



Reprinted
January 24, 2024

SENATE BILL No. 129

DIGEST OF SB 129 (Updated January 23, 2024 3:05 pm - DI 87)

Citations Affected: IC 5-2.

Synopsis: Police officer employment and training cost reimbursement. Allows a county, city, or town (unit) to be reimbursed for some or all of a police officer's employment and training costs from a unit that subsequently employs the police officer less than three years after police officer completes the law enforcement basic training course. Provides that "police officer" does not include a town marshal or town marshal deputy. Provides that if any unit does not claim reimbursement from a subsequent employing unit, any reimbursement right is terminated. Requires a subsequent employer to notify the police officer in writing if the previous employer did or did not submit a claim for reimbursement. Requires a written notification be provided to a police officer before hiring that informs the officer of the employer's right to obtain reimbursement from a subsequent employer.

Effective: July 1, 2024.

**Byrne, Niemeyer, Dernulc, Tomes,
Randolph Lonnie M, Alexander**

January 8, 2024, read first time and referred to Committee on Local Government.
January 16, 2024, amended, reported favorably — Do Pass.
January 23, 2024, read second time, amended, ordered engrossed.

SB 129—LS 6422/DI 87



Reprinted
January 24, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 129

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 5-2-1.5 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2024]:

4 **Chapter 1.5. Reimbursement for Police Officer Training**

5 **Sec. 1. This chapter does not affect, modify, or amend a**
6 **collective bargaining agreement or employment agreement or**
7 **contract executed or renewed before July 1, 2024.**

8 **Sec. 2. This chapter supersedes any ordinance, resolution, rule,**
9 **or policy of a unit that conflicts with this chapter.**

10 **Sec. 3. This chapter applies if:**

11 **(1) an individual is employed by a unit as a police officer after**
12 **June 30, 2024;**

13 **(2) the individual is subsequently hired by a different unit as**
14 **a police officer; and**

15 **(3) the subsequent hiring occurs less than three (3) years after**
16 **the date the individual successfully completed the basic**
17 **training course.**

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1 **Sec. 4.** As used in this chapter, "basic training course" means
2 the minimum basic training and educational requirements adopted
3 by the law enforcement training board under IC 5-2-1-9 as
4 necessary for employment as a law enforcement officer.

5 **Sec. 5.** As used in this chapter, "eligible costs" means the costs
6 incurred by the first employer in hiring and training a police
7 officer. The term only includes the following:

8 (1) Any qualifying examinations administered to hire the
9 police officer.

10 (2) Any basic training course fees.

11 (3) Any supplies and equipment that:

12 (A) cannot be reused; and

13 (B) were provided to the police officer not later than one

14 (1) year after the date the officer completed the basic
15 training course.

16 (4) The base salary paid to the police officer as follows:

17 (A) If the police officer was employed at least one (1) year
18 by the first employer, the base salary paid during the first
19 year of employment.

20 (B) If the police officer was employed less than one (1) year
21 by the first employer, the base salary paid during the
22 period of employment.

23 (5) Any benefits provided to the police officer as follows:

24 (A) If the police officer was employed at least one (1) year
25 by the first employer, the benefits provided during the first
26 year of employment.

27 (B) If the police officer was employed less than one (1) year
28 by the first employer, the benefits paid during the period
29 of employment.

30 **Sec. 6.** As used in this chapter, "first employer" means the unit
31 that incurs eligible costs in the hiring and training of a police
32 officer.

33 **Sec. 7.** As used in this chapter, "police officer" means an
34 individual employed as a county, city, or town regular police
35 officer. However, the term does not include a town marshal or
36 deputy town marshal.

37 **Sec. 8.** As used in this chapter, "subsequent employer" means
38 a unit that employs an individual as a police officer after the
39 individual leaves the employment of the police officer's
40 immediately preceding employer.

41 **Sec. 9.** As used in this chapter, "unit" means a county, city, or
42 town. However, the term does not include a town that has a town



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marshal department.

Sec. 10. An immediately preceding employer under section 3(1) of this chapter may obtain reimbursement of the eligible costs of hiring and training a police officer from the subsequent employer under section 3(2) of this chapter, unless the right of reimbursement has terminated as provided in section 11 of this chapter.

Sec. 11. (a) Notwithstanding any other provision of this chapter, the right of any employer to be reimbursed for eligible costs terminates upon the earlier of the following occurrences:

(1) An immediately preceding employer does not submit a certified claim for reimbursement of the police officer's eligible costs within the time set forth in section 12(2) of this chapter.

(2) Three (3) years after the date the police officer successfully completes the basic training course.

(b) The subsequent employer shall provide written notification to a police officer that the immediately preceding employer:

(1) has filed a claim for reimbursement; or

(2) has not filed a claim for reimbursement;

of eligible costs under section 12(2) of this chapter.

