

HOUSE BILL No. 1170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-31.5-2; IC 35-47.

Synopsis: Elimination of gun-free zones. Provides, with some exceptions, that beginning July 1, 2025, the state of Indiana may not regulate: (1) firearms, ammunition, and firearm accessories; and (2) the ownership, possession, carrying, transportation, registration, transfer, and storage of firearms, ammunition, and firearm accessories. Specifies that a certain provision of an ordinance, measure, enactment, rule, policy, or exercise of proprietary authority is void. Provides that a person not otherwise prohibited from carrying or possessing a firearm under federal or state law may carry or possess a firearm, without restriction, on certain property affiliated with the following state agencies beginning July 1, 2025: (1) The department of natural resources. (2) The state fair commission. (3) The department of administration. (4) The department of workforce development. Prohibits, with some exceptions, a state educational institution (institution) from regulating the possession or transportation of firearms, ammunition, or firearm accessories in particular places. Allows a person to bring an action against an institution if the person is adversely affected by certain rules concerning firearms.

Effective: Upon passage.

Lucas

January 8, 2025, read first time and referred to Committee on Public Policy.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1170

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 35-31.5-2-9.8 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 9.8. "Adversely affected", for**
4 **purposes of IC 35-47-17-5, has the meaning set forth in**
5 **IC 35-47-17-6.**

6 SECTION 2. IC 35-31.5-2-47.3 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE UPON PASSAGE]: **Sec. 47.3. "Commission", for**
9 **purposes of IC 35-47-11.1-4.1, has the meaning set forth in**
10 **IC 35-47-11.1-4.1(a).**

11 SECTION 3. IC 35-31.5-2-89.5 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE UPON PASSAGE]: **Sec. 89.5. (a) "Department", for**
14 **purposes of IC 35-47-11.1-4.5, has the meaning set forth in**
15 **IC 35-47-11.1-4.5(a).**

16 **(b) "Department", for purposes of IC 35-47-11.1-4.6, has the**
17 **meaning set forth in IC 35-47-11.1-4.6(a).**



1 (c) "Department", for purposes of IC 35-47-11.1-4.7, has the
2 meaning set forth in IC 35-47-11.1-4.7(a).

3 SECTION 4. IC 35-31.5-2-311.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE UPON PASSAGE]: Sec. 311.5. "State educational
6 institution", for purposes of IC 35-47-17, has the meaning set forth
7 in IC 21-7-13-32.

8 SECTION 5. IC 35-47-1-2.5, AS ADDED BY P.L.152-2011,
9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: Sec. 2.5. "Ammunition", for purposes of
11 IC 35-47-11.1 and IC 35-47-17, means:

- 12 (1) fixed cartridge ammunition;
- 13 (2) shotgun shells;
- 14 (3) the individual components of fixed cartridge ammunition and
15 shotgun shells;
- 16 (4) projectiles for muzzle loading firearms; and
- 17 (5) any propellant used in a firearm or in firearm ammunition.

18 SECTION 6. IC 35-47-11.1-2, AS ADDED BY P.L.152-2011,
19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 UPON PASSAGE]: Sec. 2. (a) Except as provided in section 4 of this
21 chapter, a political subdivision may not regulate:

- 22 (1) firearms, ammunition, and firearm accessories;
- 23 (2) the ownership, possession, carrying, transportation,
24 registration, transfer, and storage of firearms, ammunition, and
25 firearm accessories; and
- 26 (3) commerce in and taxation of firearms, firearm ammunition,
27 and firearm accessories.

28 (b) Except as provided in section 4 of this chapter, beginning
29 July 1, 2025, the state may not regulate:

- 30 (1) firearms, ammunition, and firearm accessories; and
- 31 (2) the ownership, possession, carrying, transportation,
32 registration, transfer, and storage of firearms, ammunition,
33 and firearm accessories.

