

IC 34-28-7

Chapter 7. Possession of Firearms and Ammunition in Locked Vehicles

IC 34-28-7-1

Application

Sec. 1. This chapter applies only to possession of a firearm or ammunition by an individual who may possess the firearm or ammunition legally. This chapter does not apply to the possession of a firearm, ammunition, or other device for which an individual must possess a valid federal firearms license issued under 18 U.S.C. 923 to possess the firearm, ammunition, or other device.

As added by P.L.90-2010, SEC.7.

IC 34-28-7-2

Regulation of employees' firearms and ammunition by employers

Sec. 2. (a) Notwithstanding any other law and except as provided in subsection (b), a person may not adopt or enforce an ordinance, a resolution, a policy, or a rule that:

- (1) prohibits; or
- (2) has the effect of prohibiting;

an employee of the person, including a contract employee, from possessing a firearm or ammunition that is locked in the trunk of the employee's vehicle, kept in the glove compartment of the employee's locked vehicle, or stored out of plain sight in the employee's locked vehicle.

(b) Subsection (a) does not prohibit the adoption or enforcement of an ordinance, a resolution, a policy, or a rule that prohibits or has the effect of prohibiting an employee of the person, including a contract employee, from possessing a firearm or ammunition:

- (1) in or on school property, in or on property that is being used by a school for a school function, or on a school bus in violation of IC 20-33-8-16 or IC 35-47-9-2;
- (2) on the property of:
 - (A) a child caring institution;
 - (B) an emergency shelter care child caring institution;
 - (C) a private secure facility;
 - (D) a group home;
 - (E) an emergency shelter care group home; or
 - (F) a child care center;

in violation of 465 IAC 2-9-80, 465 IAC 2-10-79, 465 IAC 2-11-80, 465 IAC 2-12-78, 465 IAC 2-13-77, or 470 IAC 3-4.7-19;

- (3) on the property of a penal facility (as defined in IC 35-31.5-2-232);
- (4) in violation of federal law;
- (5) in or on property belonging to an approved postsecondary educational institution (as defined in IC 21-7-13-6(b));
- (6) on the property of a domestic violence shelter;
- (7) at a person's residence;

- (8) on the property of a person that is:
 - (A) subject to the United States Department of Homeland Security's Chemical Facility Anti-Terrorism Standards issued April 9, 2007; and
 - (B) licensed by the United States Nuclear Regulatory Commission under Title 10 of the Code of Federal Regulations;
- (9) on property owned by:
 - (A) a public utility (as defined in IC 8-1-2-1) that generates and transmits electric power; or
 - (B) a department of public utilities created under IC 8-1-11.1; or
- (10) in the employee's personal vehicle if the employee, including a contract employee, is a direct support professional who:
 - (A) works directly with individuals with developmental disabilities to assist the individuals to become integrated into the individuals' community or least restrictive environment; and
 - (B) uses the employee's personal vehicle while transporting an individual with developmental disabilities.

As added by P.L.90-2010, SEC.7. Amended by P.L.114-2012, SEC.66.

IC 34-28-7-3

Civil actions

Sec. 3. (a) An individual who believes that the individual has been harmed by a violation of section 2 of this chapter may bring a civil action against the person who is alleged to have violated section 2 of this chapter, other than a person set forth in IC 34-6-2-103(j)(2).

(b) If a person is found by a court, in an action brought under subsection (a), to have violated section 2 of this chapter, the court may do the following:

- (1) Award:
 - (A) actual damages; and
 - (B) court costs and attorney's fees; to the prevailing individual.
- (2) Enjoin further violations of this chapter.

As added by P.L.90-2010, SEC.7.

IC 34-28-7-4

Other rights and remedies

Sec. 4. This chapter does not limit a person's rights or remedies under any other state or federal law.

As added by P.L.90-2010, SEC.7.

IC 34-28-7-5

Jurisdiction over action against employer

Sec. 5. A court does not have jurisdiction over an action brought against an employer who is in compliance with section 2 of this

chapter for any injury or damage resulting from the employer's compliance with section 2 of this chapter.

As added by P.L.90-2010, SEC.7.