

# HOUSE BILL No. 1401

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-16.

**Synopsis:** Indiana volunteers program. Establishes the Indiana volunteers program administered by the adjutant general. Specifies that the program consists of Indiana residents who have demonstrated a proficiency in the use of weapons to assist the adjutant general in the protection of Indiana during emergencies. Establishes the citizen marksmanship and firearms proficiency program to: (1) foster citizen involvement in shooting sports; (2) recommend training courses for citizens to be involved in shooting sports; and (3) foster defense training exercises. Requires the governor annually to proclaim a "Citizens Range and Firearms Safety Day" for the promotion of the proficiency program.

**Effective:** July 1, 2014.

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January 16, 2014, read first time and referred to Committee on Veterans Affairs and Public Safety.

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Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

# HOUSE BILL No. 1401



A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

1 SECTION 1. IC 10-16-20 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2014]:

4 **Chapter 20. Indiana Volunteers Program**

5 **Sec. 1. This chapter shall be implemented and construed**  
6 **consistently with the following:**

7 (1) **The Second Amendment of the Constitution of the United**  
8 **States, which states: "A well regulated Militia, being**  
9 **necessary to the security of a free State, the right of the people**  
10 **to keep and bear Arms, shall not be infringed."**

11 (2) **Article 12, Section 1 of the Constitution of the State of**  
12 **Indiana, which states: "A militia shall be provided and shall**  
13 **consist of all persons over the age of seventeen (17) years,**  
14 **except those persons who may be exempted by the laws of the**  
15 **United States or of this state. The militia may be divided into**  
16 **active and inactive classes and consist of such military**



1 organizations as may be provided by law."

2 **Sec. 2.** As used in this chapter, "Indiana volunteer" refers to an  
3 individual who is registered as an Indiana volunteer under the  
4 program.

5 **Sec. 3.** As used in this chapter, "program" refers to the Indiana  
6 volunteers program established by section 4 of this chapter.

7 **Sec. 4.** The Indiana volunteers program is established.

8 **Sec. 5.** The adjutant general shall administer the program.

9 **Sec. 6. (a)** A resident of Indiana may apply to the adjutant  
10 general to become an Indiana volunteer as provided in this  
11 chapter.

12 **(b)** For purposes of this article and federal law, an Indiana  
13 volunteer is not:

14 **(1)** part of the National Guard; or

15 **(2)** subject to federal control.

16 **Sec. 7. (a)** The adjutant general shall establish standards for an  
17 individual to become an Indiana volunteer, including necessary  
18 initial and continuing training requirements.

19 **(b)** The standards may provide that an individual's military or  
20 law enforcement experience is sufficient to satisfy particular  
21 requirements of the standards.

22 **Sec. 8. (a)** An individual who applies and meets the standards  
23 established under section 7 of this chapter shall be enrolled as an  
24 Indiana volunteer.

25 **(b)** Before being enrolled as an Indiana volunteer, an individual  
26 must take an oath or make an affirmation:

27 **(1)** as provided in Article 15, Section 4 of the Constitution of  
28 the State of Indiana; and

29 **(2)** to be prepared to defend the people of Indiana.

30 **Sec. 9. (a)** The adjutant general is the commander of the Indiana  
31 volunteers and may designate subordinate officers, with the  
32 approval of the governor.

33 **(b)** The adjutant general, with the approval of the governor,  
34 may:

35 **(1)** establish ranks and officers to establish the structure of  
36 the Indiana volunteers; and

37 **(2)** provide for the organization, promotion, and discipline  
38 within that structure.

39 **Sec. 10.** An Indiana volunteer shall procure a support weapon  
40 (of any class), which must be chambered for a standard issue  
41 cartridge and otherwise meet the standards set by the adjutant  
42 general.



1           **Sec. 11. (a) An Indiana volunteer must attend at least one (1)**  
 2 **range training session each year to maintain proficiency.**

3           **(b) An Indiana volunteer may demonstrate satisfaction of**  
 4 **subsection (a) by documentation submitted to the adjutant general**  
 5 **that is acceptable to the adjutant general. The documentation must**  
 6 **include the following information:**

7           **(1) Range time.**

8           **(2) A description of the weapons used in the training of the**  
 9 **Indiana volunteer.**

10           **(3) Proficiency registered.**

11           **(4) Any other information required by the adjutant general.**

12           **Sec. 12. (a) Upon the recommendation of the adjutant general,**  
 13 **the governor may call the Indiana volunteers to assist in**  
 14 **emergencies.**

15           **(b) An Indiana volunteer is not required to provide assistance**  
 16 **called under subsection (a), at the discretion of the Indiana**  
 17 **volunteer.**

18           **Sec. 13. An Indiana volunteer may assist any of the following:**

19           **(1) A political subdivision at the request of the executive of the**  
 20 **political subdivision.**

21           **(2) A state or local police or fire authority.**

22           **(3) A school or higher education authority.**

23           **(4) Any other public or private institution.**

24           SECTION 2. IC 10-16-21 IS ADDED TO THE INDIANA CODE  
 25 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2014]:

27           **Chapter 21. Citizen Marksmanship and Firearms Proficiency**  
 28 **Program**

29           **Sec. 1. This chapter shall be implemented and construed**  
 30 **consistently with the following:**

31           **(1) The Second Amendment of the Constitution of the United**  
 32 **States, which states: "A well regulated Militia, being**  
 33 **necessary to the security of a free State, the right of the people**  
 34 **to keep and bear Arms, shall not be infringed."**

35           **(2) Article 12, Section 1 of the Constitution of the State of**  
 36 **Indiana, which states: "A militia shall be provided and shall**  
 37 **consist of all persons over the age of seventeen (17) years,**  
 38 **except those persons who may be exempted by the laws of the**  
 39 **United States or of this state. The militia may be divided into**  
 40 **active and inactive classes and consist of such military**  
 41 **organizations as may be provided by law."**

42           **Sec. 2. As used in this chapter, "program" refers to the citizen**



1 marksmanship and firearms proficiency program established by  
2 section 3 of this chapter.

3 **Sec. 3. The citizen marksmanship and firearms proficiency**  
4 **program is established.**

5 **Sec. 4. The adjutant general shall administer the program.**

6 **Sec. 5. (a) The program shall do the following:**

7 (1) Foster citizen involvement in shooting sports.

8 (2) Recommend training courses for citizens to be involved in  
9 shooting sports.

10 (3) Foster defense training exercises.

11 (b) Training promoted by the program may use law  
12 enforcement and military expertise and facilities where  
13 appropriate as determined by the adjutant general and relevant  
14 law enforcement authorities.

15 **Sec. 6. The governor annually shall proclaim a "Citizens Range**  
16 **and Firearms Safety Day" for the promotion of the program.**

