



February 21, 2020

ENGROSSED
SENATE BILL No. 237

DIGEST OF SB 237 (Updated February 18, 2020 1:12 pm - DI 131)

Citations Affected: IC 36-8.

Synopsis: Care of city police officers and firefighters. Provides that a city shall pay for the care of a police officer or firefighter who suffers an injury while performing the person's duty or while the person is on duty or who contracts illness caused by the performance of the person's duty. Adds requirements that allows a federal enforcement officer to be appointed as a police chief or deputy police chief in a city.

Effective: July 1, 2020.

**Brown L, Bohacek, Tomes, Mrvan,
Rogers, Randolph Lonnie M, Tallian,
Ford Jon, Lanane**

(HOUSE SPONSORS — MORRIS, CARBAUGH, JUDY)

January 9, 2020, read first time and referred to Committee on Local Government.
January 16, 2020, reported favorably — Do Pass.
January 21, 2020, read second time, ordered engrossed. Engrossed.
January 23, 2020, read third time, passed. Yeas 46, nays 0.

HOUSE ACTION

February 10, 2020, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 20, 2020, amended, reported — Do Pass.

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February 21, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 237

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 36-8-4-5 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A city shall pay for the care
3 of a police officer or firefighter who suffers an injury while performing
4 the person's duty **or while the person is on duty or who** contracts
5 illness caused by the performance of the person's duty, including an
6 injury or illness that results in a disability or death presumed incurred
7 in the line of duty under IC 5-10-13. This care includes:
8 (1) medical and surgical care;
9 (2) medicines and laboratory, curative, and palliative agents and
10 means;
11 (3) X-ray, diagnostic, and therapeutic service, including during
12 the recovery period; and
13 (4) hospital and special nursing care if the physician or surgeon
14 in charge considers it necessary for proper recovery.
15 (b) Expenditures required by subsection (a) shall be paid from the
16 general fund of the city.
17 (c) A city that has paid for the care of a police officer or firefighter

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1 under subsection (a) has a cause of action for reimbursement of the
 2 amount paid under subsection (a) against any third party against whom
 3 the police officer or firefighter has a cause of action for an injury
 4 sustained because of or an illness caused by the third party. The city's
 5 cause of action under this subsection is in addition to, and not in lieu
 6 of, the cause of action of the police officer or firefighter against the
 7 third party.

8 SECTION 2. IC 36-8-4-6.5 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) This section
 10 applies to the appointment of a police chief or deputy police chief in all
 11 cities.

12 (b) An applicant must meet the following requirements:

13 (1) Have five (5) years of service as:

14 (A) a police officer with a full-time, paid police department or
 15 agency; **or**

16 (B) **a federal enforcement officer (as defined in**
 17 **IC 35-31.5-2-129) with a full-time, paid federal law**
 18 **enforcement agency.**

19 (2) Be a citizen of the United States.

20 (3) Be a high school graduate or equivalent.

21 (4) Be at least twenty-one (21) years of age.

22 (5) Be free of mental illness.

23 (6) Be physically fit.

24 (7) Have successfully completed:

25 (A) the minimum basic training requirements established by
 26 the law enforcement training board under IC 5-2-1, or have
 27 continuous service with the same department to which the
 28 applicant was appointed as a law enforcement officer before
 29 July 6, 1972; **or**

30 (B) **the minimum basic federal law enforcement training**
 31 **requirements that are substantially equivalent to the**
 32 **training requirements as described in clause (A).**

33 (c) In addition to the requirements of subsection (b), an applicant for
 34 appointment as police chief or deputy police chief must have at least
 35 five (5) years of continuous service with the police department of that
 36 city **or with the same federal law enforcement agency** immediately
 37 before the appointment. This requirement may be waived by the city
 38 executive.



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 237, 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 SB 237 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 10, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 237, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, reset in roman "performing".

Page 1, line 4, reset in roman "the person's".

Page 1, line 4, delete "on duty" and insert "**duty or while the person is on duty**".

Page 1, line 4, after "or" insert "**who**".

Page 2, after line 7, begin a new paragraph and insert:

"SECTION 2. IC 36-8-4-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) This section applies to the appointment of a police chief or deputy police chief in all cities.

(b) An applicant must meet the following requirements:

(1) Have five (5) years of service as:

(A) a police officer with a full-time, paid police department or agency; or

(B) a federal enforcement officer (as defined in IC 35-31.5-2-129) with a full-time, paid federal law enforcement agency.

(2) Be a citizen of the United States.

(3) Be a high school graduate or equivalent.

(4) Be at least twenty-one (21) years of age.

(5) Be free of mental illness.

(6) Be physically fit.

(7) Have successfully completed:

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(A) the minimum basic training requirements established by the law enforcement training board under IC 5-2-1, or have continuous service with the same department to which the applicant was appointed as a law enforcement officer before July 6, 1972; or

(B) the minimum basic federal law enforcement training requirements that are substantially equivalent to the training requirements as described in clause (A).

(c) In addition to the requirements of subsection (b), an applicant for appointment as police chief or deputy police chief must have at least five (5) years of continuous service with the police department of that city **or with the same federal law enforcement agency** immediately before the appointment. This requirement may be waived by the city executive."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 237 as printed January 17, 2020.)

FRYE R

Committee Vote: yeas 12, nays 0.

