

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6661**

**BILL NUMBER:** SB 168

**NOTE PREPARED:** Dec 23, 2020

**BILL AMENDED:**

**SUBJECT:** Indianapolis Metropolitan Police Department.

**FIRST AUTHOR:** Sen. Sandlin

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:**  **GENERAL**  
 **DEDICATED**  
 **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** The bill provides that effective January 1, 2023, the Indianapolis Metropolitan Police Department (IMPD) is administered by a five member Board of Police Commissioners consisting of:  
(1) four members appointed by the Governor; and  
(2) the mayor of the consolidated city (Indianapolis).

The bill provides that the board's powers include:

- (1) exercising the power, authority, and responsibility of the executive and legislative body of Indianapolis to adopt, amend, and enforce ordinances, resolutions, and rules relating to the administration of IMPD;
- (2) serving as the merit board for IMPD; and
- (3) appointing a police chief for IMPD who is responsible only to the board.

The bill provides that the legislative body of the police special service district retains the power to modify and approve IMPD's budget.

**Effective Date:** January 1, 2023.

**Explanation of State Expenditures:** *Board of Police Commissioners:* The bill establishes the five member Board of Police Commissioners, consisting of the Mayor of Indianapolis and four commissioners appointed by the Governor. A member appointed by the Governor may be removed from the board only by the Governor and for cause.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Board of Police Commissioners:* Commissioner compensation and expenses are to be paid by the City of Indianapolis. The Mayor of Indianapolis is to serve on the board. The board, after consultation with the Sheriff, may appoint a police chief. The board is tasked with adopting policies governing the discipline of members, in consultation with the police chief; adopting policies governing civilian employees; retaining or employing attorneys necessary for advisement; contracting for health insurance for IMPD employees; establishing a classification for ranks, grades, and positions; adopting a schedule of compensation; modifying and approving the budget; overseeing IMPD assets; and approving equipment and facility purchases. The board is to serve as the merit board.

A commissioner is immune from civil liability for an act or omission within the scope and arising out of the performance of board duties, unless gross negligence or willful misconduct. It is unclear what the powers and duties will be for the Director of Public Safety, as current law, not amended by the bill establishes the IMPD as a division of the Department of Public Safety under the direction and control of a director of Director of Public Safety.

*Police Chief:* The police chief is to be appointed by the board and serve at the pleasure of the board (currently is appointed by and reports directly to the Mayor). The police chief may be removed, suspended, or demoted only by the board and for cause. The police chief, subject to approval of the board, appoints the head of each division of the police department; prepares the IMPD budget estimate, subject to the board's modification and approval; and carries out other day to day operations of the department.

*Ordinances, Policies, Rules, and Regulations:* The ordinances of Indianapolis and Marion County, and the policies, rules, and regulations of the police chief, IMPD, and merit board in effect on December 31, 2022, remain in effect after, to the extent they are not in conflict with the provisions of the bill, and are amended by the bill. They may be enforced by the board until superseded by ordinances, rules, policies, and regulations adopted by the board or the police chief (with board approval) in accordance with the bill. The city legislative body may not terminate the police department or transfer any of its powers, duties, functions, or obligations.

**Explanation of Local Revenues:**

**State Agencies Affected:** Governor.

**Local Agencies Affected:** Indianapolis Metropolitan Police Department and Police Chief; Mayor of Indianapolis.

**Information Sources:**

**Fiscal Analyst:** Heather Puletz, 317-234-9484.