

HOUSE BILL No. 1250

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-9-4; IC 36-8-19-6.4.

Synopsis: Fire protection territories. Specifies that an individual who: (1) is an employee of a participating unit in a fire protection territory; or (2) serves as a volunteer firefighter in a department that provides fire protection services to one or more participating units in a fire protection territory; may not be a member of any board or committee established by the participating units for purposes of governing the fire protection territory, recommending a budget for the fire protection territory, or otherwise overseeing the fire protection territory. Provides that this provision does not prohibit the executive or a member of the executive body of a unit or a member of the legislative body or fiscal body of a unit from being appointed by that unit to such a board or committee. Provides that in the case of a fire protection territory that includes unincorporated territory, the board or committee established by the participating units for purposes of governing the fire protection territory, recommending a budget for the fire protection territory, or otherwise overseeing the fire protection territory must include at least one member who resides in unincorporated territory.

Effective: January 1, 2015.

Bacon

January 14, 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. 1250

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 3-5-9-4, AS ADDED BY P.L.135-2012, SECTION
2 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY
3 1, 2015]: 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 **(c) Except as provided in subsection (d), an individual who:**

4 **(1) is an employee of a participating unit in a fire protection**
 5 **territory; or**

6 **(2) serves as a volunteer firefighter in a department that**
 7 **provides fire protection services to one (1) or more**
 8 **participating units in a fire protection territory (excluding fire**
 9 **protection services provided under mutual aid agreements);**
 10 **may not be a member of any board or committee established by the**
 11 **participating units for purposes of governing the fire protection**
 12 **territory, recommending a budget for the fire protection territory,**
 13 **or otherwise overseeing the fire protection territory (regardless of**
 14 **whether the board or committee is initially established before**
 15 **January 1, 2015, or after December 31, 2015).**

16 **(d) Subsection (c) does not prohibit an individual who holds an**
 17 **elected office of a unit from being appointed by that unit to a board**
 18 **or committee described in subsection (c).**

19 SECTION 2. IC 36-8-19-6.4 IS ADDED TO THE INDIANA CODE
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 21 JANUARY 1, 2015]: **Sec. 6.4. (a) This section applies to any board**
 22 **or committee established by the participating units in a fire**
 23 **protection territory for purposes of governing the fire protection**
 24 **territory, recommending a budget for the fire protection territory,**
 25 **or otherwise overseeing the fire protection territory, regardless of**
 26 **whether the board or committee is initially established before**
 27 **January 1, 2015, or after December 31, 2015.**

28 **(b) In the case of a fire protection territory that includes at least**
 29 **one (1) township containing unincorporated territory and at least**
 30 **one (1) municipality, the board or committee described in**
 31 **subsection (a) must include at least one (1) member who resides in**
 32 **unincorporated territory.**

