PROPOSED AMENDMENT

SB 176 # 3

DIGEST

Permitted zoning uses. Provides that the maintenance, repair, renovation, modernization, or expansion of buildings, structures, or facilities used in connection with a shooting range, including improvements to safety, security accessibility, or environmental controls, is a continuation of a permitted use and may not be treated by a local unit of government as: (1) an expansion of a nonconforming use; or (2) a basis to deny, delay, or condition approval of any permit that is otherwise required under applicable building codes or safety regulations. Provides that if an area is zoned for commercial use, a retail sporting goods store is a permitted use on each lot or parcel. Provides that if a property is zoned for commercial, industrial, or agricultural use, an indoor shooting range is permitted on any lot or parcel if certain conditions are satisfied. Provides that a retired judicial officer may possess and use a firearm in the same locations as a law enforcement officer who is authorized to carry a firearm. (Current law allows a judicial officer to possess and use a firearm in the same locations as a law enforcement officer who is authorized to carry a firearm.)

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 14-22-31.5-5, AS AMENDED BY P.L.152-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. Except as specifically prohibited by this chapter and subject to IC 35-47-11.1 **and IC 36-7-4.2,** a local unit of government may regulate the location, use, operation, safety, and construction of a shooting range.

SECTION 2. IC 14-22-31.5-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) The maintenance, repair, renovation, modernization, or expansion of buildings, structures, or facilities used in connection with a shooting range, including improvements to safety, security accessibility, or environmental controls, is a continuation of a permitted use and may not be treated by a local unit of government as:**

(1) an expansion of a nonconforming use; or

(2) a basis to deny, delay, or condition approval of any permit that is otherwise required under applicable building codes or safety regulations.

(b) A local unit of government shall review and act upon any application for a permit described in subsection (a) using the same objective standards and procedures that apply to similarly situated commercial, industrial, or agricultural properties, without regard to the:

(1) type of goods or services offered by the shooting range; or

(2) status of the property with respect to annexation.

(c) A local unit of government may not condition, explicitly or implicitly, the approval, issuance, or timely processing of a permit described in subsection (a) on the:

(1) owner's or operator's consent to annexation by a municipality (as defined in IC 36-1-2-11); or

(2) waiver of any right granted to the owner or operator under this chapter or any other law.

(d) Nothing in this section prohibits a local unit of government from enforcing generally applicable building, fire, or safety codes that are:

(1) neutral and of general applicability; and

(2) not adopted or applied for the purpose of restricting, hindering, or causing the closure of a shooting range.

SECTION 3. IC 35-47-16-1, AS AMENDED BY P.L.186-2025, SECTION 247, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. A judicial officer **or retired judicial officer:**

(1) may possess and use a firearm in the same locations that a law enforcement officer who is authorized to carry a firearm under IC 5-2-1 may possess a firearm while the law enforcement officer is engaged in the execution of the law enforcement officer's official duties; and

(2) may not be prohibited from possessing a firearm on land or in buildings and other structures owned or leased by:

(A) the state or any agency of state government; or

(B) a political subdivision (as defined in IC 3-5-2.1-79).

SECTION 4. IC 35-47-16-2, AS ADDED BY P.L.147-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A judicial officer **or retired judicial officer** who possesses a firearm as described in section 1 of this chapter has the same civil and criminal immunities and defenses concerning possession and use of the firearm that a law enforcement officer has when the law enforcement officer:

(1) possesses and uses a firearm; and

(2) is engaged in the execution of the law enforcement officer's official duties.

SECTION 5. IC 36-7-4.2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 4.2. Permitted Uses; Indoor Shooting Ranges; Sporting Goods Stores

Sec. 1. The definitions in IC 36-1-2 and IC 36-7-1 apply throughout this chapter.

