



February 23, 2018

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## ENGROSSED HOUSE BILL No. 1424

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DIGEST OF HB 1424 (Updated February 21, 2018 12:19 pm - DI 84)

**Citations Affected:** IC 35-47.

**Synopsis:** Handgun licenses. Increases the duration of a four year handgun license to five years. Provides that an individual may simultaneously hold both a five year license and a lifetime license. Requires a law enforcement officer to whom an application for a handgun license is made to perform a national, fingerprint based criminal history check and consult available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), when determining whether possession of a firearm by an applicant would be a violation of state or federal law. Removes the fees for lifetime licenses beginning July 1, 2019.

**Effective:** July 1, 2018.

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### Wesco, Smaltz, Stemler, Mayfield

(SENATE SPONSORS — BRAY, HOLDMAN, FORD)

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January 16, 2018, read first time and referred to Committee on Public Policy.  
January 25, 2018, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.  
January 29, 2018, amended, reported — Do Pass.  
January 31, 2018, read second time, amended, ordered engrossed.  
February 1, 2018, engrossed.  
February 5, 2018, read third time, passed. Yeas 71, nays 20.

SENATE ACTION

February 7, 2018, read first time and referred to Committee on Judiciary.  
February 22, 2018, reported favorably — Do Pass; reassigned to Committee on Appropriations.

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EH 1424—LS 7142/DI 123





February 23, 2018

Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1424

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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 35-47-2-3, AS AMENDED BY THE TECHNICAL  
2 CORRECTIONS BILL OF THE 2018 GENERAL ASSEMBLY, IS  
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:  
4 Sec. 3. (a) A person desiring a license to carry a handgun shall apply:  
5           (1) to the chief of police or corresponding law enforcement officer  
6           of the municipality in which the applicant resides;  
7           (2) if that municipality has no such officer, or if the applicant does  
8           not reside in a municipality, to the sheriff of the county in which  
9           the applicant resides after the applicant has obtained an  
10          application form prescribed by the superintendent; or  
11          (3) if the applicant is a resident of another state and has a regular  
12          place of business or employment in Indiana, to the sheriff of the  
13          county in which the applicant has a regular place of business or  
14          employment.  
15          The superintendent and local law enforcement agencies shall allow an  
16          applicant desiring to obtain or renew a license to carry a handgun to  
17          submit an application electronically under this chapter if funds are

**EH 1424—LS 7142/DI 123**



1 available to establish and maintain an electronic application system.

2 (b) The law enforcement agency which accepts an application for a  
3 handgun license shall collect the following application fees:

4 (1) From a person applying for a ~~four (4)~~ **five (5)** year handgun  
5 license, a ten dollar (\$10) application fee, five dollars (\$5) of  
6 which shall be refunded if the license is not issued.

7 (2) From a person applying for a lifetime handgun license who  
8 does not currently possess a valid Indiana handgun license, a fifty  
9 dollar (\$50) application fee, thirty dollars (\$30) of which shall be  
10 refunded if the license is not issued. **After June 30, 2019, the law  
11 enforcement agency shall not collect this fee.**

12 (3) From a person applying for a lifetime handgun license who  
13 currently possesses a valid Indiana handgun license, a forty dollar  
14 (\$40) application fee, thirty dollars (\$30) of which shall be  
15 refunded if the license is not issued. **After June 30, 2019, the law  
16 enforcement agency shall not collect this fee.**

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

26 (c) The officer to whom the application is made shall ascertain the  
27 applicant's name, full address, length of residence in the community,  
28 whether the applicant's residence is located within the limits of any city  
29 or town, the applicant's occupation, place of business or employment,  
30 criminal record, if any, and convictions (minor traffic offenses  
31 excepted), age, race, sex, nationality, date of birth, citizenship, height,  
32 weight, build, color of hair, color of eyes, scars and marks, whether the  
33 applicant has previously held an Indiana license to carry a handgun  
34 and, if so, the serial number of the license and year issued, whether the  
35 applicant's license has ever been suspended or revoked, and if so, the  
36 year and reason for the suspension or revocation, and the applicant's  
37 reason for desiring a license. **If the applicant is not a United States  
38 citizen, the officer to whom the application is made shall ascertain  
39 the applicant's country of citizenship, place of birth, and any alien  
40 or admission number issued by United States Immigration and  
41 Customs Enforcement or any successor agency as applicable.** The  
42 officer to whom the application is made shall conduct an investigation