Sec. 12. Reimbursements shall be made according to the following procedure:

(1) The subsequent employer shall notify the police officer's immediately preceding employer in writing of the police officer's hiring not later than ten (10) days after the police officer's hire date.

(2) Not later than thirty (30) days after receiving a notification under subdivision (1), the police officer's immediately preceding employer may certify the amount of its claim for reimbursement as determined under section 13 of this chapter to the subsequent employer. If the immediately preceding employer is the first employer, the certified claim shall be accompanied by an itemized statement of the eligible costs.

(3) The subsequent employer shall, not later than one hundred twenty (120) days after receipt of the certification under subdivision (2), reimburse the police officer's immediately preceding employer the amount claimed under subdivision (2).

Sec. 13. The amount of reimbursable eligible costs is determined as follows:



1 (1) If a police officer is hired by the subsequent employer not
 2 more than one (1) year after the police officer successfully
 3 completes the basic training course, one hundred percent
 4 (100%) of the amount of eligible costs is reimbursable to the
 5 immediately preceding employer.

6 (2) If a police officer is hired by the subsequent employer:

7 (A) more than one (1) year; and

8 (B) less than two (2) years;

9 after the police officer successfully completes the basic
 10 training course, sixty-six percent (66%) of the amount of
 11 eligible costs is reimbursable to the immediately preceding
 12 employer.

13 (3) If a police officer is hired by the subsequent employer:

14 (A) at least two (2) years; and

15 (B) less than three (3) years;

16 after the police officer successfully completes the basic
 17 training course, thirty-three percent (33%) of the amount of
 18 eligible costs is reimbursable to the immediately preceding
 19 employer.

20 Sec. 14. This section applies if the immediately preceding
 21 employer is not the first employer. The immediately preceding
 22 employer:

23 (1) may only submit a claim for reimbursement in the amount
 24 of the first employer's eligible costs with the adjustment, if
 25 any, required under section 13 of this chapter; and

26 (2) may not claim reimbursement for any additional costs
 27 incurred by the immediately preceding employer in the
 28 employment and training of the police officer.

29 Sec. 15. A first employer or subsequent employer may not
 30 require a police officer as a condition of employment to reimburse:

31 (1) the first employer; or

32 (2) any subsequent employer;

33 for the police officer's eligible costs under this chapter.

34 Sec. 16. (a) This section does not apply to the hiring of a police
 35 officer that occurs at least three (3) years after the police officer
 36 completes the basic training course.

37 (b) Before a first employer or subsequent employer may hire a
 38 police officer, the employer must provide to the police officer a
 39 written notice that provides at least the following information:

40 (1) A statement that for a period of three (3) years after the
 41 police officer completes the basic training course, whenever
 42 the officer is hired by another county, city, or town police



1 department (except for a town marshal department), the
 2 hiring police department must reimburse the previous
 3 employing police department for some or all of the police
 4 officer's hiring and training costs, salary, and benefits
 5 ("eligible costs"), if the previous employing police department
 6 submits a claim for reimbursement to the hiring police
 7 department.

8 (2) A statement that the total amount of eligible costs that are
 9 reimbursable during the three (3) year period is fixed at the
 10 costs that were incurred within the first year of the officer's
 11 employment.

12 (3) A statement that the total amount of eligible costs that the
 13 hiring police department must reimburse is reduced to:

14 (A) sixty-six percent (66%) on the one (1) year anniversary
 15 date;

16 (B) thirty-three percent (33%) on the two (2) year
 17 anniversary date; and

18 (C) zero (0) on the three (3) year anniversary date;
 19 of the officer completing the basic training course.

20 (4) A statement that if any previous employing police
 21 department does not file a claim for reimbursement with the
 22 hiring police department within the time specified by law, the
 23 previous employing police department and any future
 24 employing police department loses their right to any
 25 reimbursement. The law requires the hiring police
 26 department to notify the police officer in writing, regarding
 27 whether the previous employing police department has filed
 28 a timely claim for reimbursement.

29 (5) A statement that the police officer:

30 (A) has no liability to reimburse any police department for
 31 the eligible costs; and

32 (B) may not be required as a condition of employment by
 33 any police department to agree to reimburse the police
 34 department for any eligible costs or reimbursement for
 35 eligible costs paid by the police department.

36 (c) The notice must be signed and dated on a date before the
 37 police officer's hiring date, by the employer or employer's agent
 38 and the police officer.



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 129, 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, between lines 9 and 10, begin a new paragraph and insert:

"Sec. 3. (a) This chapter applies if:

- (1) an individual is employed by a unit as a police officer;**
- (2) the individual is subsequently hired by a different unit as a police officer; and**
- (3) the subsequent hiring occurs less than three (3) years after the date the individual successfully completed the basic training course.**

(b) The subsequently hiring unit must reimburse the immediately preceding employing unit for any eligible costs of hiring and training of the individual as determined under section 12 of this chapter."

