

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 77

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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 IC 35-31.5-2-41 IS REPEALED [EFFECTIVE JULY 1, 2023]. Sec. 41: "~~Chinese throwing star~~", for purposes of IC 35-47-5-12, has the meaning set forth in IC 35-47-5-12(b).

SECTION 2. IC 35-31.5-2-330.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2023]: **Sec. 330.5. "Throwing star", for purposes of IC 35-47-5, means a throwing-knife, throwing-iron, or other knife-like weapon with blades set at different angles.**

SECTION 3. IC 35-47-5-2.5, AS AMENDED BY P.L.158-2013, SECTION 592, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2.5. (a) As used in this section, "knife" means an instrument that:

- (1) consists of a sharp edged or sharp pointed blade capable of inflicting cutting, stabbing, or tearing wounds; and
- (2) is intended to be used as a weapon.

(b) The term includes a dagger, dirk, poniard, stiletto, switchblade knife, ~~or~~ gravity knife, **or throwing star**.

(c) A person who recklessly, knowingly, or intentionally possesses a knife on:

- (1) school property (as defined in IC 35-31.5-2-285);
- (2) a school bus (as defined in IC 20-27-2-8); or

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(3) a special purpose bus (as defined in IC 20-27-2-10); commits a Class B misdemeanor. However, the offense is a Class A misdemeanor if the person has a previous unrelated conviction under this section and a Level 6 felony if the offense results in bodily injury to another person.

(d) This section does not apply to a person who possesses a knife:

(1) if:

(A) the knife is provided to the person by the school corporation or possession of the knife is authorized by the school corporation; and

(B) the person uses the knife for a purpose authorized by the school corporation; or

(2) if the knife is secured in a motor vehicle.

SECTION 4. IC 35-47-5-12 IS REPEALED [EFFECTIVE JULY 1, 2023]. ~~Sec. 12: (a) A person who:~~

~~(1) manufactures;~~

~~(2) causes to be manufactured;~~

~~(3) imports into Indiana;~~

~~(4) keeps for sale;~~

~~(5) offers or exposes for sale; or~~

~~(6) gives, lends, or possesses;~~

~~a Chinese throwing star commits a Class C misdemeanor.~~

~~(b) As used in this section, "Chinese throwing star" means a throwing-knife, throwing-iron, or other knife-like weapon with blades set at different angles.~~



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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