1 into the applicant's official records and verify thereby the applicant's  
 2 character and reputation, and shall in addition verify for accuracy the  
 3 information contained in the application, and shall forward this  
 4 information together with the officer's recommendation for approval or  
 5 disapproval and one (1) set of legible and classifiable fingerprints of  
 6 the applicant to the superintendent. **An investigation conducted under  
 7 this section must include the performance of a national fingerprint  
 8 based criminal history check and the consulting of available local,  
 9 state, and federal criminal history data banks, including the  
 10 National Instant Criminal Background Check System (NICS), to  
 11 determine whether possession of a firearm by an applicant would  
 12 be a violation of state or federal law.**

13 (d) The superintendent may make whatever further investigation the  
 14 superintendent deems necessary. Whenever disapproval is  
 15 recommended, the officer to whom the application is made shall  
 16 provide the superintendent and the applicant with the officer's complete  
 17 and specific reasons, in writing, for the recommendation of  
 18 disapproval.

19 (e) If it appears to the superintendent that the applicant:

- 20 (1) has a proper reason for carrying a handgun;
- 21 (2) is of good character and reputation;
- 22 (3) is a proper person to be licensed; and
- 23 (4) is:

24 (A) a citizen of the United States; or

25 (B) not a citizen of the United States but is allowed to carry a  
 26 firearm in the United States under federal law;

27 the superintendent shall issue to the applicant a qualified or an  
 28 unlimited license to carry any handgun lawfully possessed by the  
 29 applicant. The original license shall be delivered to the licensee. A  
 30 copy shall be delivered to the officer to whom the application for  
 31 license was made. A copy shall be retained by the superintendent for  
 32 at least ~~four (4)~~ **five (5)** years in the case of a ~~four (4)~~ **five (5)** year  
 33 license. The superintendent may adopt guidelines to establish a records  
 34 retention policy for a lifetime license. A ~~four (4)~~ **five (5)** year license  
 35 shall be valid for a period of ~~four (4)~~ **five (5)** years from the date of  
 36 issue. A lifetime license is valid for the life of the individual receiving  
 37 the license. The license of police officers, sheriffs or their deputies, and  
 38 law enforcement officers of the United States government who have  
 39 *been honorably retired by a lawfully created pension board or its*  
 40 *equivalent after* twenty (20) or more years of service shall be valid for  
 41 the life of these individuals. However, a lifetime license is  
 42 automatically revoked if the license holder does not remain a proper



1 person.

2 (f) At the time a license is issued and delivered to a licensee under  
3 subsection (e), the superintendent shall include with the license  
4 information concerning handgun safety rules that:

5 (1) neither opposes nor supports an individual's right to bear  
6 arms; and

7 (2) is:

8 (A) recommended by a nonprofit educational organization that  
9 is dedicated to providing education on safe handling and use  
10 of firearms;

11 (B) prepared by the state police department; and

12 (C) approved by the superintendent.

13 The superintendent may not deny a license under this section because  
14 the information required under this subsection is unavailable at the  
15 time the superintendent would otherwise issue a license. The state  
16 police department may accept private donations or grants to defray the  
17 cost of printing and mailing the information required under this  
18 subsection.