Page 1, line 10, delete "3." and insert "4."

Page 1, line 14, delete "4." and insert "5."

Page 2, line 10, delete "5." and insert "6."

Page 2, line 13, delete "6." and insert "7."

Page 2, line 17, delete "7." and insert "8."

Page 2, line 21, delete "8." and insert "9."

Page 2, line 23, delete "9." and insert "10."

Page 2, delete lines 26 through 31.

and when so amended that said bill do pass.

(Reference is to SB 129 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 10, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 129 be amended to read as follows:

Page 1, line 10, delete "(a)".

Page 1, line 11, delete "officer;" and insert "**officer after June 30, 2024;**".

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Page 1, delete line 17.

Page 2, delete lines 1 through 3.

Page 2, line 10, delete "for a period of up to one (1) year after the date the officer" and insert ".".

Page 2, line 11, delete "completes the basic training course."

Page 2, delete lines 16 through 20, begin a new line block indented and insert:

"(3) Any supplies and equipment that:

(A) cannot be reused; and

(B) were provided to the police officer not later than one (1) year after the date the officer completed the basic training course.

(4) The base salary paid to the police officer as follows:

(A) If the police officer was employed at least one (1) year by the first employer, the base salary paid during the first year of employment.

(B) If the police officer was employed less than one (1) year by the first employer, the base salary paid during the period of employment.

(5) Any benefits provided to the police officer as follows:

(A) If the police officer was employed at least one (1) year by the first employer, the benefits provided during the first year of employment.

(B) If the police officer was employed less than one (1) year by the first employer, the benefits paid during the period of employment."

Page 2, line 33, after "town." insert "**However, the term does not include a town that has a town marshal department.**"

Page 2, delete lines 34 through 36, begin a new paragraph and insert:

"Sec. 10. An immediately preceding employer under section 3(1) of this chapter may obtain reimbursement of the eligible costs of hiring and training a police officer from the subsequent employer under section 3(2) of this chapter, unless the right of reimbursement has terminated as provided in section 11 of this chapter.

Sec. 11. (a) Notwithstanding any other provision of this chapter, the right of any employer to be reimbursed for eligible costs terminates upon the earlier of the following occurrences:

(1) An immediately preceding employer does not submit a certified claim for reimbursement of the police officer's eligible costs within the time set forth in section 12(2) of this



chapter.

(2) Three (3) years after the date the police officer successfully completes the basic training course.

(b) The subsequent employer shall provide written notification to a police officer that the immediately preceding employer:

(1) has filed a claim for reimbursement; or

(2) has not filed a claim for reimbursement;

of eligible costs under section 12(2) of this chapter."

Page 2, line 37, delete "11." and insert "12."

Page 2, line 40, after "employer" insert "in writing".

Page 3, line 2, delete "shall" and insert "may".

Page 3, line 3, delete "12" and insert "13".

Page 3, line 13, delete "12." and insert "13."

Page 3, line 34, delete "13." and insert "14."

Page 3, line 39, delete "12" and insert "13".

Page 4, line 1, delete "14." and insert "15."

Page 4, after line 5, begin a new paragraph and insert:

"Sec. 16. (a) This section does not apply to the hiring of a police officer that occurs at least three (3) years after the police officer completes the basic training course.

(b) Before a first employer or subsequent employer may hire a police officer, the employer must provide to the police officer a written notice that provides at least the following information:

(1) A statement that for a period of three (3) years after the police officer completes the basic training course, whenever the officer is hired by another county, city, or town police department (except for a town marshal department), the hiring police department must reimburse the previous employing police department for some or all of the police officer's hiring and training costs, salary, and benefits ("eligible costs"), if the previous employing police department submits a claim for reimbursement to the hiring police department.

(2) A statement that the total amount of eligible costs that are reimbursable during the three (3) year period is fixed at the costs that were incurred within the first year of the officer's employment.

(3) A statement that the total amount of eligible costs that the hiring police department must reimburse is reduced to:

(A) sixty-six percent (66%) on the one (1) year anniversary date;

(B) thirty-three percent (33%) on the two (2) year



anniversary date; and

(C) zero (0) on the three (3) year anniversary date; of the officer completing the basic training course.

(4) A statement that if any previous employing police department does not file a claim for reimbursement with the hiring police department within the time specified by law, the previous employing police department and any future employing police department loses their right to any reimbursement. The law requires the hiring police department to notify the police officer in writing, regarding whether the previous employing police department has filed a timely claim for reimbursement.

(5) A statement that the police officer:

(A) has no liability to reimburse any police department for the eligible costs; and

(B) may not be required as a condition of employment by any police department to agree to reimburse the police department for any eligible costs or reimbursement for eligible costs paid by the police department.

(c) The notice must be signed and dated on a date before the police officer's hiring date, by the employer or employer's agent and the police officer."

(Reference is to SB 129 as printed January 17, 2024.)

BYRNE

