, statute,
 9 ordinance, resolution, policy, or rule that allows a person to
 10 possess or transport a firearm or ammunition if the person is
 11 prohibited from possessing or transporting the firearm or
 12 ammunition by state or federal law.

13 ~~(e)~~ (d) A person who knowingly or intentionally violates this
 14 section commits a Class A misdemeanor. However, the offense is a
 15 Level 5 felony:

- 16 (1) if the offense is committed:
 17 (A) on or in school property;
 18 (B) within five hundred (500) feet of school property; or
 19 (C) on a school bus; or
 20 (2) if the person:
 21 (A) has a prior conviction of any offense under:
 22 (i) this section; or
 23 (ii) section 22 of this chapter; or
 24 (B) has been convicted of a felony within fifteen (15) years
 25 before the date of the offense.

26 SECTION 9. IC 35-47-2-2.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2022]: **Sec. 2.5. (a) This section applies after**
 29 **December 31, 2022.**

30 **(b) A person may carry a handgun without a license during the**
 31 **provisional period described in subsection (c) if the person:**

- 32 **(1) has applied for a license to carry a handgun as described**
 33 **in section 3 of this chapter;**
 34 **(2) makes a request to carry a handgun for a provisional**
 35 **period under section 3.1 of this chapter;**
 36 **(3) is at least eighteen (18) years of age;**
 37 **(4) is a proper person (as defined in IC 35-47-1-7); and**
 38 **(5) is not otherwise barred from possessing a handgun under**
 39 **state or federal law.**

40 **(c) A person described in subsection (b) may carry a handgun**
 41 **without a license for a period ending ninety (90) days after the**
 42 **person submits the application under section 3 of this chapter.**

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(d) Notwithstanding subsections (b) and (c), a person who knowingly or intentionally:

- (1) possesses a handgun; and
 - (2) is not a proper person (as defined in IC 35-47-1-7);
- commits unlawful carrying of a handgun, a Level 5 felony.

SECTION 10. IC 35-47-2-3, AS AMENDED BY P.L.165-2021, SECTION 196, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) A person desiring to obtain a license to carry a handgun shall ~~apply~~: **submit an application electronically to the superintendent in accordance with the provisions of this section and rules established to implement the requirements of this section.**

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

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

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

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

(b) This subsection applies before July 1, 2020. The law enforcement agency which accepts an application for a handgun license shall collect the following application fees:

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

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

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

Except as provided in subsection (j), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate

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

(c) This subsection applies after June 30, 2020; and before July 1, 2021. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a five (5) year handgun license and shall collect the following application fees:

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

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

Except as provided in subsection (j), the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties; or to purchase firearms; firearm related equipment; or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(d) (b) This subsection applies after June 30, 2021. 2022. The law enforcement agency which accepts an application for a handgun license **state police department** shall not collect a fee from a person applying for a handgun license.

(e) The officer to whom the application is made shall ascertain the applicant's name; full address; length of residence in the community; whether the applicant's residence is located within the limits of any city or town; the applicant's occupation; place of business or employment; criminal record; if any; and convictions (minor traffic offenses excepted); age; race; sex; nationality; date of birth; citizenship; height; weight; build; color of hair; color of eyes; scars and marks; whether the applicant has previously held an Indiana license to carry a handgun and; if so, the serial number of the license and year issued; whether the

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applicant's license has ever been suspended or revoked; and if so, the year and reason for the suspension or revocation; and the applicant's reason for desiring a license. If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the applicant's country of citizenship; place of birth; and any alien or admission number issued by the United States Citizenship and Immigration Services or United States Customs and Border Protection or any successor agency as applicable. The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation; and shall in addition verify for accuracy the information contained in the application; and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.

(c) The applicant shall appear in person before:

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

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

(3) a service provider authorized by the superintendent; for the purpose of being fingerprinted. The applicant shall appear in person for fingerprinting within fourteen (14) days of the date the application was submitted to the superintendent.

(d) The officer or service provider before whom the applicant appears for fingerprinting under subsection (c) shall, within ten (10) business days, forward to the superintendent one (1) set of legible and classifiable fingerprints of the applicant.

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

(g) (f) If it appears to the superintendent that the applicant:

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

(2) is of good character and reputation;

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

(4) is

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

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

the superintendent shall issue to the applicant a ~~qualified or an unlimited lifetime~~ license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. ~~A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least five (5) years in the case of a five (5) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A five (5) year license shall be valid for a period of five (5) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.~~

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

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

(2) is:

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

(B) prepared by the state police department; and

(C) approved by the superintendent.