19 (g) A license to carry a handgun shall not be issued to any person  
20 who:

21 (1) has been convicted of a felony;

22 (2) has had a license to carry a handgun suspended, unless the  
23 person's license has been reinstated;

24 (3) is under eighteen (18) years of age;

25 (4) is under twenty-three (23) years of age if the person has been  
26 adjudicated a delinquent child for an act that would be a felony if  
27 committed by an adult; ~~or~~

28 (5) has ~~been arrested pending charges~~ for a Class A or Class B  
29 felony for an offense committed before July 1, 2014, for a Level  
30 1, Level 2, Level 3, or Level 4 felony for an offense committed  
31 after June 30, 2014, or any other felony that was committed while  
32 armed with a deadly weapon or that involved the use of violence,  
33 if a court has found probable cause to believe that the person  
34 committed the offense charged; ~~or~~

35 **(6) is prohibited by federal law from possessing or receiving**  
36 **firearms under 18 U.S.C. 922(g) through 18 U.S.C. 922(n).**

37 In the case of an arrest under subdivision (5), a license to carry a  
38 handgun may be issued to a person who has been acquitted of the  
39 specific offense charged or if the charges for the specific offense are  
40 dismissed. The superintendent shall prescribe all forms to be used in  
41 connection with the administration of this chapter.

42 (h) If the law enforcement agency that charges a fee under



1 subsection (b) is a city or town law enforcement agency, the fee shall  
 2 be deposited in the law enforcement continuing education fund  
 3 established under IC 5-2-8-2.

4 (i) If a person who holds a valid license to carry a handgun issued  
 5 under this chapter:

- 6 (1) changes the person's name;  
 7 (2) changes the person's address; or  
 8 (3) experiences a change, including an arrest or a conviction, that  
 9 may affect the person's status as a proper person (as defined in  
 10 IC 35-47-1-7) or otherwise disqualify the person from holding a  
 11 license;

12 the person shall, not later than thirty (30) days after the date of a  
 13 change described under subdivision (3), and not later than sixty (60)  
 14 days after the date of the change described under subdivision (1) or (2),  
 15 notify the superintendent, in writing, of the event described under  
 16 subdivision (3) or, in the case of a change under subdivision (1) or (2),  
 17 the person's new name or new address.

18 (j) The state police shall indicate on the form for a license to carry  
 19 a handgun the notification requirements of subsection (i).

20 (k) The state police department shall adopt rules under IC 4-22-2 to:

21 (1) implement an electronic application system under subsection  
 22 (a); *and*

23 (2) *expedite the processing of an application made by a person*  
 24 *described in ~~IC 35-47-2-2.1(b)~~. **section 2.1(b) of this chapter.***

25 Rules adopted under this section must require the superintendent to  
 26 keep on file one (1) set of classifiable and legible fingerprints from  
 27 every person who has received a license to carry a handgun so that a  
 28 person who applies to renew a license will not be required to submit an  
 29 additional set of fingerprints.

30 (l) Except as provided in subsection (m), for purposes of  
 31 IC 5-14-3-4(a)(1), the following information is confidential, may not  
 32 be published, and is not open to public inspection:

33 (1) Information submitted by a person under this section to:

- 34 (A) obtain; or  
 35 (B) renew;

36 a license to carry a handgun.

37 (2) Information obtained by a federal, state, or local government  
 38 entity in the course of an investigation concerning a person who  
 39 applies to:

- 40 (A) obtain; or  
 41 (B) renew;

42 a license to carry a handgun issued under this chapter.



