



Reprinted
January 22, 2020

SENATE BILL No. 9

DIGEST OF SB 9 (Updated January 21, 2020 2:18 pm - DI 128)

Citations Affected: IC 34-6; IC 34-30.

Synopsis: Target shooting. Provides that a person who goes to a shooting range that is, or whose instructors and range safety officers are, certified by a nationally recognized shooting organization, and that posts and maintains signage concerning liability for the purpose of target shooting does not have an assurance that the premises is safe for that purpose.

Effective: July 1, 2020.

Tomes, Koch

January 6, 2020, read first time and referred to Committee on Judiciary.
January 16, 2020, amended, reported favorably — Do Pass.
January 21, 2020, read second time, amended, ordered engrossed.

SB 9—LS 6079/DI 138



Reprinted
January 22, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 9

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

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

- 1 SECTION 1. IC 34-6-2-138.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2020]: **Sec. 138.5. "Shooting range", for**
4 **purposes of IC 34-30-32, has the meaning set forth in**
5 **IC 34-30-32-1.**
- 6 SECTION 2. IC 34-30-32 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2020]:
- 9 **Chapter 32. Immunity From Liability for Target Shooting**
- 10 **Sec. 1. As used in this chapter, "shooting range" means a**
11 **shooting range:**
- 12 (1) **that is; or**
13 (2) **whose instructors and range safety officers are;**
14 **certified by a nationally recognized shooting organization.**
- 15 **Sec. 2. A person who goes to a shooting range:**
16 (1) **with or without permission; and**
17 (2) **either:**

SB 9—LS 6079/DI 138



- 1 (A) without the payment of monetary consideration; or
 2 (B) with the payment of monetary consideration directly or
 3 indirectly on the person's behalf by an agency of the state
 4 or federal government;
 5 for the purpose of target shooting or preparing to target shoot does
 6 not have an assurance that the shooting range is safe for that
 7 purpose.
- 8 Sec. 3. (a) The owner of the shooting range described in section
 9 2 of this chapter does not:
 10 (1) assume responsibility; or
 11 (2) incur liability;
 12 for an injury to a person or property caused by an act or failure to
 13 act of other persons using the shooting range, so long as the
 14 shooting range posts and maintains a sign on which is printed the
 15 warning notice described in section 4 of this chapter.
- 16 (b) The sign must be placed in a clearly visible location at the
 17 main point of entrance to the shooting range.
- 18 (c) The warning notice on the sign must be printed in black
 19 letters, and each letter must be at least one (1) inch in height.
- 20 Sec. 4. The warning notice that must be printed on a sign
 21 described in section 3 of this chapter is as follows:
 22 "WARNING
 23 Under Indiana law, a shooting range is not liable for an injury
 24 to, or the death of, a participant in target shooting at this location
 25 if the death or injury results from the inherent risks of target
 26 shooting.
 27 Inherent risks of target shooting include risks of injury inherent
 28 to land, target shooting equipment, and animals, as well as the
 29 potential for you to act in a negligent manner that may contribute
 30 to your injury or death or for other participants to act in a manner
 31 that may cause you injury or cause your death.
 32 You are assuming the risk of participating in target shooting.".
- 33 Sec. 5. This chapter does not affect Indiana case law on the
 34 liability of owners or possessors of premises with respect to the
 35 following:
 36 (1) Business invitees in commercial establishments.
 37 (2) The attractive nuisance doctrine.
- 38 Sec. 6. This chapter does not excuse the owner or occupant of a
 39 shooting range from liability for injury to a person or property
 40 caused by the gross negligence or willful or wanton misconduct of
 41 the owner or occupant.



COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 9, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 10.

Page 2, line 15, delete "(a)".

Page 2, line 15, delete "upon or through the premises," and insert **"to a shooting range certified by a nationally recognized shooting organization:"**.

Page 2, line 16, delete "including caves, of another:".

Page 2, line 24, delete "premises are" and insert **"shooting range is"**.

Page 2, line 25, delete "(b)" and insert **"Sec. 2. (a)"**.

Page 2, line 25, delete "premises" and insert **"shooting range described in section 1 of this chapter"**.

Page 2, line 29, delete "premises." and insert **"shooting range, so long as the shooting range posts and maintains a sign on which is printed the warning notice described in section 3 of this chapter.**

(b) The sign must be placed in a clearly visible location at the main point of entrance to the shooting range.

(c) The warning notice on the sign must be printed in black letters, and each letter must be at least one (1) inch in height."

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"Sec. 3. The warning notice that must be printed on a sign described in section 2 of this chapter is as follows:

"WARNING

Under Indiana law, a shooting range is not liable for an injury to, or the death of, a participant in target shooting at this location if the death or injury results from the inherent risks of target shooting.

Inherent risks of target shooting include risks of injury inherent to land, target shooting equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death or for other participants to act in a manner that may cause you injury or cause your death.

You are assuming the risk of participating in target shooting."."

Page 2, line 30, delete "(c)" and insert **"Sec. 4."**

Page 2, line 30, delete "section" and insert **"chapter"**.

Page 2, line 34, delete "(d)" and insert **"Sec. 5."**



Page 2, line 34, delete "section" and insert "**chapter**".

Page 2, line 35, delete "premises" and insert "**shooting range**".

Page 2, line 36, delete "a malicious or an illegal act" and insert "**the gross negligence or willful or wanton misconduct**".

Page 2, delete lines 37 through 42.

Delete page 3.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 9 as introduced.)

KOCH, Chairperson

Committee Vote: Yeas 5, Nays 3.

SENATE MOTION

Madam President: I move that Senate Bill 9 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 34-6-2-138.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 138.5. "Shooting range", for purposes of IC 34-30-32, has the meaning set forth in IC 34-30-32-1.**"

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"Sec. 1. As used in this chapter, "shooting range" means a shooting range:

(1) that is; or

(2) whose instructors and range safety officers are; certified by a nationally recognized shooting organization."

Page 1, line 5, delete "Sec. 1." and insert "**Sec. 2.**".

Page 1, line 5, delete "range certified by a" and insert "**range:**".

Page 1, delete line 6.

Page 1, line 16, delete "Sec. 2." and insert "**Sec. 3.**".

Page 1, line 17, delete "1" and insert "**2**".

Page 2, line 6, delete "section 3" and insert "**section 4**".

Page 2, line 11, delete "Sec. 3." and insert "**Sec. 4.**".

Page 2, line 12, delete "section 2" and insert "**section 3**".

SB 9—LS 6079/DI 138



Page 2, line 24, delete "Sec. 4." and insert "**Sec. 5.**".
Page 2, line 29, delete "Sec. 5." and insert "**Sec. 6.**".
Renumber all SECTIONS consecutively.

(Reference is to SB 9 as printed January 17, 2020.)

TOMES

