Arthur M. Thurston, Superintendent,
Indiana State Police,
Stout Field,
Indianapolis, Indiana.

Dear Sir:

I have your request for an Official Opinion which reads as follows:

"1. Can the purchaser of a firearm be required to submit to being fingerprinted by the seller when purchasing a firearm?

"2. Can the seller of a firearm be required to furnish the fingerprints of the purchaser to the Indiana State Police Department?

"3. What action can be taken by the Indiana State Police Department against the seller of a firearm who refuses to submit suitable fingerprints of the purchaser?

"Please have the opinion cover both the sales by dealers and by individuals."

The Uniform Firearm Act of Indiana may be found under the Acts of 1935, Chapter 63, Section 1, at page 159 and amendments thereto, same being Section 10-4734 through 10-4751, Burns 1942 Replacement. Section 10-4740, Burns provides for the regulation of sale and is as follows:

"No seller shall deliver a pistol to the purchaser thereof until forty-eight (48) hours shall have elapsed from the time of the application for the purchase thereof, and, when delivered, said pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, place of birth, the date and hour of application, the caliber, make, model, and manufacturer's number.
of the pistol to be purchased and a statement that he has never been convicted in this state or elsewhere of a crime of violence. The seller shall within six (6) hours after such application, sign and attach his address and forward by registered mail one (1) copy of such statement to the chief of police of the municipality or the sheriff of the county of which the seller is a resident; the duplicate duly signed by the seller shall within seven (7) days be sent by him with his address to the superintendent of the state police; the triplicate he shall retain for six (6) years. This section shall not apply to sales at wholesale."

Nowhere in this Section nor in the Act itself is there any requirement to be found that one must submit to being finger-printed by the seller when purchasing a firearm. My answer therefore to the question presented is that fingerprints may not be required and therefore no action can be taken by the Indiana State Police Department against the seller of firearms who refuses to submit suitable fingerprints of the purchaser. Authority, however, is granted to the State Licensing Office to require applicants desiring a license to carry a pistol to furnish their fingerprints. Section 10-4738, Burns.

OFFICIAL OPINION NO. 60

September 26, 1950.

Ward Lane, Superintendent,
Indiana Reformatory,
Pendleton, Indiana.

Dear Sir:

We have your letter requesting an official opinion as to when a sentence begins to run on a person who has had a suspended sentence revoked and is committed to your institution. A part of your letter reads as follows:

"To us, the following quotes found on Page 252, Volume 4, Burns 1933 Statutes, are confusing:

‘Where order suspending sentence is revoked because of violation of parole, the sentence to