



March 3, 2021

ENGROSSED HOUSE BILL No. 1033

DIGEST OF HB 1033 (Updated March 2, 2021 10:33 am - DI 133)

Citations Affected: IC 36-8.

Synopsis: Residency of police officers and firefighters. Removes the requirement that an individual residing in a county that is noncontiguous to a county in which a city is located live not more than 50 miles from a boundary of the city to be a member of that city's police or fire department.

Effective: July 1, 2021.

Frye R, Bartels, Gutwein, Gore

(SENATE SPONSOR — SANDLIN)

January 4, 2021, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 28, 2021, reported — Do Pass.

February 1, 2021, read second time, ordered engrossed. Engrossed.

February 2, 2021, read third time, passed. Yeas 78, nays 16.

SENATE ACTION

February 18, 2021, read first time and referred to Committee on Homeland Security and Transportation.

March 2, 2021, reported favorably — Do Pass.

EH 1033—LS 6075/DI 137



March 3, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1033

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 36-8-4-2, AS AMENDED BY P.L.171-2019,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 2. (a) Members of the police and fire departments
4 must reside within:
5 (1) the county in which the city is located;
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 city
9 is located. ~~but is not more than fifty (50) miles from the closest~~
10 ~~boundary of the city where the police or fire department is~~
11 ~~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.

EH 1033—LS 6075/DI 137



- 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.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1033, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1033 as introduced.)

FRYE R

Committee Vote: Yeas 11, Nays 2

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1033, 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 HB 1033 as printed January 28, 2021.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 0

