



January 31, 2020

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## SENATE BILL No. 263

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DIGEST OF SB 263 (Updated January 29, 2020 7:36 pm - DI 110)

**Citations Affected:** IC 10-21; IC 22-11; IC 35-47.

**Synopsis:** Specialized weapons training for school employees and staff members. Provides that, before an employee or any other staff member of a school corporation, charter school, or nonpublic school, may carry a firearm in or on school property as authorized by a school board of the school corporation, charter school, or nonpublic school, the employee or staff member shall do the following: (1) Successfully complete certain specialized weapons training. (2) Provide proof to the school board that the employee or other staff member has successfully completed the specialized weapons training. (3) Complete the Minnesota multiphasic personality inventory 2 (MMPI-II) and provide the results from the inventory to the school board of the school corporation, charter school, or nonpublic school. Establishes requirements for specialized weapons training. Requires an employee or any other staff member of a school corporation, charter school, or nonpublic school to successfully complete eight hours of weapons training each year that the employee or staff member is authorized and intends to carry a firearm in or on school property. Provides that the specialized weapons training must be provided by a person or entity approved by the school board of the school corporation, charter school, or nonpublic school. Allows a school to barricade or block a door during an active shooter drill or during an active shooter emergency occurring in a school building.

**Effective:** July 1, 2020.

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### Holdman, Garten, Crane

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January 13, 2020, read first time and referred to Committee on Education and Career Development.  
January 30, 2020, amended, reported favorably — Do Pass.

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SB 263—LS 6550/DI 107





January 31, 2020

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. 263

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 10-21-2 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2020]:  
4 **Chapter 2. Specialized Weapons Training for Employees or**  
5 **Staff Members of a School**  
6 **Sec. 1. As used in this chapter, "charter school" has the meaning**  
7 **set forth in IC 20-24-1-4.**  
8 **Sec. 2. As used in this chapter, "nonpublic school" means a**  
9 **school that:**  
10 **(1) is not:**  
11 **(A) maintained by a school corporation; or**  
12 **(B) a charter school; and**  
13 **(2) employs at least one (1) employee.**  
14 **The term includes a private school or a parochial school.**  
15 **Sec. 3. As used in this chapter, "school board" means:**  
16 **(1) when applicable to a public school of Indiana other than**  
17 **a charter school, the board of school trustees, board of school**

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1           commissioners, school board of incorporated towns and cities,  
2           and township school trustees;

3           (2) when applicable to a nonpublic school, a person or agency  
4           in active charge and management of the school; or

5           (3) when applicable to a charter school, the body that  
6           administers the charter school.

7           Sec. 4. As used in this chapter, "school corporation" has the  
8           meaning set forth in IC 20-18-2-16(a).

9           Sec. 5. (a) This section applies to a school corporation, charter  
10          school, or nonpublic school in which the school board of the school  
11          corporation, charter school, or nonpublic school authorizes a  
12          person other than a law enforcement officer or school resource  
13          officer to carry a firearm in or on school property.

14          (b) Before an employee or any other staff member, other than  
15          a law enforcement officer or school resource officer, of a school  
16          corporation, charter school, or nonpublic school may carry a  
17          firearm in or on school property as authorized by a school board  
18          of the school corporation, charter school, or nonpublic school, the  
19          employee or staff member shall do the following:

20               (1) Successfully complete the specialized weapons training  
21               described in section 7 of this chapter.

22               (2) Provide proof to the school board that the employee or  
23               other staff member has successfully completed the specialized  
24               weapons training.

25               (3) Complete the Minnesota multiphasic personality inventory  
26               2 (MMPI-II) and provide the results of the inventory to the  
27               school board as required under section 6 of this chapter.

28          (c) An employee or other staff member of a school corporation,  
29          charter school, or nonpublic school described in subsection (b)  
30          shall successfully complete eight (8) hours of weapons training each  
31          year that the employee or staff member is authorized and intends  
32          to carry a firearm in or on school property.

