

HOUSE BILL No. 1058

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-2.

Synopsis: Handgun licenses. Requires a person: (1) who has a license to carry a handgun; (2) who carries the handgun in a vehicle or on or about the person's body; and (3) who is stopped or otherwise detained by a law enforcement officer for any reason; to immediately disclose to the law enforcement officer that the person is carrying the handgun in the vehicle or on or about the person's body. Makes a failure to immediately disclose the information to a law enforcement officer: (1) a Class C infraction for the first violation; and (2) a Class B infraction for a second or subsequent violation.

Effective: July 1, 2010.

VanDenburgh, Lawson L

January 5, 2010, read first time and referred to Committee on Natural Resources.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1058



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 35-47-2-22.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: **Sec. 22.5. A person:**

- 4 (1) **who has a license issued under this chapter to carry a**
- 5 **handgun;**
- 6 (2) **who carries the handgun in a vehicle or on or about the**
- 7 **person's body; and**
- 8 (3) **who is stopped or otherwise detained by a law enforcement**
- 9 **officer for any reason;**
- 10 **shall immediately disclose to the law enforcement officer that the**
- 11 **person is carrying the handgun in the vehicle or on or about the**
- 12 **person's body.**

13 SECTION 2. IC 35-47-2-23 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. (a) A person who
15 violates section 3, 4, 5, 14, 15, or 16 of this chapter commits a Class B
16 misdemeanor.

17 (b) A person who violates section 7, 17, or 18 of this chapter



1 commits a Class C felony.
 2 (c) A person who violates section 1 of this chapter commits a Class
 3 A misdemeanor. However, the offense is a Class C felony:
 4 (1) if the offense is committed:
 5 (A) on or in school property;
 6 (B) within one thousand (1,000) feet of school property; or
 7 (C) on a school bus; or
 8 (2) if the person:
 9 (A) has a prior conviction of any offense under:
 10 (i) this subsection; or
 11 (ii) subsection (d); or
 12 (B) has been convicted of a felony within fifteen (15) years
 13 before the date of the offense.
 14 (d) A person who violates section 22 of this chapter commits a Class
 15 A misdemeanor. However, the offense is a Class D felony if the person
 16 has a prior conviction of any offense under this subsection or
 17 subsection (c), or if the person has been convicted of a felony within
 18 fifteen (15) years before the date of the offense.
 19 (e) **A person who violates section 22.5 of this chapter commits**
 20 **a Class C infraction. However, the violation is a Class B infraction**
 21 **if the person has a prior unrelated judgment for a violation of**
 22 **section 22.5 of this chapter.**

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