

SENATE BILL No. 64

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-21; IC 20-26-18.2-5.1; IC 22-11-17-2; IC 35-47-9-1.

Synopsis: School safety. Provides that, before an employee or any other staff member of a school corporation, charter school, or nonpublic school may carry a firearm in or on school property as authorized by a school board of the school corporation, charter school, or nonpublic school, the employee or staff member shall do the following: (1) Successfully complete certain specialized weapons training or other firearm training. (2) Provide proof to the school board that the employee or staff member has successfully completed the training. (3) Complete the Minnesota multiphasic personality inventory 2 (MMPI-II) and provide the results from the inventory to the school board of the school corporation, charter school, or nonpublic school. Establishes requirements for specialized weapons training. Requires an employee or any other staff member of a school corporation, charter school, or nonpublic school to successfully complete 16 hours of weapons training each year that the employee or staff member is authorized and intends to carry a firearm in or on school property. Provides that the specialized weapons training must be provided by a person or entity approved by the school board of the school corporation, charter school, or nonpublic school. Allows a school to barricade or block a door during an active shooter drill or during an active shooter emergency occurring in a school building. Provides that the Indiana secured school fund may be used to employ a law enforcement officer who has completed at least 40 hours of certified school resource officer training. Provides that, after June 30, 2021, a law enforcement officer or a school security officer who is not considered a school resource officer must complete 40 hours of certified school resource officer training. Resolves substantive conflicts between P.L. 197-2019, P.L.50-2019, and P.L.153-2019.

Effective: July 1, 2021.

Holdman

January 4, 2021, read first time and referred to Committee on Education and Career Development.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE BILL No. 64

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-21-1-2, AS AMENDED BY P.L.197-2019,
2 SECTION 3, AND AS AMENDED BY P.L.50-2019, SECTION 2,
3 AND AS AMENDED BY P.L.153-2019, SECTION 1, AND AS
4 AMENDED BY P.L.272-2019, SECTION 3, IS CORRECTED AND
5 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:
6 Sec. 2. (a) The Indiana secured school fund is established to provide:
7 (1) matching grants to enable school corporations, ~~and~~ charter
8 schools, *and accredited nonpublic schools* to establish programs
9 under which a school corporation, ~~or~~ charter school, *or accredited*
10 *nonpublic school* (or a coalition of schools) may:
11 ~~(A)~~ (A) employ a school resource officer, *employ a law*
12 *enforcement officer who has completed at least forty (40)*
13 *hours of school resource officer training described in*
14 **IC 20-26-18.2-1(b)(2)**, or enter into a contract or a
15 memorandum of understanding with a:
16 ~~(A)~~ (i) local law enforcement agency;
17 ~~(B)~~ (ii) private entity; or



- 1 ~~(C)~~ (iii) nonprofit corporation;
 2 to employ a school resource officer *or to employ a law*
 3 *enforcement officer who has completed at least forty (40)*
 4 **hours of school resource officer training described in**
 5 **IC 20-26-18.2-1(b)(2);**
 6 ~~(2)~~ (B) conduct a threat assessment of the buildings within a
 7 school corporation or *the buildings that are* operated by a
 8 charter school *or accredited nonpublic school; or*
 9 ~~(3)~~ (C) purchase equipment and technology to:
 10 ~~(A)~~ (i) restrict access to school property; or
 11 ~~(B)~~ (ii) expedite notification of first responders; *or*
 12 ~~(4)~~ **(D) implement a student and parent support services plan**
 13 *as described in section 4(a)(5) of this chapter; and*
 14 (2) *one (1) time grants to enable school corporations, charter*
 15 *schools, and accredited nonpublic schools with the sheriff for the*
 16 *county in which the school corporation, charter school, or*
 17 *accredited nonpublic school is located, to provide the initial set*
 18 *up costs for an active event warning system.*
 19 (b) *A school corporation or charter school may use money received*
 20 *under a matching grant for a purpose listed in subsection (a) to*
 21 *provide a response to a threat in a manner that the school corporation*
 22 *or charter school sees fit, including firearms training or other*
 23 *self-defense training.*
 24 ~~(b)~~ (c) The fund shall be administered by the department of
 25 homeland security.
 26 ~~(c)~~ (d) The fund consists of:
 27 (1) appropriations from the general assembly;
 28 (2) grants from the Indiana safe schools fund established by
 29 IC 5-2-10.1-2;
 30 (3) federal grants; and
 31 (4) amounts deposited from any other public or private source.
 32 ~~(d)~~ (e) The expenses of administering the fund shall be paid from
 33 money in the fund.
 34 ~~(e)~~ (f) The treasurer of state shall invest the money in the fund not
 35 currently needed to meet the obligations of the fund in the same
 36 manner as other public money may be invested. Interest that accrues
 37 from these investments shall be deposited in the fund.
 38 ~~(f)~~ (g) Money in the fund at the end of a state fiscal year does not
 39 revert to the state general fund.
 40 SECTION 2. IC 10-21-2 IS ADDED TO THE INDIANA CODE AS
 41 A **NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY**
 42 **1, 2021]:**



