

SENATE BILL No. 383

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-4-3.

Synopsis: Air or gas operated weapons on school property. Provides that a person who knowingly or intentionally points an air or gas operated weapon designed to expel a metal projectile at another person while present on a: (1) school bus; or (2) property affiliated with, belonging to, or operated by: (A) an accredited nonpublic school; (B) a charter school; or (C) a school corporation; commits a Class B misdemeanor. Defines certain terms. Makes conforming amendments.

Effective: July 1, 2019.

Koch

January 14, 2019, read first time and referred to Committee on Corrections and Criminal Law.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

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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 35-47-4-3, AS AMENDED BY P.L.158-2013,
2 SECTION 589, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2019]: Sec. 3. **(a) The following terms are**
4 **defined for this section:**

5 (1) "Charter school" has the meaning set forth in
6 IC 20-24-1-4.

7 (2) "Nonpublic school" has the meaning set forth in
8 IC 20-18-2-12.

9 (3) "School corporation" has the meaning set forth in
10 IC 36-1-2-17.

11 ~~(a)~~ **(b)** This section does not apply to a law enforcement officer who
12 is acting within the scope of the law enforcement officer's official
13 duties or to a person who is justified in using reasonable force against
14 another person under:

15 (1) IC 35-41-3-2; or

16 (2) IC 35-41-3-3.

17 ~~(b)~~ **(c)** A person who knowingly or intentionally points a firearm at



1 another person commits a Level 6 felony. However, the offense is a
2 Class A misdemeanor if the firearm was not loaded.
3 **(d) A person who knowingly or intentionally points an air or gas**
4 **operated weapon designed to expel a metal projectile at another**
5 **person while present on a:**
6 **(1) school bus; or**
7 **(2) property affiliated with, belonging to, or operated by:**
8 **(A) an accredited nonpublic school;**
9 **(B) a charter school; or**
10 **(C) a school corporation;**
11 **commits a Class B misdemeanor.**