33          Sec. 6. Before an employee or other staff member of a school  
34          corporation, charter school, or nonpublic school described in  
35          section 7(b) of this chapter may carry a firearm in or on school  
36          property as authorized by the school board of the school  
37          corporation, charter school, or nonpublic school, the employee or  
38          other staff member must:

39               (1) successfully complete the Minnesota multiphasic  
40               personality inventory 2 (MMPI-II); and

41               (2) provide the results from the Minnesota multiphasic  
42               personality inventory 2 (MMPI-II) to the school board of the



1 school corporation, charter school, or nonpublic school.

2 **Sec. 7. (a) The specialized weapons training required under**  
 3 **section 5 of this chapter must include the following:**

4 **(1) Not less than three and one-half (3 1/2) hours of**  
 5 **instruction with an attorney licensed to practice law in**  
 6 **Indiana concerning the following:**

7 **(A) Facts regarding school shootings.**

8 **(B) The use of knives and other weapons in school attacks.**

9 **(C) The legal responsibilities and liabilities regarding the**  
 10 **lawful use of force to protect a person.**

11 **(D) Safe and effective handling of weapons.**

12 **(2) Not less than one (1) hour of instruction by a mental health**  
 13 **professional concerning the following:**

14 **(A) Effects on a person of taking another person's life.**

15 **(B) Identifying aberrant behavior.**

16 **(C) Identifying pre-indicators of violence.**

17 **(D) Effects of traumatic events.**

18 **(3) Not less than one-half (1/2) hour of training that includes:**

19 **(A) instruction concerning 911 emergency telephone calls,**  
 20 **including:**

21 **(i) keeping key location information close by; and**

22 **(ii) reviewing necessary and important details with law**  
 23 **enforcement; and**

24 **(B) active role playing of a 911 emergency telephone call**  
 25 **with a first responder under pressure.**

26 **(4) Not less than five (5) hours of training concerning the**  
 27 **following:**

28 **(A) Firearm auditory identifier and recognition exercises.**

29 **(B) Safe handling of weapons.**

30 **(C) Proper draw stroke.**

31 **(D) Empty hand skill development.**

32 **(E) Defending a weapon and retention of a weapon.**

33 **(F) Effective striking, disengaging, and staying on your**  
 34 **feet.**

35 **(G) Fighting in awkward positions.**

36 **(H) When a firearm should be drawn or deployed and**  
 37 **when a firearm should be not drawn or deployed.**

38 **(5) Not less than one (1) hour of instruction concerning**  
 39 **terminal ballistics.**

40 **(6) Not less than one (1) hour of instruction concerning the**  
 41 **following:**