1 **Chapter 2. Specialized Weapons Training for Employees or**
 2 **Staff Members of a School**

3 **Sec. 1. As used in this chapter, "charter school" has the meaning**
 4 **set forth in IC 20-24-1-4.**

5 **Sec. 2. As used in this chapter, "nonpublic school" means a**
 6 **school that:**

7 **(1) is not:**

8 **(A) maintained by a school corporation; or**

9 **(B) a charter school; and**

10 **(2) employs at least one (1) employee.**

11 **The term includes a private school or a parochial school.**

12 **Sec. 3. As used in this chapter, "school board" means:**

13 **(1) when applicable to a public school of Indiana other than**
 14 **a charter school, the board of school trustees, board of school**
 15 **commissioners, school board of incorporated towns and cities,**
 16 **and township school trustees;**

17 **(2) when applicable to a nonpublic school, a person or agency**
 18 **in active charge and management of the school; or**

19 **(3) when applicable to a charter school, the body that**
 20 **administers the charter school.**

21 **Sec. 4. As used in this chapter, "school corporation" has the**
 22 **meaning set forth in IC 20-18-2-16(a).**

23 **Sec. 5. (a) This section applies to a school corporation, charter**
 24 **school, or nonpublic school in which the school board of the school**
 25 **corporation, charter school, or nonpublic school authorizes a**
 26 **person other than a law enforcement officer or school resource**
 27 **officer to carry a firearm in or on school property.**

28 **(b) Before an employee or any other staff member, other than**
 29 **a law enforcement officer or school resource officer, of a school**
 30 **corporation, charter school, or nonpublic school may carry a**
 31 **firearm in or on school property as authorized by a school board**
 32 **of the school corporation, charter school, or nonpublic school, the**
 33 **employee or staff member shall do the following:**

34 **(1) Successfully complete or have successfully completed:**

35 **(A) the specialized weapons training described in section 7**
 36 **of this chapter; or**

37 **(B) other firearm training approved by a school**
 38 **corporation, charter school, or nonpublic school as**
 39 **described in section 10 of this chapter.**

40 **(2) Provide proof to the school board that the employee or**
 41 **staff member has successfully completed the specialized**
 42 **weapons training described in section 7 of this chapter or**



