

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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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 state educational institution and the
4 public, a badge that indicates that the officer is retired. Upon
5 retirement, the state police department shall issue to the police officer
6 an identification 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 police officer described in this section is entitled to a lifetime license
11 to carry a handgun. ~~as described under IC 35-47-2-3(g).~~

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

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

27 The officer may use an affidavit executed by an individual
28 alleged to have direct knowledge of the incident alleging the
29 elements of the offense of battery to establish probable cause;
30 (6) probable cause to believe that the person violated
31 IC 35-46-1-15.1 (invasion of privacy) or IC 35-46-1-15.3;
32 (7) probable cause to believe that the person violated
33 IC 35-47-2-1 (carrying a handgun without a license),
34 **IC 35-47-2-2.5 (unlawful carrying of a handgun),**
35 **IC 35-47-2-3.1 (making a false statement on an application**
36 **for the provisional carrying of a handgun),** or IC 35-47-2-22
37 (counterfeit handgun license);
38 (8) probable cause to believe that the person is violating or has
39 violated an order issued under IC 35-50-7;
40 (9) probable cause to believe that the person is violating or has
41 violated IC 35-47-6-1.1 (undisclosed transport of a dangerous
42 device);

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(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.

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

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

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

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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



1 person's application;

2 (8) does not have a conviction for any crime involving an

3 inability to safely handle a handgun;

4 (9) does not have a conviction for violation of the provisions of

5 this article within five (5) years of the person's application;

6 (10) does not have an adjudication as a delinquent child for an

7 act that would be a felony if committed by an adult, if the person

8 applying for a license or permit under this chapter is less than

9 twenty-three (23) years of age;

10 (11) has not been involuntarily committed, other than a

11 temporary commitment for observation or evaluation, to a mental

12 institution by a court, board, commission, or other lawful

13 authority;

14 (12) has not been the subject of a:

15 (A) ninety (90) day commitment as a result of proceeding

16 under IC 12-26-6; or

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

18 (13) has not been found by a court to be mentally incompetent,

19 including being found:

20 (A) not guilty by reason of insanity;

21 (B) guilty but mentally ill; or

22 (C) incompetent to stand trial; or

23 (14) is not currently designated as dangerous (as defined in

24 IC 35-47-14-1) by a court following a hearing under

25 IC 35-47-14-6.

26 SECTION 8. IC 35-47-2-1, AS AMENDED BY P.L.221-2017,

27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

28 JULY 1, 2022]: Sec. 1. (a) Except as provided in ~~subsections~~

29 **subsection (b) and (e)** and sections 2 through 2.1 of this chapter, a

30 person shall not carry a handgun in any vehicle or on or about the

31 person's body without being licensed under this chapter to carry a

32 handgun.

33 (b) ~~Except as provided in subsection (e)~~; A person may carry a

34 handgun without being licensed under this chapter to carry a handgun

35 if:

36 (1) the person carries the handgun on or about the person's body

37 in or on property that is owned, leased, rented, or otherwise

38 legally controlled by the person;

39 (2) the person carries the handgun on or about the person's body

40 while lawfully present in or on property that is owned, leased,

41 rented, or otherwise legally controlled by another person, if the

42 person:

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(A) has the consent of the owner, renter, lessor, or person who legally controls the property to have the handgun on the premises;

(B) is attending a firearms related event on the property, including a gun show, firearms expo, gun owner's club or convention, hunting club, shooting club, or training course; or

(C) is on the property to receive firearms related services, including the repair, maintenance, or modification of a firearm;

(3) the person carries the handgun in a vehicle that is owned, leased, rented, or otherwise legally controlled by the person, if the handgun is:

- (A) unloaded;
- (B) not readily accessible; and
- (C) secured in a case;

(4) the person carries the handgun while lawfully present in a vehicle that is owned, leased, rented, or otherwise legally controlled by another person, if the handgun is:

- (A) unloaded;
- (B) not readily accessible; and
- (C) secured in a case;

(5) the person carries the handgun:

- (A) at a shooting range (as defined in IC 14-22-31.5-3);
- (B) while attending a firearms instructional course; or
- (C) while engaged in a legal hunting activity; **or**

(6) the person is permitted to carry a handgun without a license under section 2.1 of this chapter (persons protected by a protection order); **or**

(7) the person is permitted to carry a handgun without a license under section 2.5 of this chapter (provisional carrying of a handgun without a license).

(e) Unless the person's right to possess a firearm has been restored under IC 35-47-4-7, a person who has been convicted of domestic battery under IC 35-42-2-1.3 may not possess or carry a handgun.

(d) (c) This section may not be construed:

- (1) to prohibit a person who owns, leases, rents, or otherwise legally controls private property from regulating or prohibiting the possession of firearms on the private property;
- (2) to allow a person to adopt or enforce an ordinance, resolution, policy, or rule that:

- (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:

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.**

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 10-1-1-1).

39 state or federal law.

40 (c) A person described

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

8 (c) This subsection applies after June 30, 2020; and before July 1,
9 2021. The law enforcement agency which accepts an application for a
10 handgun license shall not collect a fee from a person applying for a five
11 (5) year handgun license and shall collect the following application
12 fees:

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

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

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

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

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

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

20 **(c) The applicant shall appear in person before:**

21 (1) the chief of police or corresponding law enforcement
22 officer of the municipality in which the applicant resides;
23 (2) if that municipality has no such officer, or if the applicant
24 does not reside in a municipality, to the sheriff of the county
25 in which the applicant resides after the applicant has
26 obtained an application form prescribed by the
27 superintendent; or

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

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

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

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

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

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

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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.

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

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

8 (1) The request must be submitted in conjunction with the
 9 submission of an application under section 3 of this chapter.
 10 (2) The applicant must attest, under the penalties for
 11 perjury, that the applicant is a proper person (as defined in
 12 IC 35-47-1-7) who is not otherwise barred from possessing a
 13 handgun under state or federal law.

14 (3) An applicant may:
 15 (A) submit a request under this section; and
 16 (B) be approved to carry a handgun for the provisional
 17 period described under section 2.5 of this chapter;
 18 not more than one (1) time. A subsequent request submitted
 19 under this subsection will be summarily denied.

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

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

28 (1) five (5) years from the date of issue in the case of a five (5)
 29 year license; or
 30 (2) the life of the individual receiving the license in the case of
 31 a lifetime license.

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

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

41 (1) a qualified license shall be:
 42 (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.

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

18 (e) This subsection applies after June 30, 2020, and before July 1,
19 2021. In addition to the application fee, the fee for:

20 (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

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

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

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1 with subsection (h). (b).

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

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

10 (1) Police officers.

11 (2) Sheriffs or their deputies.

12 (3) Law enforcement officers.

13 (4) Correctional officers.

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

18 (1) Police officers.

19 (2) Sheriffs or their deputies.

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

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

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

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

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

37 (b) Documented evidence that a person is not a "proper person" to
 38 be licensed as defined by IC 35-47-1-7, or is prohibited under section
 39 3(i)(5) 3(h)(5) of this chapter from being issued a license, shall be
 40 grounds for immediate suspension or revocation of a license previously
 41 issued under this chapter. However, if a license is suspended or
 42 revoked based solely on an arrest under section 3(i)(5) 3(h)(5) of this

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

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

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

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

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

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

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

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

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

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

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