42 **(A) Vital area targets for stopping attackers.**



- 1                   **(B) Reloading, movement, and communication.**  
 2                   **(C) Review of weapons, including:**  
 3                    **(i) an explanation regarding types of weapons;**  
 4                    **(ii) functional elements of weapons;**  
 5                    **(iii) malfunctions that are common in weapons; and**  
 6                    **(iv) elimination of panic movement.**  
 7                   **(D) Threat discernment.**  
 8                   **(E) Verbal judo and verbal agility.**  
 9                   **(7) Not less than one (1) hour of instruction concerning the**  
 10                   **following:**  
 11                    **(A) Cover versus concealment.**  
 12                    **(B) Improvised armor and weapons.**  
 13                   **(8) Not less than one (1) hour of instruction by a trauma**  
 14                   **trained health care provider licensed in Indiana or an active**  
 15                   **duty, retired, or reserve military medic of the United States**  
 16                   **armed forces or Indiana National Guard concerning the**  
 17                   **following:**  
 18                    **(A) First aid to stop bleeding.**  
 19                    **(B) Applying a tourniquet or use of an improvised**  
 20                    **tourniquet.**  
 21                    **(C) Treating shock.**  
 22                    **(D) Quick action field medical care.**  
 23                   **(9) Not less than six (6) hours of training on the topic of**  
 24                   **marksmanship, including the following:**  
 25                    **(A) Pre-range safety brief.**  
 26                    **(B) Basic and advanced marksmanship.**  
 27                   **(10) Not less than twenty (20) hours of scenario based training**  
 28                   **that includes the following:**  
 29                    **(A) The topics of inoculate stress and thinking on your feet.**  
 30                    **(B) Automatic response scenario training that includes**  
 31                    **four (4) scenarios:**  
 32                      **(i) in which each employee or staff member of the school**  
 33                      **participates in all four (4) scenarios and is debriefed**  
 34                      **after the scenarios;**  
 35                      **(ii) that include the use of simulated, marking munitions**  
 36                      **and guns that cannot fire live munitions;**  
 37                      **(iii) that do not include a minor as a role player or**  
 38                      **trainer;**  
 39                      **(iv) that include local law enforcement aids in**  
 40                      **demonstrating what occurs after law enforcement**  
 41                      **arrives on a scene; and**  
 42                      **(v) that include training on how to behave when**



1 encountering first responders.

2 (b) The specialized weapon training described in subsection (a)  
3 must be provided by a person or entity approved by the applicable  
4 school board under section 8 of this chapter.

5 Sec. 8. (a) A school board of a school corporation, charter  
6 school, or nonpublic school may approve one (1) or more persons  
7 or entities to provide specialized weapons training under this  
8 chapter to the employees or other staff members of the school  
9 corporation, charter school, or nonpublic school.

10 (b) To be approved by a school board to provide specialized  
11 weapons training under this chapter, the person or entity must  
12 meet the following requirements:

13 (1) The person or entity applies for approval with the school  
14 board.

15 (2) The person or entity provides to the school board a  
16 training plan that meets or exceeds the requirements  
17 established under section 7(a) of this chapter.

18 (3) The person or entity has a training team that operates in  
19 consultation with the following:

20 (A) A physician licensed in Indiana.

21 (B) A law enforcement officer who:

22 (i) works in Indiana for a law enforcement agency; or

23 (ii) has retired from a law enforcement agency in  
24 Indiana.

25 (C) A mental health professional.

26 (D) An attorney licensed in Indiana who is a member of the  
27 Indiana bar.

28 (E) A firearms instructor who:

29 (i) holds a valid certification from the National Rifle  
30 Association; and

31 (ii) has a minimum of five (5) years of documented  
32 professional instruction experience.

33 (F) An educator who teaches at a school in Indiana.

34 (G) A martial arts instructor who is certified by a national  
35 martial arts organization.

36 Sec. 9. A school board may approve a person or entity to  
37 provide specialized weapons training under this chapter if the  
38 person or entity meets the requirements of sections 7 and 8 of this  
39 chapter.

40 Sec. 10. Nothing in this chapter may be construed to:

41 (1) require an employee or other staff member of a school  
42 corporation, charter school, or nonpublic school to carry a



1           **firearm in or on school property; or**  
 2           **(2) authorize a school board or a school corporation, charter**  
 3           **school, or nonpublic school to require an employee or other**  
 4           **staff member of a school corporation, charter school, or**  
 5           **nonpublic school to carry a firearm in or on school property.**

6           SECTION 2. IC 22-11-17-2, AS AMENDED BY P.L.211-2018(ss),  
 7           SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8           JULY 1, 2020]: Sec. 2. (a) Except as provided in subsections (b) and  
 9           (d) and section 2.5 of this chapter, an owner of a public building shall  
 10          not permit an exit to be locked or obstructed in any manner that denies  
 11          the public a continuous and unobstructed means of egress while  
 12          lawfully occupied by anyone who is not an officer or an employee.

