

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 32 be amended to read as follows:

- 1 Page 5, after line 5, begin a new paragraph and insert:
- 2 "SECTION 3. IC 35-47-2-3.5 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2005]: **Sec. 3.5. (a) A person may apply for**
- 5 **the renewal of an existing license over the Internet or by mail if:**
- 6 (1) **the existing license has not expired; and**
- 7 (2) **the state police has one (1) set of legible and classifiable**
- 8 **fingerprints from the person on file.**
- 9 (b) **The superintendent shall establish and maintain a secure**
- 10 **Internet web site for license renewal through which a person may**
- 11 **apply for the renewal of an existing license under this section.**
- 12 (c) **If the Internet web site for license renewal described in**
- 13 **subdivision (b) is not established as part of Access Indiana (as**
- 14 **defined in 5-21-1-1.5), the superintendent shall maintain a**
- 15 **hyperlink on Access Indiana that permits a user to connect to the**
- 16 **Internet web site for license renewal.**
- 17 (d) **The internet web site for license renewal described in**
- 18 **subdivision (b) shall provide a person the opportunity to print a**
- 19 **form for license renewal, complete the form, and submit an**
- 20 **application for the renewal of an existing license by mail.**
- 21 (e) **The superintendent may charge a renewal fee of not more**
- 22 **than ten dollars (\$10). The renewal fee collected under this**
- 23 **subsection shall be deposited in the Internet handgun license**
- 24 **renewal account established under IC 35-47-2-3.6.**
- 25 (f) **The superintendent shall renew a person's license if the**

1 person is eligible to possess a license under this chapter.

2 (g) An application for the renewal of an existing license shall be  
3 granted or denied not later than fourteen (14) days after:

4 (1) the application is submitted over the Internet; or

5 (2) the application is received, if the application is submitted  
6 by mail.

7 (h) The department shall adopt rules under IC 4-22-2 to  
8 implement this section. Rules adopted under this section must  
9 require the superintendent to keep on file one (1) set of classifiable  
10 and legible fingerprints from every person who has received a  
11 license to carry a handgun so that a person who applies to renew a  
12 license will not be required to submit an additional set of  
13 fingerprints.

14 SECTION 4. IC 35-47-2-3.6 IS ADDED TO THE INDIANA  
15 CODE AS A NEW SECTION TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2005]: Sec. 3.6. (a) The Internet handgun  
17 license renewal account is established within the state general fund  
18 for the purpose of defraying the expenses related to operating the  
19 Internet web site for license renewal established under  
20 IC 35-47-2-3.5. The account shall be administered by the  
21 superintendent of the state police.

22 (b) The expenses of administering the account shall be paid from  
23 money in the account.

24 (c) The treasurer of state shall invest the money in the account  
25 not currently needed to meet the obligations of the account in the  
26 same manner as other public money may be invested.

27 (d) Money in the account at the end of a state fiscal year does  
28 not revert to the state general fund.

29 SECTION 5. IC 35-47-2.5-3 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) Notwithstanding  
31 any other law, a person purchasing a handgun from a dealer shall  
32 consent in writing, on a form to be provided by the superintendent, to  
33 have the dealer obtain criminal history information:

34 (b) The form shall include, in addition to the information required  
35 by section 4 of this chapter, the same information required to be  
36 included on the firearms transaction record required by federal  
37 regulations administered by the Bureau of Alcohol, Tobacco, and  
38 Firearms of the United States Department of the Treasury. However,  
39 the form may not include any information related to the handgun.

40 (a) A person purchasing a handgun from a dealer shall complete  
41 and sign Bureau of Alcohol, Tobacco, Firearms, and Explosives  
42 Form 4473.

43 ~~(c)~~ (b) The dealer shall forward ~~The copies~~ a copy of the forms  
44 Form 4473 shall be mailed or delivered to the state police department  
45 before the last day of the month following the sale.

46 SECTION 6. IC 35-47-2.5-4 IS AMENDED TO READ AS  
47 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) As used in this

1 **section, "NICS" refers to the National Instant Criminal**  
 2 **Background Check System maintained by the Federal Bureau of**  
 3 **Investigation in accordance with the federal Brady Handgun**  
 4 **Violence Prevention Act (P.L.103-159).**

5 **(b) A dealer may not sell, rent, trade, or transfer from the dealer's**  
 6 **inventory a handgun to a person until the dealer has done all of the**  
 7 **following:**

8 (1) **Obtained from the prospective purchaser ~~written consent to a~~**  
 9 **criminal history check; a completed and signed Form 4473** as  
 10 **specified in section 3 of this chapter.**

11 **(2) ~~Provided the state police department with the prospective~~**  
 12 **purchaser's name; birth date; gender; race; Social Security number;**  
 13 **and any other identification required of the prospective purchaser:**

14 **(3) Requested and received criminal history information from the**  
 15 **state police department by means of:**

16 **(A) a telephone call; or**

17 **(B) other electronic means:**

18 **(2) Contacted NICS:**

19 **(A) by telephone; or**

20 **(B) electronically;**

21 **to request a background check on the prospective purchaser.**

22 **(3) Received authorization from NICS to transfer the handgun**  
 23 **to the prospective purchaser.**

24 **(c) The dealer shall record the NICS transaction number on**  
 25 **Form 4473 and retain Form 4473 for auditing purposes.**

26 SECTION 7. IC 35-47-2.5-12 IS AMENDED TO READ AS  
 27 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 12. A person who  
 28 knowingly or intentionally makes a materially false statement on the  
 29 ~~consent form~~ **Form 4473** required by section 3 of this chapter commits  
 30 a Class D felony.

31 SECTION 8. THE FOLLOWING ARE REPEALED [EFFECTIVE  
 32 JULY 1, 2005]: IC 35-47-2.5-6; IC 35-47-2.5-7; IC 35-47-2.5-8;  
 33 IC 35-47-2.5-9; IC 35-47-2.5-10; IC 35-47-2.5-11.

34 SECTION 9 [EFFECTIVE JULY 1, 2005] **IC 35-47-2.5-12, as**  
 35 **amended by this act, applies only to crimes committed after June**  
 36 **30, 2005.**

37 SECTION 10 [EFFECTIVE JULY 1, 2005] **Notwithstanding**  
 38 **IC 35-47-2-3.5, as added by this act, the superintendent of the state**

1     **police department is not required to establish, maintain, and**  
2     **operate an Internet web site for electronic or mail renewal of a**  
3     **handgun license until July 1, 2005."**

(Reference is to ESB 32 as printed March 23, 2005.)

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Representative Woodruff