

SENATE BILL No. 160

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8.

Synopsis: Residency of police officers and firefighters. Allows a member of a police or fire department to reside within a county that is noncontiguous to the county where the police or fire department is located but is not more than 50 miles from the closest boundary of the city, town, or township where the police or fire department is located.

Effective: July 1, 2019.

Messmer, Glick

January 3, 2019, read first time and referred to Committee on Local Government.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

SENATE BILL No. 160

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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.65-2008,
- 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2019]: Sec. 2. (a) Members of the police and fire departments
- 4 must reside in Indiana within:
- 5 (1) the county in which the city is located; **or**
- 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**
- 9 **city is located but is not more than fifty (50) miles from the**
- 10 **closest boundary of the city where the police or fire**
- 11 **department is located.**
- 12 (b) In a consolidated city, a member who was residing outside the
- 13 county on January 1, 1975, is exempt from subsection (a).
- 14 (c) A city with a population of less than seven thousand five
- 15 hundred (7,500) may adopt an ordinance that requires a member of the
- 16 city's police or fire department to comply with the following:
- 17 (1) Reside within the county in which the city is located.



- 1 (2) Have adequate means of transportation into the city.
 2 (3) Maintain in the member's residence telephone service with the
 3 city.
 4 (d) This subsection applies to a city that:
 5 (1) has a population of less than seven thousand five hundred
 6 (7,500); and
 7 (2) adopted an ordinance to establish the requirements described
 8 in this subsection before September 1, 1984.
 9 A city may require, in addition to the requirements of subsection (c),
 10 that a member of the police or fire department reside within the city
 11 until the member has served in the department for five (5) years.
 12 (e) An ordinance adopted under subsection (c) or described in
 13 subsection (d)(2) may not require a member of a city's police or fire
 14 department to reside within the county in which the city is located if the
 15 member resides outside the county on the date the ordinance is
 16 adopted.
 17 SECTION 2. IC 36-8-4.5-4, AS ADDED BY P.L.65-2008,
 18 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2019]: Sec. 4. A member of a town police or fire department
 20 must reside in Indiana within:
 21 (1) the county in which the town is located; ~~or~~
 22 (2) a county that is contiguous to the county in which the town is
 23 located; **or**
 24 **(3) a county that is noncontiguous to the county in which the**
 25 **town is located but is not more than fifty (50) miles from the**
 26 **closest boundary of the town where the police or fire**
 27 **department is located.**
 28 SECTION 3. IC 36-8-13.5-4, AS ADDED BY P.L.65-2008,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2019]: Sec. 4. A member of a township fire department must
 31 reside in Indiana within:
 32 (1) the county in which the township is located; ~~or~~
 33 (2) a county that is contiguous to the county in which the
 34 township is located; **or**
 35 **(3) a county that is noncontiguous to the county in which the**
 36 **township is located but is not more than fifty (50) miles from**
 37 **the closest boundary of the township where the fire**
 38 **department is located.**