- 1 other approved firearm training described in section 10 of this
 2 chapter.
- 3 (3) Complete the Minnesota multiphasic personality inventory
 4 2 (MMPI-II) and provide the results of the inventory to the
 5 school board as required under section 6 of this chapter.
- 6 (c) An employee or other staff member of a school corporation,
 7 charter school, or nonpublic school described in subsection (b)
 8 shall successfully complete sixteen (16) hours of weapons training
 9 each year that the employee or staff member is authorized and
 10 intends to carry a firearm in or on school property.
- 11 Sec. 6. Before an employee or other staff member of a school
 12 corporation, charter school, or nonpublic school described in
 13 section 5(b) of this chapter may carry a firearm in or on school
 14 property as authorized by the school board of the school
 15 corporation, charter school, or nonpublic school, the employee or
 16 staff member must:
- 17 (1) successfully complete the Minnesota multiphasic
 18 personality inventory 2 (MMPI-II); and
- 19 (2) provide the results from the Minnesota multiphasic
 20 personality inventory 2 (MMPI-II) to the school board of the
 21 school corporation, charter school, or nonpublic school.
- 22 Sec. 7. (a) The specialized weapons training required under
 23 section 5(b)(1)(A) of this chapter must include the following:
- 24 (1) Not less than three and one-half (3 1/2) hours of
 25 instruction with an attorney licensed to practice law in
 26 Indiana concerning the following:
- 27 (A) Facts regarding school shootings.
 28 (B) The use of knives and other weapons in school attacks.
 29 (C) The legal responsibilities and liabilities regarding the
 30 lawful use of force to protect a person.
 31 (D) Safe and effective handling of weapons.
- 32 (2) Not less than one (1) hour of instruction by a mental health
 33 professional concerning the following:
- 34 (A) Effects on a person of taking another person's life.
 35 (B) Identifying aberrant behavior.
 36 (C) Identifying preindicators of violence.
 37 (D) Effects of traumatic events.
- 38 (3) Not less than one-half (1/2) hour of training that includes:
- 39 (A) instruction concerning 911 emergency telephone calls,
 40 including:
- 41 (i) keeping key location information close by; and
 42 (ii) reviewing necessary and important details with law



- 1 enforcement; and
- 2 (B) active role playing of a 911 emergency telephone call
- 3 with a first responder under pressure.
- 4 (4) Not less than five (5) hours of training concerning the
- 5 following:
- 6 (A) Firearm auditory identifier and recognition exercises.
- 7 (B) Safe handling of weapons.
- 8 (C) Proper draw stroke.
- 9 (D) Empty hand skill development.
- 10 (E) Defending a weapon and retention of a weapon.
- 11 (F) Effective striking, disengaging, and staying on your
- 12 feet.
- 13 (G) Fighting in awkward positions.
- 14 (H) When a firearm should be drawn or deployed and
- 15 when a firearm should not be drawn or deployed.
- 16 (5) Not less than one (1) hour of instruction concerning
- 17 terminal ballistics.
- 18 (6) Not less than one (1) hour of instruction concerning the
- 19 following:
- 20 (A) Vital area targets for stopping attackers.
- 21 (B) Reloading, movement, and communication.
- 22 (C) Review of weapons, including:
- 23 (i) an explanation regarding types of weapons;
- 24 (ii) functional elements of weapons;
- 25 (iii) malfunctions that are common in weapons; and
- 26 (iv) elimination of panic movement.
- 27 (D) Threat discernment.
- 28 (E) Verbal judo and verbal agility.
- 29 (7) Not less than one (1) hour of instruction concerning the
- 30 following:
- 31 (A) Cover versus concealment.
- 32 (B) Improvised armor and weapons.
- 33 (8) Not less than one (1) hour of instruction by a trauma
- 34 trained health care provider licensed in Indiana or an active
- 35 duty, retired, or reserve military medic of the armed forces of
- 36 the United States or Indiana National Guard concerning the
- 37 following:
- 38 (A) First aid to stop bleeding.
- 39 (B) Applying a tourniquet or use of an improvised
- 40 tourniquet.
- 41 (C) Treating shock.
- 42 (D) Quick action field medical care.



1 (9) Not less than six (6) hours of training on the topic of
2 marksmanship, including the following:

3 (A) Prerange safety brief.

4 (B) Basic and advanced marksmanship.

5 (10) Not less than twenty (20) hours of scenario based training
6 that includes the following:

7 (A) The topics of inoculate stress and thinking on your feet.

8 (B) Automatic response scenario training that includes
9 four (4) scenarios:

10 (i) in which each employee or staff member of the school
11 participates in all four (4) scenarios and is debriefed
12 after the scenarios;

13 (ii) that include the use of simulated, marking munitions
14 and guns that cannot fire live munitions;

15 (iii) that do not include a minor as a role player or
16 trainer;

17 (iv) that include local law enforcement aids in
18 demonstrating what occurs after law enforcement
19 arrives on a scene; and

20 (v) that include training on how to behave when
21 encountering first responders.

