

IC 35-47-9

Chapter 9. Possession of Firearms on School Property and School Buses

IC 35-47-9-0.1

Repealed

(As added by P.L.220-2011, SEC.624. Repealed by P.L.63-2012, SEC.78.)

IC 35-47-9-1

Exemptions from chapter

Sec. 1. (a) This chapter does not apply to the following:

(1) A:

- (A) federal;
- (B) state; or
- (C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who has been authorized by:

- (A) a school board (as defined by IC 20-26-9-4); or
- (B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property.

(3) Except as provided in subsection (b) or (c), a person who:

- (A) may legally possess a firearm; and
- (B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in IC 20-26-18.2-1.

(5) Except as provided in subsection (b) or (c), a person who:

- (A) may legally possess a firearm; and
- (B) possesses only a firearm that is:
 - (i) locked in the trunk of the person's motor vehicle;
 - (ii) kept in the glove compartment of the person's locked motor vehicle; or
 - (iii) stored out of plain sight in the person's locked motor vehicle.

(b) For purposes of subsection (a)(3) and (a)(5), a person does not include a person who is:

(1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or

(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle

does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is authorized by the school or school district to possess a firearm.

As added by P.L.140-1994, SEC.11. Amended by P.L.172-2013, SEC.12; P.L.157-2014, SEC.4.

IC 35-47-9-2

Possession of firearms on school property or a school bus; defense to a prosecution; possession of firearms in a motor vehicle parked in a school parking lot

Sec. 2. (a) A person may not be charged with an offense under this subsection if the person may be charged with an offense described in subsection (c). A person who knowingly or intentionally possesses a firearm:

- (1) in or on school property; or
- (2) on a school bus;

commits a Level 6 felony.

(b) It is a defense to a prosecution under subsection (a) that:

- (1) the person is permitted to legally possess the firearm; and
- (2) the firearm is:
 - (A) locked in the trunk of the person's motor vehicle;
 - (B) kept in the glove compartment of the person's locked motor vehicle; or
 - (C) stored out of plain sight in the person's locked motor vehicle.

(c) A person who is permitted to legally possess a firearm and who knowingly, intentionally, or recklessly leaves the firearm in plain view in a motor vehicle that is parked in a school parking lot commits a Class A misdemeanor.

As added by P.L.140-1994, SEC.11. Amended by P.L.172-2013, SEC.13; P.L.158-2013, SEC.601; P.L.157-2014, SEC.5; P.L.168-2014, SEC.89; P.L.109-2015, SEC.54.