
SENATE BILL No. 245

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-1-7.

Synopsis: Handgun licenses. Prohibits a person who: (1) is prohibited by court order from possessing a handgun; or (2) has been convicted of a crime of domestic violence (unless a court has restored the person's right to possess a firearm); from obtaining a license to carry a handgun.

Effective: July 1, 2005.

Long

January 6, 2005, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

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SENATE BILL No. 245



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 35-47-1-7 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 7. "Proper person"
 3 means a person who: ~~does not~~:
 4 (1) **does not** have a conviction for resisting law enforcement
 5 under IC 35-44-3-3 within five (5) years before the person applies
 6 for a license or permit under this chapter;
 7 (2) **does not** have a conviction for a crime for which ~~he~~ **the**
 8 **person** could have been sentenced for more than one (1) year;
 9 (3) **does not have a conviction for a crime of domestic violence**
 10 **(as defined in IC 35-41-1-6.3), unless a court has restored the**
 11 **person's right to possess a firearm under IC 3-7-13-5;**
 12 (4) **is not prohibited by a court order from possessing a**
 13 **handgun;**
 14 ~~(5)~~ (5) **does not** have a record of being an alcohol or drug abuser
 15 as defined in this chapter;
 16 ~~(6)~~ (6) **does not** have documented evidence which would give rise
 17 to a reasonable belief that ~~he~~ **the person** has a propensity for



1 violent or emotionally unstable conduct;
2 ~~(5)~~ **(7) does not** make a false statement of material fact on ~~his~~ **the**
3 **person's** application;
4 ~~(6)~~ **(8) does not** have a conviction for any crime involving an
5 inability to safely handle a handgun;
6 ~~(7)~~ **(9) does not** have a conviction for violation of the provisions
7 of this article within five (5) years of ~~his~~ **the person's** application;
8 or
9 ~~(8)~~ **(10) does not** have an adjudication as a delinquent child for
10 an act that would be a felony if committed by an adult, if the
11 person applying for a license or permit under this chapter is less
12 than twenty-three (23) years of age.

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