

# HOUSE BILL No. 1095

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-31.5-2-21; IC 35-47-5.

**Synopsis:** Plastic-coated ammunition. Defines "armor piercing ammunition", and prohibits certain persons from possessing, manufacturing, selling, or delivering armor piercing ammunition. Repeals a superseded provision concerning armor piercing handgun ammunition.

**Effective:** July 1, 2017.

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January 5, 2017, read first time and referred to Committee on Public Policy.

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First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

# HOUSE BILL No. 1095

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 35-31.5-2-21, AS ADDED BY P.L.114-2012,  
2 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2017]: Sec. 21. "Armor-piercing ~~handgun~~ ammunition", for  
4 purposes of ~~IC 35-47-5-11~~; **IC 35-47-5-11.5**, has the meaning set forth  
5 in ~~IC 35-47-5-11(a)~~; **IC 35-47-5-11.5**.

6 SECTION 2. IC 35-47-5-11 IS REPEALED [EFFECTIVE JULY 1,  
7 2017]. Sec. 11. (a) ~~As used in this section, "armor-piercing handgun~~  
8 ~~ammunition" means a cartridge that:~~

- 9 (1) ~~can be fired in a handgun; and~~
- 10 (2) ~~will, upon firing, expel a projectile that has a metal core and~~  
11 ~~an outer coating of plastic.~~

- 12 (b) ~~A person who knowingly or intentionally:~~
- 13 (1) ~~manufactures;~~
- 14 (2) ~~possesses;~~
- 15 (3) ~~transfers possession of; or~~
- 16 (4) ~~offers to transfer possession of;~~
- 17 ~~armor-piercing handgun ammunition commits a Level 5 felony.~~



1 (c) This section does not apply to nylon coated ammunition; plastic  
2 shot capsules; or ammunition designed to be used in rifles or shotguns:

3 (d) This section does not apply to a law enforcement officer who is  
4 acting in the course of the officer's official duties or to a person who  
5 manufactures or imports for sale or sells armor-piercing handgun  
6 ammunition to a law enforcement agency:

7 SECTION 3. IC 35-47-5-11.5 IS ADDED TO THE INDIANA  
8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
9 [EFFECTIVE JULY 1, 2017]: **Sec. 11.5. (a) As used in this section,**  
10 **"armor piercing ammunition" means:**

11 (1) a projectile or projectile core that is designed and intended  
12 by the manufacturer for use in a handgun and that is  
13 constructed entirely (excluding the presence of traces of other  
14 substances) from one (1) or a combination of tungsten alloys,  
15 steel, iron, brass, bronze, or beryllium copper; or

16 (2) a full jacketed projectile larger than .22 caliber designed  
17 and intended by the manufacturer for use in a handgun and  
18 whose jacket has a weight of more than twenty-five percent  
19 (25%) of the total weight of the projectile.

20 The term does not include shotgun shot required by federal or state  
21 environmental or game regulations for hunting purposes, a  
22 frangible projectile designed for target shooting, a projectile that  
23 is primarily intended by the manufacturer to be used in a rifle or  
24 shotgun, or a handgun projectile that is designed and intended by  
25 the manufacturer to be used for hunting, recreational shooting, or  
26 competitive shooting.

27 (b) Except as provided in subsection (c), a person who  
28 knowingly or intentionally possesses, manufactures, sells, or  
29 delivers armor piercing ammunition commits a Level 5 felony.

30 (c) Subsection (b) does not apply to the following:

31 (1) A person who manufactures, sells, or delivers armor  
32 piercing ammunition for the use of:

33 (A) the United States;

34 (B) a department or agency of the United States;

35 (C) a state;

36 (D) a law enforcement agency; or

37 (E) a department, agency, or political subdivision of a  
38 state.

39 (2) A person who manufactures, sells, or delivers armor  
40 piercing ammunition for export.

41 (3) A person who manufactures, sells, or delivers armor  
42 piercing ammunition for the purpose of testing or



1            **experimentation.**