34 SECTION 7. IC 35-47-11.1-3, AS ADDED BY P.L.152-2011,
35 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 UPON PASSAGE]: Sec. 3. (a) Any provision of an ordinance,
37 measure, enactment, rule, or policy, or exercise of proprietary authority
38 of a political subdivision, or of an employee or agent of a political
39 subdivision acting in an official capacity:

- 40 (1) enacted or undertaken before, on, or after June 30, 2011; and
- 41 (2) that pertains to or affects the matters listed in section ~~2~~ 2(a) of
42 this chapter;



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is void.

(b) Any provision of an ordinance, measure, enactment, rule, policy, or exercise of proprietary authority of the state:

(1) enacted or undertaken before, on, or after July 1, 2025;

and

(2) that pertains to or affects the matters listed in section 2(b) of this chapter;

is void.

SECTION 8. IC 35-47-11.1-4, AS AMENDED BY P.L.175-2022, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. This chapter may not be construed to prevent any of the following:

(1) A law enforcement agency of a political subdivision from enacting and enforcing regulations pertaining to firearms, ammunition, or firearm accessories issued to or used by law enforcement officers in the course of their official duties.

(2) Subject to IC 34-28-7-2, an employer from regulating or prohibiting the employees of the employer from carrying firearms and ammunition in the course of the employee's official duties.

(3) A court or administrative law judge from hearing and resolving any case or controversy or issuing any opinion or order on a matter within the jurisdiction of the court or judge.

(4) The enactment or enforcement of generally applicable zoning or business ordinances that apply to firearms businesses to the same degree as other similar businesses. However, a provision of an ordinance that is designed or enforced to effectively restrict or prohibit the sale, purchase, transfer, manufacture, or display of firearms, ammunition, or firearm accessories that is otherwise lawful under the laws of this state is void. A unit (as defined in IC 36-1-2-23) may not use the unit's planning and zoning powers under IC 36-7-4 to prohibit the sale of firearms within a prescribed distance of any other type of commercial property or of school property or other educational property.

(5) Subject to IC 35-47-16-1, the enactment or enforcement of a provision prohibiting or restricting the possession of a firearm in any building that contains the courtroom of a circuit, superior, city, town, or small claims court. However, if a portion of the building is occupied by a residential tenant or private business, any provision restricting or prohibiting the possession of a firearm does not apply to the portion of the building that is occupied by the residential tenant or private business, or to common areas of the building used by a residential tenant or private business.



- 1 (6) The enactment or enforcement of a provision prohibiting or
 2 restricting the intentional display of a firearm at a public meeting.
 3 (7) The enactment or enforcement of a provision prohibiting or
 4 restricting the possession of a firearm in a public hospital
 5 corporation that contains a secure correctional health unit that is
 6 staffed by a law enforcement officer twenty-four (24) hours a day.
 7 (8) The imposition of any restriction or condition placed on a
 8 person participating in:
 9 (A) a community corrections program (IC 11-12-1);
 10 (B) a forensic diversion program (IC 11-12-3.7); or
 11 (C) a pretrial diversion program (IC 33-39-1).
 12 (9) The enforcement or prosecution of:
 13 (A) the offense of criminal recklessness (IC 35-42-2-2)
 14 involving the use of a firearm; **and**
 15 (B) **beginning July 1, 2025, any other criminal offense**
 16 **involving the unlawful carrying, display, possession, or use**
 17 **of a firearm.**
 18 (10) For an event occurring on property leased from a political
 19 subdivision or municipal corporation by the promoter or organizer
 20 of the event:
 21 (A) the establishment, by the promoter or organizer, at the
 22 promoter's or organizer's own discretion, of rules of conduct or
 23 admission upon which attendance at or participation in the
 24 event is conditioned; or
 25 (B) the implementation or enforcement of the rules of conduct
 26 or admission described in clause (A) by a political subdivision
 27 or municipal corporation in connection with the event.
 28 (11) The enactment or enforcement of a provision prohibiting or
 29 restricting the possession of a firearm in a hospital established
 30 and operated under IC 16-22-2 or IC 16-23.
 31 (12) A unit from using the unit's planning and zoning powers
 32 under IC 36-7-4 to prohibit the sale of firearms within two
 33 hundred (200) feet of a school by a person having a business that
 34 did not sell firearms within two hundred (200) feet of a school
 35 before April 1, 1994.
 36 (13) Subject to IC 35-47-16-1, a unit (as defined in IC 36-1-2-23)
 37 from enacting or enforcing a provision prohibiting or restricting
 38 the possession of a firearm in a building owned or administered
 39 by the unit if:
 40 (A) metal detection devices are located at each public entrance
 41 to the building;
 42 (B) each public entrance to the building is staffed by at least