- 1 (3) The name, address, and any other information that may be  
 2 used to identify a person who holds a license to carry a handgun  
 3 issued under this chapter.
- 4 (m) Notwithstanding subsection (l):  
 5 (1) any information concerning an applicant for or a person who  
 6 holds a license to carry a handgun issued under this chapter may  
 7 be released to a federal, state, or local government entity:  
 8 (A) for law enforcement purposes; or  
 9 (B) to determine the validity of a license to carry a handgun;  
 10 and  
 11 (2) general information concerning the issuance of licenses to  
 12 carry handguns in Indiana may be released to a person conducting  
 13 journalistic or academic research, but only if all personal  
 14 information that could disclose the identity of any person who  
 15 holds a license to carry a handgun issued under this chapter has  
 16 been removed from the general information.
- 17 (n) A person who knowingly or intentionally violates this section  
 18 commits a Class B misdemeanor.
- 19 SECTION 2. IC 35-47-2-4, AS AMENDED BY P.L.17-2017,  
 20 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2018]: Sec. 4. (a) Licenses to carry handguns shall be either  
 22 qualified or unlimited, and are valid for:  
 23 (1) ~~four (4)~~ **five (5)** years from the date of issue in the case of a  
 24 ~~four (4)~~ **five (5)** year license; or  
 25 (2) the life of the individual receiving the license in the case of a  
 26 lifetime license.
- 27 A qualified license shall be issued for hunting and target practice. **An**  
 28 **individual may separately apply for and simultaneously hold both**  
 29 **a five (5) year license and a lifetime license.** The superintendent may  
 30 adopt rules imposing limitations on the use and carrying of handguns  
 31 under a license when handguns are carried by a licensee as a condition  
 32 of employment. Unlimited licenses shall be issued for the purpose of  
 33 the protection of life and property.
- 34 (b) **This subsection expires June 30, 2019.** In addition to the  
 35 application fee, the fee for:  
 36 (1) a qualified license shall be:  
 37 (A) five dollars (\$5) for a ~~four (4)~~ **five (5)** year qualified  
 38 license;  
 39 (B) twenty-five dollars (\$25) for a lifetime qualified license  
 40 from a person who does not currently possess a valid Indiana  
 41 handgun license; or  
 42 (C) twenty dollars (\$20) for a lifetime qualified license from





- 1 a person who currently possesses a valid Indiana handgun  
 2 license; and  
 3 (2) an unlimited license shall be:  
 4 (A) thirty dollars (\$30) for a ~~four (4)~~ **five (5)** year unlimited  
 5 license;  
 6 (B) seventy-five dollars (\$75) for a lifetime unlimited license  
 7 from a person who does not currently possess a valid Indiana  
 8 handgun license; or  
 9 (C) sixty dollars (\$60) for a lifetime unlimited license from a  
 10 person who currently possesses a valid Indiana handgun  
 11 license.

12 The superintendent shall charge a twenty dollar (\$20) fee for the  
 13 issuance of a duplicate license to replace a lost or damaged license.  
 14 These fees shall be deposited in accordance with subsection ~~(f)~~ **(g)**.

15 **(c) This subsection is effective July 1, 2019. In addition to the**  
 16 **application fee, the fee for:**

- 17 **(1) a qualified license shall:**  
 18 **(A) be five dollars (\$5) for a five (5) year qualified license;**  
 19 **(B) not be collected for a lifetime qualified license from a**  
 20 **person who does not currently possess a valid Indiana**  
 21 **handgun license; and**  
 22 **(C) not be collected for a lifetime qualified license from a**  
 23 **person who currently possesses a valid Indiana handgun**  
 24 **license; and**  
 25 **(2) an unlimited license shall:**  
 26 **(A) be thirty dollars (\$30) for a five (5) year unlimited**  
 27 **license;**  
 28 **(B) not be collected for a lifetime unlimited license from a**  
 29 **person who does not currently possess a valid Indiana**  
 30 **handgun license; and**  
 31 **(C) not be collected for a lifetime unlimited license from a**  
 32 **person who currently possesses a valid Indiana handgun**  
 33 **license.**

34 **The superintendent shall charge a twenty dollar (\$20) fee for the**  
 35 **issuance of a duplicate license to replace a lost or damaged license.**  
 36 **These fees shall be deposited in accordance with subsection (g).**

37 ~~(e)~~ **(d)** Licensed dealers are exempt from the payment of fees  
 38 specified in ~~subsection~~ **subsections (b) and (c)** for a qualified license  
 39 or an unlimited license.

40 ~~(f)~~ **(e)** The following officers of this state or the United States who  
 41 have been honorably retired by a lawfully created pension board or its  
 42 equivalent after at least twenty (20) years of service or because of a



