

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.

HOUSE ENROLLED ACT No. 1033

AN ACT to amend the Indiana Code concerning local government.

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

SECTION 1. IC 36-8-4-2, AS AMENDED BY P.L.171-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) Members of the police and fire departments must: **reside within:**

- (1) the county in which the city is located;
- (2) a county that is contiguous to the county in which the city is located; or
- (3) a county that is noncontiguous to the county in which the city is located but is not more than fifty (50) miles from the closest boundary of the city where the police or fire department is located:
 - (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.

(b) In a consolidated city, a member who was residing outside the county on January 1, 1975, is exempt from subsection (a):

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

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

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

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

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

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

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

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

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



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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