- 1 one (1) law enforcement officer:
- 2 (i) who has been adequately trained to conduct inspections
- 3 of persons entering the building by use of metal detection
- 4 devices and proper physical pat down searches; and
- 5 (ii) when the building is open to the public; and
- 6 (C) each:
- 7 (i) individual who enters the building through the public
- 8 entrance when the building is open to the public; and
- 9 (ii) bag, package, and other container carried by the
- 10 individual;
- 11 is inspected by a law enforcement officer described in clause
- 12 (B).

13 However, except as provided in subdivision (5) concerning a

14 building that contains a courtroom, a unit may not prohibit or

15 restrict the possession of a handgun under this subdivision in a

16 building owned or administered by the unit if the person who

17 possesses the handgun is not otherwise prohibited from carrying

18 or possessing a handgun.

19 SECTION 9. IC 35-47-11.1-4.1 IS ADDED TO THE INDIANA

20 CODE AS A NEW SECTION TO READ AS FOLLOWS

21 [EFFECTIVE UPON PASSAGE]: **Sec. 4.1. (a) As used in this section,**

22 **"commission" means the state fair commission.**

23 **(b) 80 IAC 7-1-16(a)(1) is void July 1, 2025. The publisher of the**

24 **Indiana Administrative Code and Indiana Register shall remove 80**

25 **IAC 7-1-16(a)(1) from the Indiana Administrative Code after July**

26 **1, 2025.**

27 **(c) A person not otherwise prohibited from carrying or**

28 **possessing a firearm under federal or state law is permitted**

29 **beginning July 1, 2025, to carry or possess, without restriction, a**

30 **firearm on any property:**

- 31 **(1) affiliated with;**
- 32 **(2) operated or managed by;**
- 33 **(3) owned by; or**
- 34 **(4) leased by;**

35 **the commission.**

36 **(d) A rule adopted by the commission that conflicts with**

37 **subsection (c) after June 30, 2025, is void.**

38 **(e) Before July 1, 2025, the commission shall adopt interim rules**

39 **under IC 4-22-2-37.2 to implement this section and to ensure that**

40 **80 IAC 11-2-2 conforms with subsection (c). An interim rule**

41 **adopted by the commission under this subsection expires on the**

42 **earlier of the following:**



1 (1) The date the interim rule is amended or repealed by a later
2 rule adopted under IC 4-22-2.

3 (2) The date that interim rules expire under IC 4-22-2-37.2(k).

4 (f) The commission shall adopt rules under IC 4-22-2 that
5 conform with subsection (c) not later than July 1, 2026.

6 SECTION 10. IC 35-47-11.1-4.5 IS ADDED TO THE INDIANA
7 CODE AS A NEW SECTION TO READ AS FOLLOWS
8 [EFFECTIVE UPON PASSAGE]: Sec. 4.5. (a) As used in this section,
9 "department" means the Indiana department of administration.

10 (b) As used in this section, "Indiana government center
11 campus" has the meaning set forth in 25 IAC 8-2-1(4).

12 (c) 25 IAC 8-2-1(1)(A) is void July 1, 2025. The publisher of the
13 Indiana Administrative Code and Indiana Register shall remove 25
14 IAC 8-2-1(1)(A) from the Indiana Administrative Code after July
15 1, 2025.

16 (d) A person not otherwise prohibited from carrying or
17 possessing a firearm under federal or state law is permitted
18 beginning July 1, 2025, to carry or possess, without restriction, a
19 firearm on the Indiana government center campus and any
20 property:

21 (1) affiliated with;

22 (2) operated or managed by;

23 (3) owned by; or

24 (4) leased by;

25 the department.