Sec. 2. (a) This chapter does not apply to property within:

(1) a historic area or historic zoning district created under:

(A) IC 36-7-11;

(B) IC 36-7-11.1;

(C) IC 36-7-11.2; or

(D) IC 36-7-11.3;

(2) a flood plain (as defined in IC 14-8-2-99); or

(3) subject to subsection (b), an area zoned for commercial use that authorizes mixed use residential projects.

(b) Subsection (a)(3) does not include areas that contain a shooting range (as defined in IC 14-22-31.5-3) that:

(1) was lawfully established and in operation before July 1, 2026;

(2) was located on property zoned for commercial use on or before July 1, 2026; and

(3) seeks to develop an indoor shooting range after June 30, 2026, within the geographic boundaries of the shooting range as it existed on July 1, 2026.

Sec. 3. As used in this chapter, "indoor shooting range" means a fully enclosed facility designed and operated for the discharge of firearms, equipped with a bullet resistant backstop, ventilation system, and sound attenuation measures to prevent the escape of projectiles, excessive noise, or airborne contaminants.

Sec. 4. As used in this chapter, "mixed use residential" means a development project that provides within a shared building or development area:

(1) residential uses, including multiple dwelling units; and

(2) nonresidential uses that:

(A) comprise less than fifty percent (50%) of the total square footage of the development; and

(B) are restricted to the first floor of any building consisting of at least two (2) stories.

Sec. 5. As used in this chapter, "permitted use" means a use that is approved by a unit in a zoning district without the requirement of:

(1) a public hearing;

(2) a variance, special exception, contingent use, or conditional use; or

(3) other discretionary zoning action, other than a determination that a site plan conforms with applicable zoning regulations.

Sec. 6. As used in this chapter, "retail sporting goods store" means a commercial retail store that is primarily engaged in retailing new sporting goods classified under the North American Industry Classification Code 451110 (sporting goods stores), including items such as:

(1) bicycles and bicycle parts;

(2) camping equipment;

(3) exercise and fitness equipment;

(4) athletic uniforms;

(5) specialty sports footwear;

(6) firearms; and

(7) other sporting goods, equipment, and accessories.

Sec. 7. As used in this chapter, "will-serve letter" means a written document:

(1) issued by a water and sewer service provider to an owner or developer of a project or dwelling; and

(2) that states the provider is able and willing to provide water and sewer service to the project or dwelling subject to the conditions, if any, set forth in the document.

Sec. 8. (a) Notwithstanding IC 36-7-4 or any other law, the following are permitted uses:

(1) A retail sporting goods store within an area zoned for commercial use under section 9 of this chapter.

(2) An indoor shooting range within an area zoned for commercial, industrial, or agricultural use under section 10 of this chapter.

(b) Notwithstanding IC 36-7-4 or any other law, a unit may not adopt or enforce restrictions regarding indoor shooting ranges or retail sporting goods stores that violate this chapter.

Sec. 9. (a) If a property is zoned for commercial use, a retail sporting goods store is a permitted use on each lot or parcel.

(b) A unit may require:

(1) a will-serve letter for a retail sporting goods store under subsection (a); and

(2) an application fee.

Sec. 10. (a) If a property is zoned for commercial, industrial, or agricultural use, an indoor shooting range is permitted on any lot or parcel if the following conditions are satisfied:

(1) The walls, ceilings, floors, and backstops must be constructed with materials capable of containing all projectiles fired within the facility.

(2) Reasonable effort is made in the design, construction, and maintenance of the indoor shooting range to limit noise that could significantly impact adjacent properties.

(b) A unit may require:

(1) a will-serve letter for an indoor shooting range under subsection (a); and

(2) an application fee.

(c) Nothing in this section shall be construed to limit the scope of federal and state law governing firearm safety, environmental controls, and occupational health.

Sec. 11. A zoning ordinance adopted before July 1, 2026, is void to the extent the ordinance conflicts with this chapter. However, this chapter does not apply to or affect any application for a permit under IC 36-7-4 submitted to a unit before July 1, 2026.

(Reference is to SB 176 as printed January 21, 2026.)