April 5, 2011

ENGROSSED
SENATE BILL No. 434

DIGEST OF SB 434 (Updated April 1, 2011 12:23 pm - DI 14)

Citations Affected: IC 35-47.

Synopsis: Retail handgun dealer's licenses. Provides that after June 30, 2011: (1) a retail handgun dealer's license is valid for six years from the date the license is issued instead of two years; and (2) the fee to obtain the license is $60 instead of $20.

Effective: July 1, 2011.

Hume, Tomes, Buck
(HOUSE SPONSORS — MESSMER, BATTLES)

January 12, 2011, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.
January 18, 2011, reported favorably — Do Pass.
January 20, 2011, read second time, ordered engrossed.
January 21, 2011, engrossed.
January 25, 2011, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

March 28, 2011, read first time and referred to Committee on Public Policy.
April 4, 2011, reported — Do Pass.

C o p y

April 5, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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ENGROSSED
SENATE BILL No. 434

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:

SECTION 1. IC 35-47-2-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 15. (a) A person desiring a retail handgun dealer's license shall apply to the sheriff of the county in which ~~he~~ **the person** resides, or if ~~he~~ **the person** is a resident of another state and has a regular place of business in Indiana, then to the sheriff of the county in which ~~he~~ **the person** has a regular place of business. The applicant shall state ~~his~~ **the applicant's** name, full address, occupation, sex, race, age, place of birth, date of birth, nationality, height, weight, build, color of eyes, color of hair, complexion, scars and marks, and any criminal record (minor traffic offenses excepted). The officer to whom the application is made shall verify the application and search ~~his~~ **the officer's** records concerning the applicant's character and reputation.

(b) The officer to whom the application is made shall send to the superintendent:

(1) the verified application;

(2) the results of the officer's investigation; and

(3) the officer's recommendation for approval or disapproval of the application;

in as many copies as the superintendent shall designate, and one (1) set of legible and classifiable fingerprints of the applicant. The superintendent may make whatever further investigation ~~he~~ **the superintendent** deems necessary. Whenever disapproval is recommended by the officer to whom the application was made, ~~he~~ **the officer** shall provide the superintendent and the applicant with ~~his~~ **the officer's** complete reasons for the disapproval in writing. If the officer to whom the application is made recommends approval, ~~he~~ **the officer** shall instruct the applicant in the proper method of taking legible and classifiable fingerprints.

(c) If **an applicant applies for a license under this section before July 1, 2011, and** it appears to the superintendent that the applicant is of good character and reputation and a proper person to be licensed, ~~he~~ **the superintendent** shall issue to the applicant a retail handgun dealer's license which shall be valid for a period of two (2) years from the date of issue. The fee for the license shall be twenty dollars ($20), which shall be deposited with the officer to whom the application is made, who shall in turn forward it to the superintendent for deposit with the treasurer of state when the application is approved by the superintendent.

(d) If an applicant applies for a license under this section after June 30, 2011:

(1) the applicant shall deposit with the officer to whom the application is made a fee for the license of sixty dollars ($60);

(2) if it appears to the superintendent that the applicant is:

(A) of good character and reputation; and

(B) a proper person to be licensed;

the superintendent shall issue to the applicant a retail handgun dealer's license, which is valid for six (6) years after the date the license is issued; and

(3) the officer to whom the application was made shall forward the fee for the license to the superintendent for deposit with the treasurer of state when the application is approved by the superintendent.

(e) In the event that ~~the~~ **an** application is disapproved by the superintendent, the fee **deposited by the applicant under subsection (c) or (d)** shall be returned to the applicant along with the complete reasons, in writing, for the disapproval.

~~(c)~~ **(f)** No retail dealer's license shall be issued to any person who has been:

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(1) convicted of a felony; or

(2) adjudicated a delinquent child for an act that would be a felony if committed by an adult, if the person applying for the retail dealer's license is less than twenty-three (23) years of age;

in Indiana or any other state or country.

~~(d)~~ **(g)** A retail dealer's license shall permit the licensee to sell handguns at retail within this state subject to the conditions specified in this chapter. The license may be suspended or revoked in accordance with applicable law, and the licensee may be subject to punishment as provided in this chapter.

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections, Criminal, and Civil Matters, to which was referred Senate Bill No. 434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 434 as introduced.)

STEELE, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy, to which was referred Senate Bill 434, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

DAVIS, Chair

Committee Vote: yeas 10, nays 0.

C o p y