

HOUSE BILL No. 1007

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-9.

Synopsis: Volunteer firefighters holding elected office. Deletes provisions that prohibit volunteer firefighters from assuming or holding certain elected offices.

Effective: July 1, 2014.

Arnold L

January 7, 2014, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1007

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

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

1 SECTION 1. IC 3-5-9-4, AS ADDED BY P.L.135-2012, SECTION
2 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2014]: Sec. 4. (a) An individual who is serving as a volunteer
4 firefighter for a volunteer fire department or a fire department that
5 provides fire protection services to a unit:
6 (1) under a contract, excluding a mutual aid agreement; or
7 (2) as the unit's fire department;
8 may not assume or hold an elected office of a unit that receives fire
9 protection services from the department in which the volunteer
10 firefighter serves.
11 (b) An individual who
12 (1) is an employee of a unit, serving as a full-time, paid
13 firefighter, or
14 (2) serves as a volunteer firefighter;
15 in a department that provides fire protection services to more than one
16 (1) unit, excluding fire protection services provided under mutual aid



1 agreements, may not assume or hold an elected office of any unit that
2 receives fire protection services from the department.

3 SECTION 2. IC 3-5-9-6, AS ADDED BY P.L.135-2012, SECTION
4 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
5 2014]: Sec. 6. This chapter does not prohibit:

6 (1) a government employee from assuming or holding an elected
7 office of a unit other than the unit that employs the government
8 employee;

9 (2) a full-time, paid firefighter ~~or volunteer firefighter~~ from
10 assuming or holding an elected office of a unit other than a unit
11 that receives fire protection services from the department in
12 which the ~~volunteer~~ firefighter serves; or

13 (3) an individual who assumes or holds an elected office from
14 also being appointed to and serving on a board, commission, or
15 committee of the unit.

16 SECTION 3. IC 3-5-9-7, AS ADDED BY P.L.135-2012, SECTION
17 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
18 2014]: Sec. 7. (a) Notwithstanding sections 4 and 5 of this chapter,

19 ~~(1) a volunteer firefighter who assumes or holds an elected office~~
20 ~~on January 1, 2013, may continue to hold the elected office and~~
21 ~~serve as a volunteer firefighter; and~~

22 ~~(2) a government employee who assumes or holds an elected~~
23 ~~office on January 1, 2013, may continue to hold the elected office~~
24 ~~and be employed as a government employee~~

25 until the term of the elected office that the ~~volunteer firefighter or~~
26 ~~government employee is serving on January 1, 2013, expires.~~

27 ~~(b) After the expiration of the term of the elected office that the~~
28 ~~volunteer firefighter referred to in subsection (a) is serving on January~~
29 ~~1, 2013, the volunteer firefighter is subject to section 4 of this chapter~~
30 ~~with respect to serving as a volunteer firefighter and assuming or~~
31 ~~holding an elected office of the unit that receives fire protection~~
32 ~~services from the department in which the volunteer firefighter serves.~~

33 ~~(c) (b) After the expiration of the term of the elected office that the~~
34 ~~government employee referred to in subsection (a) is serving on~~
35 ~~January 1, 2013, the government employee is subject to section 5 of~~
36 ~~this chapter with respect to assuming or holding an elected office and~~
37 ~~being employed by the unit that employs the government employee.~~

38 SECTION 4. IC 3-5-9-7.1 IS ADDED TO THE INDIANA CODE
39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
40 1, 2014]: **Sec. 7.1. (a) Notwithstanding section 4 of this chapter (as**
41 **in effect before July 1, 2014), a volunteer firefighter who assumes**
42 **or holds an elected office on January 1, 2013, may continue to hold**



1 **the elected office and serve as a volunteer firefighter until the term**
2 **of the elected office that the volunteer firefighter is serving on**
3 **January 1, 2013, expires.**
4 **(b) This section expires July 1, 2017.**