22 (b) The specialized weapons training described in subsection (a)
23 must be provided by a person or entity approved by the applicable
24 school board under section 8 of this chapter.

25 Sec. 8. (a) A school board of a school corporation, charter
26 school, or nonpublic school may approve one (1) or more persons
27 or entities to provide specialized weapons training under section
28 5(b)(1)(A) of this chapter to the employees or other staff members
29 of the school corporation, charter school, or nonpublic school.

30 (b) To be approved by a school board to provide specialized
31 weapons training under this chapter, the person or entity must
32 meet the following requirements:

33 (1) The person or entity applies for approval with the school
34 board.

35 (2) The person or entity provides to the school board a
36 training plan that meets or exceeds the requirements
37 established under section 7(a) of this chapter.

38 (3) The person or entity has a training team that operates in
39 consultation with the following:

40 (A) A physician licensed in Indiana.

41 (B) A law enforcement officer who:

42 (i) works in Indiana for a law enforcement agency; or



- 1 (ii) has retired from a law enforcement agency in
2 Indiana.
3 (C) A mental health professional.
4 (D) An attorney licensed in Indiana who is a member of the
5 Indiana bar.
6 (E) A firearms instructor who:
7 (i) holds a valid certification from the National Rifle
8 Association; and
9 (ii) has a minimum of five (5) years of documented
10 professional instruction experience.
11 (F) An educator who teaches at a school in Indiana.
12 (G) A martial arts instructor who is certified by a national
13 martial arts organization.

14 **Sec. 9. A school board may approve a person or entity to**
15 **provide specialized weapons training under section 5(b)(1)(A) of**
16 **this chapter if the person or entity meets the requirements of**
17 **sections 7 and 8 of this chapter.**

18 **Sec. 10. (a) This section applies to a school corporation, charter**
19 **school, or nonpublic school that, before July 1, 2021, did the**
20 **following:**

- 21 (1) Authorized a person other than a law enforcement officer
22 or school resource officer to carry a firearm in or on school
23 property.
24 (2) Approved firearm training for an employee or other staff
25 member of the school corporation, charter school, or
26 nonpublic school.

27 **(b) An employee or other staff member of a school corporation,**
28 **charter school, or nonpublic school meets the requirements of**
29 **section 5(b)(1)(B) of this chapter if the employee or staff member**
30 **successfully completes or completed firearm training approved by**
31 **the school corporation, charter school, or nonpublic school as**
32 **described in subsection (a).**

33 **Sec. 11. Nothing in this chapter may be construed to:**

- 34 (1) require an employee or other staff member of a school
35 corporation, charter school, or nonpublic school to carry a
36 firearm in or on school property; or
37 (2) authorize a school board or a school corporation, charter
38 school, or nonpublic school to require an employee or other
39 staff member of a school corporation, charter school, or
40 nonpublic school to carry a firearm in or on school property.

41 SECTION 3. IC 20-26-18.2-5.1 IS ADDED TO THE INDIANA
42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2021]: **Sec. 5.1. After June 30, 2021, a law**
 2 **enforcement officer or a school security officer who is not**
 3 **considered a school resource officer but who provides security**
 4 **services for a school during normal school hours must complete the**
 5 **same training required under section 1(b)(2) of this chapter for a**
 6 **school resource officer as follows:**

7 (1) **Before July 1, 2022, for a law enforcement officer or**
 8 **school security officer employed by, or who enters into a**
 9 **contract to provide security services with, a school**
 10 **corporation or charter school before July 1, 2021.**

11 (2) **For a law enforcement officer or school security officer**
 12 **employed by, or who enters into a contract to provide security**
 13 **services with, a school corporation or charter school after**
 14 **June 30, 2021, within one (1) year of the date the law**
 15 **enforcement officer or school security officer begins**
 16 **employment or enters into a contract to provide security**
 17 **services for the school corporation or charter school.**

18 SECTION 4. IC 22-11-17-2, AS AMENDED BY P.L.211-2018(ss),
 19 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2021]: Sec. 2. (a) Except as provided in subsections (b) and
 21 (d) and section 2.5 of this chapter, an owner of a public building shall
 22 not permit an exit to be locked or obstructed in any manner that denies
 23 the public a continuous and unobstructed means of egress while
 24 lawfully occupied by anyone who is not an officer or an employee.

