

# SENATE BILL No. 245

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-6-2; IC 34-28-7.5.

**Synopsis:** Possession of firearms. Creates a civil penalty for prohibiting or restricting certain persons from carrying a weapon on certain premises open to the public.

**Effective:** July 1, 2020.

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January 9, 2020, read first time and referred to Committee on Judiciary.

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Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## SENATE BILL No. 245

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 34-6-2-46.7, AS AMENDED BY P.L.90-2010,  
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2020]: Sec. 46.7. "Firearm", for purposes of IC 34-28-7,  
4 **IC 34-28-7.5**, and IC 34-30-20, has the meaning set forth in  
5 IC 35-47-1-5.

6 SECTION 2. IC 34-6-2-73.3, AS AMENDED BY P.L.114-2012,  
7 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2020]: Sec. 73.3. "Law enforcement officer", for purposes of  
9 IC 34-26-5 **and IC 34-28-7.5**, has the meaning set forth in  
10 IC 35-31.5-2-185.

11 SECTION 3. IC 34-6-2-138.5 IS ADDED TO THE INDIANA  
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
13 [EFFECTIVE JULY 1, 2020]: **Sec. 138.5. "Special investigator", for**  
14 **purposes of IC 34-28-7.5, has the meaning set forth in**  
15 **IC 34-28-7.5-3.**

16 SECTION 4. IC 34-28-7.5 IS ADDED TO THE INDIANA CODE  
17 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2020]:  
2 **Chapter 7.5. Possession of Firearms by a Law Enforcement**  
3 **Officer or Special Investigator**  
4 **Sec. 1. As used in this chapter, "firearm" has the meaning set**  
5 **forth in IC 35-47-1-5.**  
6 **Sec. 2. As used in this chapter, "law enforcement officer" has**  
7 **the meaning set forth in IC 35-31.5-2-185.**  
8 **Sec. 3. As used in this chapter, "special investigator" means an**  
9 **individual employed by a state agency or commission to investigate**  
10 **complaints to the agency or commission.**  
11 **Sec. 4. A person that owns or operates a business open to the**  
12 **public may not prohibit an individual the person knows to be a law**  
13 **enforcement officer or special investigator from possessing a**  
14 **firearm or ammunition on the premises of the business.**  
15 **Sec. 5. (a) The attorney general may enforce a violation of this**  
16 **chapter by seeking:**  
17 **(1) a civil penalty in an amount that does not exceed one**  
18 **thousand dollars (\$1,000); and**  
19 **(2) injunctive relief.**  
20 **(b) Amounts collected under this section shall be deposited into**  
21 **the state general fund.**