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

~~(i)~~ (h) A license to carry a handgun shall not be issued to any person who:

(1) ~~has been convicted of a felony; is not a proper person (as~~



1 **defined in IC 35-47-1-7);**

2 (2) has had a license to carry a handgun suspended, unless the
3 person's license has been reinstated;

4 (3) is under eighteen (18) years of age;

5 (4) is under twenty-three (23) years of age if the person has been
6 adjudicated a delinquent child for an act that would be a felony
7 if committed by an adult;

8 (5) has been arrested for a Class A or Class B felony for an
9 offense committed before July 1, 2014, for a Level 1, Level 2,
10 Level 3, or Level 4 felony for an offense committed after June
11 30, 2014, or any other felony that was committed while armed
12 with a deadly weapon or that involved the use of violence, if a
13 court has found probable cause to believe that the person
14 committed the offense charged; or

15 (6) is prohibited by federal law from possessing or receiving
16 firearms under 18 U.S.C. 922(g).

17 In the case of an arrest under subdivision (5), a license to carry a
18 handgun may be issued to a person who has been acquitted of the
19 specific offense charged or if the charges for the specific offense are
20 dismissed. The superintendent shall prescribe all forms to be used in
21 connection with the administration of this chapter.

22 ~~(j) If the law enforcement agency that charges a fee under~~
23 ~~subsection (b) or (c) is a city or town law enforcement agency, the fee~~
24 ~~shall be deposited in the law enforcement continuing education fund~~
25 ~~established under IC 5-2-8-2.~~

26 ~~(k)~~ (i) If a person who holds a valid license to carry a handgun
27 issued under this chapter:

28 (1) changes the person's name;

29 (2) changes the person's address; or

30 (3) experiences a change, including an arrest or a conviction,
31 that may affect the person's status as a proper person (as defined
32 in IC 35-47-1-7) or otherwise disqualify the person from holding
33 a license;

34 the person shall, not later than thirty (30) days after the date of a
35 change described under subdivision (3), and not later than sixty (60)
36 days after the date of the change described under subdivision (1) or (2),
37 notify the superintendent, in writing, of the event described under
38 subdivision (3) or, in the case of a change under subdivision (1) or (2),
39 the person's new name or new address.

40 ~~(j)~~ (j) The state police shall indicate on the form for a license to
41 carry a handgun the notification requirements of subsection ~~(k)~~ (i).

42 ~~(m)~~ (k) The state police department shall adopt rules under

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- 1 IC 4-22-2 to:
- 2 (1) implement an electronic application system under subsection
- 3 (a); and
- 4 (2) expedite the processing of an application made by a person
- 5 described in section 2.1(b) of this chapter.
- 6 Rules adopted under this section must require the superintendent to
- 7 keep on file one (1) set of classifiable and legible fingerprints from
- 8 every person who has received a license to carry a handgun so that a
- 9 person who applies to renew a license will not be required to submit an
- 10 additional set of fingerprints.
- 11 ~~(n)~~ (l) Except as provided in subsection ~~(o)~~, (m), for purposes of
- 12 IC 5-14-3-4(a)(1), the following information is confidential, may not
- 13 be published, and is not open to public inspection:
- 14 (1) Information submitted by a person under this section to:
- 15 (A) obtain; or
- 16 (B) renew;
- 17 a license to carry a handgun.
- 18 (2) Information obtained by a federal, state, or local government
- 19 entity in the course of an investigation concerning a person who
- 20 applies to:
- 21 (A) obtain; or
- 22 (B) renew;
- 23 a license to carry a handgun issued under this chapter.
- 24 (3) The name, address, and any other information that may be
- 25 used to identify a person who holds a license to carry a handgun
- 26 issued under this chapter.
- 27 ~~(o)~~ (m) Notwithstanding subsection ~~(n)~~: (l):
- 28 (1) any information concerning an applicant for or a person who
- 29 holds a license to carry a handgun issued under this chapter may
- 30 be released to a federal, state, or local government entity:
- 31 (A) for law enforcement purposes; or
- 32 (B) to determine the validity of a license to carry a handgun;
- 33 and
- 34 (2) general information concerning the issuance of licenses to
- 35 carry handguns in Indiana may be released to a person
- 36 conducting journalistic or academic research, but only if all
- 37 personal information that could disclose the identity of any
- 38 person who holds a license to carry a handgun issued under this
- 39 chapter has been removed from the general information.
- 40 ~~(p)~~ (n) A person who knowingly or intentionally violates this
- 41 section commits a Class B misdemeanor.
- 42 SECTION 11. IC 35-47-2-3.1 IS ADDED TO THE INDIANA

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CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2022]: Sec. 3.1. (a) This section applies after
December 31, 2022.