13          (b) The commission may adopt rules under IC 4-22-2 that:

- 14           (1) allow the owner of a public building to equip an exit with a  
 15           special egress control device;  
 16           (2) limit the circumstances under which a special egress control  
 17           device may be used; and  
 18           (3) allow an exit that was in compliance with the rules of the  
 19           commission when the exit was constructed to be equipped with a  
 20           special egress control device.

21          (c) An owner of a public building shall not permit a fire alarm to be  
 22          disconnected or otherwise rendered inoperative, except in cases of  
 23          routine maintenance or for repair.

24          (d) A school that has one (1) or more employees may barricade or  
 25          block a door **under the following circumstances:**

26           **(1) For a period not to exceed three (3) minutes in the event of an**  
 27           **unplanned fire alarm activation in order for a designated school**  
 28           **official to investigate the alarm. The school must initiate**  
 29           **evacuation and safety procedures after the three (3) minute period**  
 30           **expires. However, the period may be extended in the event that an**  
 31           **active shooter has been verified to be on the school's property.**

32           **(2) During an active shooter drill or during an active shooter**  
 33           **emergency in the school building. Any device used to block or**  
 34           **barricade a door during an active shooter drill or active**  
 35           **shooter emergency must be removed or disengaged**  
 36           **immediately after an all clear has been given or if evacuation**  
 37           **is necessary. Devices used under this subdivision must remain**  
 38           **compliant with all other applicable building and fire safety**  
 39           **laws, rules, and regulations.**

40          SECTION 3. IC 35-47-9-1, AS AMENDED BY P.L.107-2019,  
 41          SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42          JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:

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- 1 (1) A:  
 2 (A) federal;  
 3 (B) state; or  
 4 (C) local;  
 5 law enforcement officer.
- 6 (2) A person who may legally possess a firearm and who, **subject**  
 7 **to IC 10-21-2**, has been authorized by:  
 8 (A) a school board (as defined by IC 20-26-9-4); or  
 9 (B) the body that administers a charter school established  
 10 under IC 20-24;  
 11 to carry a firearm in or on school property.
- 12 (3) Except as provided in subsection (b) or (c), a person who:  
 13 (A) may legally possess a firearm; and  
 14 (B) possesses the firearm in a motor vehicle.
- 15 (4) A person who is a school resource officer, as defined in  
 16 IC 20-26-18.2-1.
- 17 (5) Except as provided in subsection (b) or (c), a person who:  
 18 (A) may legally possess a firearm; and  
 19 (B) possesses only a firearm that is:  
 20 (i) locked in the trunk of the person's motor vehicle;  
 21 (ii) kept in the glove compartment of the person's locked  
 22 motor vehicle; or  
 23 (iii) stored out of plain sight in the person's locked motor  
 24 vehicle.
- 25 (6) A person who:  
 26 (A) may legally possess a firearm; and  
 27 (B) possesses a firearm on school property in connection with  
 28 or while:  
 29 (i) attending a worship service or religious ceremony  
 30 conducted at a house of worship located on the school  
 31 property; or  
 32 (ii) carrying out the person's official duties at a house of  
 33 worship located on the school property, if the person is  
 34 employed by or a volunteer at the house of worship.
- 35 This subdivision does not affect the right of a property owner to  
 36 prohibit, in whole or in part, the possession of a firearm on a  
 37 property where a school or house of worship is located.
- 38 (b) For purposes of subsection (a)(3) and (a)(5), a person does not  
 39 include a person who is:  
 40 (1) enrolled as a student in any high school except if the person is  
 41 a high school student and is a member of a shooting sports team  
 42 and the school's principal has approved the person keeping a



1 firearm concealed in the person's motor vehicle on the days the  
2 person is competing or practicing as a member of a shooting  
3 sports team; or  
4 (2) a former student of the school if the person is no longer  
5 enrolled in the school due to a disciplinary action within the  
6 previous twenty-four (24) months.  
7 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle  
8 does not include a motor vehicle owned, leased, or controlled by a  
9 school or school district unless the person who possesses the firearm  
10 is, **subject to IC 10-21-2**, authorized by the school or school district to  
11 possess a firearm.



## COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 263, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Delete page 3.

Page 4, delete lines 1 through 13.

Page 4, delete lines 19 through 20.

Page 4, line 21, delete "2." and insert "1."

Page 4, delete lines 23 through 26.

Page 4, line 27, delete "5." and insert "2."

Page 4, line 34, delete "6." and insert "3."

Page 4, line 35, delete "Indiana," and insert "**Indiana other than a charter school,**".

Page 4, line 39, delete "school other than a public school," and insert "**nonpublic school,**".

Page 5, line 2, delete "7." and insert "4."

Page 5, line 4, delete "8." and insert "5."

Page 5, line 9, delete "member" and insert "**member, other than a law enforcement officer or school resource officer,**".

Page 5, line 15, delete "11" and insert "7".

Page 5, line 20, delete "proof of completion" and insert "**the results of the inventory to the school board**".

Page 5, line 21, delete "10" and insert "6".

Page 5, line 23, after "nonpublic school" insert "**described in subsection (b)**".

Page 5, line 25, after "member" insert "**is authorized and**".

Page 5, delete lines 26 through 42.

Page 6, delete lines 1 through 15, begin a new paragraph and insert:

**"Sec. 6. Before an employee or other staff member of a school corporation, charter school, or nonpublic school described in section 7(b) of this chapter may carry a firearm in or on school property as authorized by the school board of the school corporation, charter school, or nonpublic school, the employee or other staff member must:**

**(1) successfully complete the Minnesota multiphasic personality inventory 2 (MMPI-II); and**

**(2) provide the results from the Minnesota multiphasic personality inventory 2 (MMPI-II) to the school board of the**



**school corporation, charter school, or nonpublic school."**

Page 6, line 16, delete "11." and insert "7."

Page 6, line 17, delete "8" and insert "5".

Page 6, line 17, delete "or paid for using a grant from the Indiana".

Page 6, line 18, delete "safe schools fund as provided under section 9 of this chapter".

Page 8, line 19, delete "board" and insert "**applicable school board**".

Page 8, line 20, delete "12" and insert "8".

Page 8, line 21, delete "12." and insert "**8. (a) A school board of a school corporation, charter school, or nonpublic school may approve one (1) or more persons or entities to provide specialized weapons training under this chapter to the employees or other staff members of the school corporation, charter school, or nonpublic school.**

**(b)**".

Page 8, line 21, delete "by the" and insert "**by a school**".

Page 8, line 24, after "with the" insert "**school**".

Page 8, delete lines 25 through 32, begin a new line block indented and insert:

**"(2) The person or entity provides to the school board a training plan that meets or exceeds the requirements established under section 7(a) of this chapter."**

Page 9, line 9, delete "13. The board shall" and insert "**9. A school board may**".

Page 9, line 11, delete "11 and 12" and insert "**7 and 8**".

Page 9, between lines 11 and 12, begin a new paragraph and insert:

**"Sec. 10. Nothing in this chapter may be construed to:**

**(1) require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property; or**

**(2) authorize a school board or a school corporation, charter school, or nonpublic school to require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property."**

Page 9, delete lines 12 through 27.

Page 10, after line 19, begin a new paragraph and insert:

"SECTION 4. IC 35-47-9-1, AS AMENDED BY P.L.107-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: 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, **subject to IC 10-21-2**, 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.

(6) A person who:

(A) may legally possess a firearm; and

(B) possesses a firearm on school property in connection with or while:

(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or

(ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.

This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.

(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, **subject to IC 10-21-2**, authorized by the school or school district to possess a firearm."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 263 as introduced.)

RAATZ, Chairperson

Committee Vote: Yeas 10, Nays 2.