26 (e) A rule adopted by the department that conflicts with
27 subsection (d) after June 30, 2025, is void.

28 (f) Before July 1, 2025, the department shall adopt interim rules
29 under IC 4-22-2-37.2 to implement this section and to ensure that
30 25 IAC 8-3-1 and 25 IAC 8-3-3 conform with subsection (d). An
31 interim rule adopted by the department under this subsection
32 expires on the earlier of the following:

33 (1) The date the interim rule is amended or repealed by a later
34 rule adopted under IC 4-22-2.

35 (2) The date that interim rules expire under IC 4-22-2-37.2(k).

36 (g) The department shall adopt rules under IC 4-22-2 that
37 conform with subsection (d) not later than July 1, 2026.

38 SECTION 11. IC 35-47-11.1-4.6 IS ADDED TO THE INDIANA
39 CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE UPON PASSAGE]: Sec. 4.6. (a) As used in this section,
41 "department" means the department of natural resources.

42 (b) A person not otherwise prohibited from carrying or



1 possessing a firearm under federal or state law is permitted
 2 beginning July 1, 2025, to carry or possess, without restriction, a
 3 firearm on any property:

- 4 (1) affiliated with;
 5 (2) operated or managed by;
 6 (3) owned by; or
 7 (4) leased by;

8 the department.

9 (c) A rule adopted by the department that conflicts with
 10 subsection (b) after June 30, 2025, is void.

11 (d) Before July 1, 2025, the department shall adopt interim rules
 12 under IC 4-22-2-37.2 to implement this section and to ensure that
 13 312 IAC 8-2-3 conforms with subsection (b). An emergency rule
 14 adopted by the department under this subsection expires on the
 15 earlier of the following:

- 16 (1) The date the interim rule is amended or repealed by a later
 17 rule adopted under IC 4-22-2.
 18 (2) The date that interim rules expire under IC 4-22-2-37.2(k).

19 (e) The department shall adopt rules under IC 4-22-2 that
 20 conform to subsection (b) not later than July 1, 2026.

21 SECTION 12. IC 35-47-11.1-4.7 IS ADDED TO THE INDIANA
 22 CODE AS A NEW SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE UPON PASSAGE]: Sec. 4.7. (a) As used in this section,
 24 "department" means the department of workforce development.

25 (b) 646 IAC 5-13-2(1)(A) is void July 1, 2025. The publisher of
 26 the Indiana Administrative Code and Indiana Register shall
 27 remove 646 IAC 5-13-2(1)(A) from the Indiana Administrative
 28 Code after July 1, 2025.

29 (c) A person not otherwise prohibited from carrying or
 30 possessing a firearm under federal or state law is permitted
 31 beginning July 1, 2025, to carry or possess, without restriction, a
 32 firearm on any property:

- 33 (1) affiliated with;
 34 (2) operated or managed by;
 35 (3) owned by; or
 36 (4) leased by;

37 the department.

38 (d) A rule adopted by the department that conflicts with
 39 subsection (c) after June 30, 2025, is void.

40 (e) Before July 1, 2025, the department shall adopt interim rules
 41 under IC 4-22-2-37.2 to implement this section and to ensure that
 42 646 IAC 5-13-3 and 646 IAC 5-13-4 conform with subsection (c).