(b) An applicant for a license under section 3 of this chapter may submit a request to carry a handgun for a provisional period under section 2.5 of this chapter. A request under this subsection is subject to the following:

(1) The request must be submitted in conjunction with the submission of an application under section 3 of this chapter.

(2) The applicant must attest, under the penalties for perjury, that the applicant is a proper person (as defined in IC 35-47-1-7) who is not otherwise barred from possessing a handgun under state or federal law.

(3) An applicant may:

(A) submit a request under this section; and

(B) be approved to carry a handgun for the provisional period described under section 2.5 of this chapter;

not more than one (1) time. A subsequent request submitted under this subsection will be summarily denied.

(c) In addition to any other penalty imposed by this chapter, an applicant who knowingly or intentionally makes a materially false statement on a request to carry a handgun for a provisional period under subsection (b) commits a Class A misdemeanor.

SECTION 12. IC 35-47-2-4, AS AMENDED BY P.L.165-2021, SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited; and are valid for:

(1) five (5) years from the date of issue in the case of a five (5) year license; or

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

A qualified license shall be issued for hunting and target practice. An individual may separately apply for and simultaneously hold both a five (5) year license and a lifetime license. The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) This subsection applies before July 1, 2020. In addition to the application fee, the fee for:

(1) a qualified license shall be:

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



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

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

(2) an unlimited license shall be:

(A) thirty dollars (\$30) for a five (5) year unlimited license;

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

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

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (h).

(c) This subsection applies after June 30, 2020, and before July 1, 2021. In addition to the application fee, the fee for:

(1) a qualified license is:

(A) zero dollars (\$0) for a five (5) year qualified license;

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

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

(2) an unlimited license is:

(A) zero dollars (\$0) for a five (5) year unlimited license;

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

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

The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (h).

(d) This subsection applies after June 30, 2021. There is no fee for a qualified or unlimited license. (a) The superintendent shall charge a twenty dollar (\$20) fee for the issuance of a duplicate license to replace a lost or damaged license. This fee shall be deposited in accordance



with subsection (h): **(b).**

(e) Licensed dealers are exempt from the payment of fees specified in subsections (b) and (c) for a qualified license or an unlimited license.

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

(1) Police officers.

(2) Sheriffs or their deputies.

(3) Law enforcement officers.

(4) Correctional officers.

(g) The following officers described in section 3(g) of this chapter who have at least twenty (20) years of service are exempt from the payment of fees for a lifetime qualified license or a lifetime unlimited license specified in subsections (b) and (c):

(1) Police officers.

(2) Sheriffs or their deputies.

(3) Law enforcement officers of the United States government.

(h) **(b)** Fees collected under this section shall be deposited in the state general fund.

(i) **(c)** The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a five (5) year qualified license or a five (5) year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

(j) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 13. IC 35-47-2-5, AS AMENDED BY P.L.165-2021, SECTION 198, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 5. (a) The superintendent may suspend or revoke any license issued under this chapter if the superintendent has reasonable grounds to believe that the person's license should be suspended or revoked.

(b) Documented evidence that a person is not a "proper person" to be licensed as defined by IC 35-47-1-7, or is prohibited under section 3(i)(5) **3(h)(5)** of this chapter from being issued a license, shall be grounds for immediate suspension or revocation of a license previously issued under this chapter. However, if a license is suspended or revoked based solely on an arrest under section 3(i)(5) **3(h)(5)** of this

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chapter, the license shall be reinstated upon the acquittal of the defendant in that case or upon the dismissal of the charges for the specific offense.

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

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

SECTION 14. IC 35-47-2-6, AS AMENDED BY P.L.47-2010, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 6. ~~(a)~~ Every initial application for any license under this chapter shall be granted or rejected within sixty (60) days after the application is filed.

~~(b) The period during which an application for the renewal of an existing license may be filed begins three hundred sixty-five (365) days before the expiration of the existing license. If the application for renewal of an existing license is filed within thirty (30) days of its expiration, the existing license is automatically extended until the application for renewal is passed upon.~~

SECTION 15. IC 35-47-2-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 21. (a) Retail dealers' licenses issued by other states or foreign countries will not be recognized in Indiana except for sales at wholesale.

(b) Licenses to carry handguns, issued by other states or foreign countries, will be recognized according to the terms thereof but only while the holders are not residents of Indiana.

(c) If the law of another state provides that a person may carry a handgun without a license, a resident of that state may carry a handgun in Indiana with a valid reciprocity license:

- (1) in the person's immediate possession; and**
- (2) issued by the person's state of residency.**

This subsection applies only while the holder of the reciprocity license is not a resident of Indiana (as defined in IC 35-47-1-6.5).

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