25 (b) The commission may adopt rules under IC 4-22-2 that:

26 (1) allow the owner of a public building to equip an exit with a
 27 special egress control device;

28 (2) limit the circumstances under which a special egress control
 29 device may be used; and

30 (3) allow an exit that was in compliance with the rules of the
 31 commission when the exit was constructed to be equipped with a
 32 special egress control device.

33 (c) An owner of a public building shall not permit a fire alarm to be
 34 disconnected or otherwise rendered inoperative, except in cases of
 35 routine maintenance or for repair.

36 (d) A school that has one (1) or more employees may barricade or
 37 block a door **under the following circumstances:**

38 (1) For a period not to exceed three (3) minutes in the event of an
 39 unplanned fire alarm activation in order for a designated school
 40 official to investigate the alarm. The school must initiate
 41 evacuation and safety procedures after the three (3) minute period
 42 expires. However, the period may be extended in the event that an



1 active shooter has been verified to be on the school's property.

2 **(2) During an active shooter drill or during an active shooter**
 3 **emergency in the school building. Any device used to block or**
 4 **barricade a door during an active shooter drill or active**
 5 **shooter emergency must be removed or disengaged**
 6 **immediately after an all clear has been given or if evacuation**
 7 **is necessary. Devices used under this subdivision must remain**
 8 **compliant with all other applicable building and fire safety**
 9 **laws, rules, and regulations.**

10 SECTION 5. IC 35-47-9-1, AS AMENDED BY P.L.107-2019,
 11 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2021]: Sec. 1. (a) This chapter does not apply to the following:

13 (1) A:

14 (A) federal;

15 (B) state; or

16 (C) local;

17 law enforcement officer.

18 (2) A person who may legally possess a firearm and who, **subject**
 19 **to IC 10-21-2**, has been authorized by:

20 (A) a school board (as defined by IC 20-26-9-4); or

21 (B) the body that administers a charter school established
 22 under IC 20-24;

23 to carry a firearm in or on school property.

24 (3) Except as provided in subsection (b) or (c), a person who:

25 (A) may legally possess a firearm; and

26 (B) possesses the firearm in a motor vehicle.

27 (4) A person who is a school resource officer, as defined in
 28 IC 20-26-18.2-1.

29 (5) Except as provided in subsection (b) or (c), a person who:

30 (A) may legally possess a firearm; and

31 (B) possesses only a firearm that is:

32 (i) locked in the trunk of the person's motor vehicle;

33 (ii) kept in the glove compartment of the person's locked
 34 motor vehicle; or

35 (iii) stored out of plain sight in the person's locked motor
 36 vehicle.

37 (6) A person who:

38 (A) may legally possess a firearm; and

39 (B) possesses a firearm on school property in connection with
 40 or while:

41 (i) attending a worship service or religious ceremony
 42 conducted at a house of worship located on the school



1 property; or
2 (ii) carrying out the person's official duties at a house of
3 worship located on the school property, if the person is
4 employed by or a volunteer at the house of worship.
5 This subdivision does not affect the right of a property owner to
6 prohibit, in whole or in part, the possession of a firearm on a
7 property where a school or house of worship is located.
8 (b) For purposes of subsection (a)(3) and (a)(5), a person does not
9 include a person who is:
10 (1) enrolled as a student in any high school except if the person is
11 a high school student and is a member of a shooting sports team
12 and the school's principal has approved the person keeping a
13 firearm concealed in the person's motor vehicle on the days the
14 person is competing or practicing as a member of a shooting
15 sports team; or
16 (2) a former student of the school if the person is no longer
17 enrolled in the school due to a disciplinary action within the
18 previous twenty-four (24) months.
19 (c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle
20 does not include a motor vehicle owned, leased, or controlled by a
21 school or school district unless the person who possesses the firearm
22 is, **subject to IC 10-21-2**, authorized by the school or school district to
23 possess a firearm.