- 1 disability are exempt from the payment of fees specified in subsection  
 2 (b):
- 3 (1) Police officers.
  - 4 (2) Sheriffs or their deputies.
  - 5 (3) Law enforcement officers.
  - 6 (4) Correctional officers.
- 7 ~~(e)~~ **(f)** The following officers described in section 3(e) of this  
 8 chapter who have at least twenty (20) years of service are exempt from  
 9 the payment of fees for a lifetime qualified license or a lifetime  
 10 unlimited license specified in ~~subsection~~ **subsections (b) and (c)**:
- 11 (1) Police officers.
  - 12 (2) Sheriffs or their deputies.
  - 13 (3) Law enforcement officers of the United States government.
- 14 ~~(f)~~ **(g)** Fees collected under this section shall be deposited in the  
 15 state general fund.
- 16 ~~(g)~~ **(h)** The superintendent may not issue a lifetime qualified license  
 17 or a lifetime unlimited license to a person who is a resident of another  
 18 state. The superintendent may issue a ~~four (4)~~ **five (5)** year qualified  
 19 license or a ~~four (4)~~ **five (5)** year unlimited license to a person who is  
 20 a resident of another state and who has a regular place of business or  
 21 employment in Indiana as described in section 3(a)(3) of this chapter.
- 22 ~~(h)~~ **(i)** A person who knowingly or intentionally violates this section  
 23 commits a Class B misdemeanor.
- 24 **(j) If the Bureau of Alcohol, Tobacco, Firearms and Explosives**  
 25 **certifies the five (5) year license described under this section as a**  
 26 **valid National Instant Criminal Background Check System (NICS)**  
 27 **compliant background check for firearm purchases:**
- 28 (1) a five (5) year license issued under this section must
  - 29 conspicuously display the term "Brady Exempt"; and
  - 30 (2) a person bearing a valid license described in subdivision
  - 31 (1) is exempt from undergoing a:
  - 32 (A) state; or
  - 33 (B) federal;
  - 34 background check when purchasing a firearm.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred House Bill 1424, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 21.

Page 22, delete lines 1 through 16.

Page 22, line 20, reset in roman "person desiring a license to carry".

Page 22, line 20, delete "resident".

Page 22, delete lines 21 through 42.

Delete pages 23 through 26.

Page 27, delete lines 1 through 18 and insert "a handgun shall apply:

- (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) 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)~~ **five (5)** 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. **After June 30, 2019, the law enforcement agency shall not collect this fee.**
- (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. **After June 30, 2019, the law**



**enforcement agency shall not collect this fee.**

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

(c) The officer to whom the application is made shall ascertain the applicant's name, full address, length of residence in the community, whether the applicant's residence is located within the limits of any city or town, the applicant's occupation, place of business or employment, criminal record, if any, and convictions (minor traffic offenses excepted), age, race, sex, nationality, date of birth, citizenship, height, weight, build, color of hair, color of eyes, scars and marks, whether the applicant has previously held an Indiana license to carry a handgun and, if so, the serial number of the license and year issued, whether the applicant's license has ever been suspended or revoked, and if so, the year and reason for the suspension or revocation, and the applicant's reason for desiring a license. **If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the applicant's country of citizenship, place of birth, and any alien or admission number issued by United States Immigration and Customs Enforcement or any successor agency as applicable.** The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. **An investigation conducted under this section must include the performance of a national fingerprint based criminal history check and the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.**

(d) The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application is made shall



provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

(e) If it appears to the superintendent that the applicant:

- (1) has a proper reason for carrying a handgun;
- (2) is of good character and reputation;
- (3) is a proper person to be licensed; and
- (4) is:
  - (A) a citizen of the United States; or
  - (B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least ~~four (4)~~ **five (5)** years in the case of a ~~four (4)~~ **five (5)** year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A ~~four (4)~~ **five (5)** year license shall be valid for a period of ~~four (4)~~ **five (5)** years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have *been honorably retired by a lawfully created pension board or its equivalent after* twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

(f) At the time a license is issued and delivered to a licensee under subsection (e), the superintendent shall include with the license information concerning handgun safety rules that:

- (1) neither opposes nor supports an individual's right to bear arms; and
- (2) is:
  - (A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;
  - (B) prepared by the state police department; and
  - (C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state



police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

(g) A license to carry a handgun shall not be issued to any person who:

- (1) has been convicted of a felony;
- (2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;
- (3) is under eighteen (18) years of age;
- (4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult; ~~or~~
- (5) has ~~been arrested pending charges~~ for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; ~~or~~
- (6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g) through 18 U.S.C. 922(n).**

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

(h) If the law enforcement agency that charges a fee under subsection (b) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

(i) If a person who holds a valid license to carry a handgun issued under this chapter:

- (1) changes the person's name;
- (2) changes the person's address; or
- (3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under



subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

(j) The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection (i).