1 **An interim rule adopted by the department under this subsection**
 2 **expires on the earlier of the following:**

3 (1) **The date the interim rule is amended or repealed by a later**
 4 **rule adopted under IC 4-22-2.**

5 (2) **The date that interim rules expire under IC 4-22-2-37.2(k).**

6 (f) **The department shall adopt rules under IC 4-22-2 that**
 7 **conform to subsection (c) not later than July 1, 2026.**

8 SECTION 13. IC 35-47-17 IS ADDED TO THE INDIANA CODE
 9 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 10 UPON PASSAGE]:

11 **Chapter 17. Possession and Transportation of Firearms on the**
 12 **Property of a State Educational Institution**

13 **Sec. 1. This chapter does not apply to the administration or**
 14 **enforcement of:**

15 (1) **a statute enacted by the general assembly that:**

16 (A) **specifically concerns the ownership, possession,**
 17 **carrying, use, discharge, transportation, registration,**
 18 **transfer, or storage of firearms, ammunition, or firearm**
 19 **accessories; and**

20 (B) **specifies the elements of a crime or an infraction; or**

21 (2) **federal law.**

22 **Sec. 2. Except as provided in section 4 of this chapter, a state**
 23 **educational institution may not regulate the possession or**
 24 **transportation of firearms, ammunition, or firearm accessories:**

25 (1) **on land that is; or**

26 (2) **in buildings or other structures that are;**

27 **owned, leased, or managed by the state educational institution.**

28 **Sec. 3. Any provision of a rule, measure, enactment, or policy**
 29 **implemented by a state educational institution that:**

30 (1) **is enacted or undertaken before, on, or after July 1, 2025;**
 31 **and**

32 (2) **pertains to or affects any matter described in section 2 of**
 33 **this chapter;**

34 **is void.**

35 **Sec. 4. Section 2 of this chapter may not be construed to prevent**
 36 **any of the following:**

37 (1) **A law enforcement agency from enacting and enforcing**
 38 **rules or policies concerning firearms, ammunition, or firearm**
 39 **accessories issued to or used by law enforcement officers in**
 40 **the course of the officers' official duties.**

41 (2) **A court or an administrative law judge from hearing and**
 42 **resolving any case or controversy, or issuing any opinion or**



1 order, on a matter within the jurisdiction of the court or
2 judge.

3 (3) The imposition of any restriction or condition placed on a
4 person:

5 (A) participating in a:

6 (i) community corrections program (IC 11-12-1);

7 (ii) forensic diversion program (IC 11-12-3.7); or

8 (iii) pretrial diversion program (IC 33-39-1); or

9 (B) subject to a protective order issued under IC 34-26-5.

10 Sec. 5. Notwithstanding IC 34-13-3, a person adversely affected
11 by a rule, measure, enactment, or policy adopted or enforced by a
12 state educational institution that violates this chapter may bring an
13 action, in a court with appropriate jurisdiction, against the state
14 educational institution for:

15 (1) declarative and injunctive relief; and

16 (2) actual and consequential damages attributable to the state
17 educational institution's violation of section 2 of this chapter.

18 Sec. 6. A person is adversely affected, for purposes of section 5
19 of this chapter, if either of the following applies:

20 (1) The person is an individual who meets all of the following
21 requirements:

22 (A) The individual lawfully resides within the United
23 States.

24 (B) The individual may legally possess a firearm under
25 Indiana law.

26 (C) The individual is or was subject to the rule, measure,
27 enactment, or policy of the state educational institution
28 that is the subject of an action brought under section 5 of
29 this chapter. An individual is or was subject to the rule,
30 measure, enactment, or policy of the state educational
31 institution if the individual is or was physically present
32 within the jurisdiction of the state educational institution
33 for any reason.

34 (2) The person is a membership organization that:

35 (A) includes at least two (2) individuals described in
36 subdivision (1); and

37 (B) is dedicated in whole or in part to protecting the rights
38 of persons who possess, own, or use firearms for
39 competitive, sporting, defensive, or other lawful purposes.

40 Sec. 7. Notwithstanding IC 34-13-3, a prevailing plaintiff in a
41 action brought under section 5 of this chapter is entitled to recover
42 the following from the state educational institution:



- 1 **(1) The greater of the following:**
- 2 **(A) Actual damages, including consequential damages.**
- 3 **(B) Liquidated damages equal to three (3) times the**
- 4 **plaintiff's attorney's fees.**
- 5 **(2) Court costs (including fees).**
- 6 **(3) Reasonable attorney's fees.**
- 7 **SECTION 14. An emergency is declared for this act.**

