

SENATE BILL No. 377

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-47-5-4.1.

Synopsis: Sawed-off shotguns. Permits a person allowed to manufacture, sell, or possess a sawed-off shotgun under federal law to manufacture, sell, or possess a sawed-off shotgun in Indiana.

Effective: July 1, 2012.

Waterman

January 9, 2012, read first time and referred to Committee on Judiciary.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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SENATE BILL No. 377



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 35-47-5-4.1 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4.1. **(a) This section**
- 3 **does not apply to a person permitted to:**
- 4 **(1) manufacture;**
- 5 **(2) cause to be manufactured;**
- 6 **(3) import into Indiana;**
- 7 **(4) keep for sale;**
- 8 **(5) offer or expose for sale; or**
- 9 **(6) give, lend, or possess;**
- 10 **any sawed-off shotgun under any applicable federal law.**
- 11 **(a) (b) A person who:**
- 12 **(1) manufactures;**
- 13 **(2) causes to be manufactured;**
- 14 **(3) imports into Indiana;**
- 15 **(4) keeps for sale;**
- 16 **(5) offers or exposes for sale; or**
- 17 **(6) gives, lends, or possesses;**



1 any sawed-off shotgun commits dealing in a sawed-off shotgun, a Class
2 D felony.
3 ~~(b)~~ (c) The presence of a weapon referred to in subsection ~~(a)~~ (b) in
4 a motor vehicle (as defined under IC 9-13-2-105(a)) except for school
5 buses and a vehicle operated in the transportation of passengers by a
6 common carrier (as defined in IC 8-2.1-17-4) creates an inference that
7 the weapon is in the possession of the persons occupying the motor
8 vehicle. However, the inference does not apply to all the persons
9 occupying the motor vehicle if the weapon is found upon, or under the
10 control of, one (1) of the occupants. In addition, the inference does not
11 apply to a duly licensed driver of a motor vehicle for hire who finds the
12 weapon in the licensed driver's motor vehicle in the proper pursuit of
13 the licensed driver's trade.
14 ~~(c)~~ (d) This section does not apply to a law enforcement officer who
15 is acting in the course of the officer's official duties or to a person who
16 manufactures or imports for sale or sells a sawed-off shotgun to a law
17 enforcement agency.

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