



Reprinted  
March 16, 2021

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# ENGROSSED

## HOUSE BILL No. 1033

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DIGEST OF HB 1033 (Updated March 15, 2021 2:32 pm - DI 137)

**Citations Affected:** IC 36-8.

**Synopsis:** Residency of police officers and firefighters. Revises residency requirements for members of police and fire departments to require that members: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department.

**Effective:** July 1, 2021.

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### Frye R, Bartels, Gutwein, Gore

(SENATE SPONSORS — SANDLIN, GASKILL, RAATZ, NIEZGODSKI)

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January 4, 2021, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 28, 2021, reported — Do Pass.

February 1, 2021, read second time, ordered engrossed. Engrossed.

February 2, 2021, read third time, passed. Yeas 78, nays 16.

#### SENATE ACTION

February 18, 2021, read first time and referred to Committee on Homeland Security and Transportation.

March 2, 2021, reported favorably — Do Pass.

March 8, 2021, read second time, ordered engrossed. Engrossed.

March 9, 2021, returned to second reading.

March 15, 2021, re-read second time, amended, ordered engrossed.

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EH 1033—LS 6075/DI 137





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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1033

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A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-8-4-2, AS AMENDED BY P.L.171-2019,  
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: Sec. 2. (a) Members of the police and fire departments  
4 must: ~~reside within:~~  
5 (1) the county in which the city is located;  
6 (2) a county that is contiguous to the county in which the city is  
7 located; or  
8 (3) a county that is noncontiguous to the county in which the city  
9 is located but is not more than fifty (50) miles from the closest  
10 boundary of the city where the police or fire department is  
11 located.  
12 (1) have adequate means of transportation into the  
13 jurisdiction served by the member's department; and  
14 (2) maintain telephone service to communicate with the  
15 department.  
16 (b) In a consolidated city, a member who was residing outside the  
17 county on January 1, 1975, is exempt from subsection (a).

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1           ~~(e)~~ **(b)** A city with a population of less than seven thousand five  
 2 hundred (7,500) may adopt an ordinance that requires a member of the  
 3 city's police or fire department to comply with the following:

4           (1) Reside within the county in which the city is located.

5           (2) Have adequate means of transportation into the city.

6           (3) Maintain ~~in the member's residence~~ telephone service **to**  
 7 **communicate** with the city.

8           ~~(d)~~ **(c)** This subsection applies to a city that:

9           (1) has a population of less than seven thousand five hundred  
 10 (7,500); and

11           (2) adopted an ordinance to establish the requirements described  
 12 in this subsection before September 1, 1984.

13 A city may require, in addition to the requirements of subsection ~~(e)~~;  
 14 **(b)**, that a member of the police or fire department reside within the  
 15 city until the member has served in the department for five (5) years.

16           ~~(e)~~ **(d)** An ordinance adopted under subsection ~~(e)~~ **(b)** or described  
 17 in subsection ~~(d)~~**(2)** **(c)****(2)** may not require a member of a city's police  
 18 or fire department to reside within the county in which the city is  
 19 located if the member resides outside the county on the date the  
 20 ordinance is adopted.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1033, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1033 as introduced.)

FRYE R

Committee Vote: Yeas 11, Nays 2

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1033, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1033 as printed January 28, 2021.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 0

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1033, which is eligible for third reading, be returned to second reading for purposes of amendment.

SANDLIN

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1033 be amended to read as follows:

Page 1, line 4, after "must" insert ":",

Page 1, line 4, strike "reside within:".

Page 1, strike lines 5 through 8.

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Page 1, line 9, strike "is located."

Page 1, line 9, after "located" delete ".".

Page 1, between lines 11 and 12, begin a new line block indented and insert:

**"(1) have adequate means of transportation into the jurisdiction served by the member's department; and  
(2) maintain telephone service to communicate with the department."**

Page 1, strike lines 12 through 13.

Page 1, line 14, strike "(c)" and insert "**(b)**".

Page 2, line 2, strike "in the member's residence".

Page 2, line 2, after "service" insert "**to communicate**".

Page 2, line 4, strike "(d)" and insert "**(c)**".

Page 2, line 9, strike "(c)," and insert "**(b),**".

Page 2, line 12, strike "(e)" and insert "**(d)**".

Page 2, line 12, strike "(c)" and insert "**(b)**".

Page 2, line 13, strike "(d)(2)" and insert "**(c)(2)**".

(Reference is to EHB 1033 as printed March 3, 2021.)

SANDLIN