(k) The state police department shall adopt rules under IC 4-22-2 to:

(1) implement an electronic application system under subsection (a); *and*

(2) *expedite the processing of an application made by a person described in ~~IC 35-47-2-2.1(b)~~ section 2.1(b) of this chapter.*

Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

(l) Except as provided in subsection (m), for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection:

(1) Information submitted by a person under this section to:

(A) obtain; or

(B) renew;

a license to carry a handgun.

(2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to:

(A) obtain; or

(B) renew;

a license to carry a handgun issued under this chapter.

(3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter.

(m) Notwithstanding subsection (l):

(1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a federal, state, or local government entity:

(A) for law enforcement purposes; or

(B) to determine the validity of a license to carry a handgun; *and*

(2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has



been removed from the general information.

(n) A person who knowingly or intentionally violates this section commits a Class B misdemeanor."

Page 27, line 21, delete "Reciprocity licenses" and insert "Licenses".

Page 27, line 21, reset in roman "to carry handguns".

Page 27, delete lines 22 through 42.

Delete pages 28 through 33.

Page 34, delete lines 1 through 31 and insert "shall be either qualified or unlimited, and are valid for:

- (1) ~~four (4)~~ **five (5)** years from the date of issue in the case of a ~~four (4)~~ **five (5)** year license; or
- (2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) **This subsection expires June 30, 2019.** In addition to the application fee, the fee for:

- (1) a qualified license shall be:
  - (A) five dollars (\$5) for a ~~four (4)~~ **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 ~~four (4)~~ **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.

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

(c) **This subsection is effective July 1, 2019. In addition to the**





application fee, the fee for:

- (1) a qualified license shall:
  - (A) be five dollars (\$5) for a five (5) year qualified license;
  - (B) not be collected for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; and
  - (C) not be collected for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and
- (2) an unlimited license shall:
  - (A) be thirty dollars (\$30) for a five (5) year unlimited license;
  - (B) not be collected for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; and
  - (C) not be collected for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

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

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

~~(d)~~ (e) The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in subsection (b):

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers.
- (4) Correctional officers.

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

- (1) Police officers.
- (2) Sheriffs or their deputies.
- (3) Law enforcement officers of the United States government.

~~(f)~~ (g) Fees collected under this section shall be deposited in the state general fund.

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~~(g)~~ **(h)** The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a ~~four (4)~~ **five (5)** year qualified license or a ~~four (4)~~ **five (5)** year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

~~(h)~~ **(i)** A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

**(j) If the Bureau of Alcohol, Tobacco, Firearms and Explosives certifies the five (5) year license described under this section as a valid National Instant Criminal Background Check System (NICS) compliant background check for firearm purchases:**

**(1) a five (5) year license issued under this section must conspicuously display the term "Brady Exempt"; and**

**(2) a person bearing a valid license described in subdivision**

**(1) is exempt from undergoing a:**

**(A) state; or**

**(B) federal;**

**background check when purchasing a firearm."**

and when so amended that said bill do pass.

(Reference is to HB 1424 as introduced.)

SMALTZ

Committee Vote: yeas 12, nays 1.

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#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1424, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, line 27, after "practice." insert "**An individual may separately apply for and simultaneously hold both a five (5) year**



**license and a lifetime license."**

and when so amended that said bill do pass.

(Reference is to HB 1424 as printed January 26, 2018.)

BROWN T

Committee Vote: yeas 17, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1424 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Renumber all SECTIONS consecutively.

(Reference is to HB 1424 as printed January 29, 2018.)

WESCO

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred House Bill No. 1424, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1424 as reprinted February 1, 2018.)

BRAY, Chairperson

Committee Vote: Yeas 7, Nays 3

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