

HOUSE BILL No. 1308

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-3-5.5; IC 36-4-10-8; IC 36-5-6-10.

Synopsis: Training requirements for certain local officials. Requires the clerk and fiscal officer of all cities and towns to complete at least: (1) 15 hours of training courses within one year; and (2) 40 hours of training courses within three years. (Current law requires city and town clerks and fiscal officers to complete: (1) 14 hours of training courses within one year; and (2) 36 hours of training courses within three years.) Provides that the training requirements for city and town clerks and fiscal officers do not apply to a clerk or fiscal officer who has previously served a four year term as clerk or fiscal officer.

Effective: July 1, 2020.

Wolkins

January 14, 2020, read first time and referred to Committee on Local Government.



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.

HOUSE BILL No. 1308

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 36-3-5.5-2, AS ADDED BY P.L.257-2019,
2 SECTION 110, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2020]: Sec. 2. **(a) Except as provided in**
4 **subsection (b)**, an individual who is **first** appointed to or holds an
5 office described in section 1 of this chapter on or after November 5,
6 2019, shall complete at least:

- 7 (1) ~~fourteen (14)~~ **fifteen (15)** hours of training courses within one
- 8 (1) year; and
- 9 (2) ~~thirty-six (36)~~ **forty (40)** hours of training courses within three
- 10 (3) years;

11 after the individual is appointed to or while the individual holds an
12 office described in section 1 of this chapter.

13 **(b) The training requirements established by this section do not**
14 **apply to an individual who has previously served for at least four**
15 **(4) years in an office described in section 1 of this chapter.**

16 SECTION 2. IC 36-3-5.5-4, AS ADDED BY P.L.257-2019,
17 SECTION 110, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2020]: Sec. 4. **Except as provided in section**
 2 **2(b) of this chapter**, an individual shall fulfill the training
 3 requirements established by section 2 of this chapter for ~~each the first~~
 4 four (4) year period during which the individual holds an office
 5 described in section 1 of this chapter.

6 SECTION 3. IC 36-4-10-8, AS ADDED BY P.L.257-2019,
 7 SECTION 113, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) As used in this section,
 9 "training courses" refers to training courses, workshops, training
 10 institutes authorized by IC 5-11-14, formal academies, special
 11 seminars, and other in-service training related to an office described in
 12 section 2 of this chapter that are developed or offered under the rubric
 13 of a generally accepted professional association, association of
 14 governments or a state agency or department, or public university or
 15 affiliated center.

16 (b) An individual **who is first** elected or appointed to an office
 17 described in section 2 of this chapter on or after November 5, 2019,
 18 shall complete at least:

- 19 (1) ~~fourteen (14)~~ **fifteen (15)** hours of training courses within one
 20 (1) year; and
 21 (2) ~~thirty-six (36)~~ **forty (40)** hours of training courses within three
 22 (3) years;

23 after the individual is elected or appointed to an office described in
 24 section 2 of this chapter.

25 **(c) The training requirements established by subsection (b) do**
 26 **not apply to an individual who has previously served a four (4)**
 27 **year term in an office described in section 2 of this chapter.**

28 ~~(e)~~ **(d)** A training course that an individual completes:

- 29 (1) after being elected or appointed to an office described in
 30 section 2 of this chapter; and
 31 (2) before the individual begins serving in an office described in
 32 section 2 of this chapter;

33 shall be counted toward the requirements under subsection (b).

34 ~~(d)~~ **(e)** An individual shall fulfill the training requirements
 35 established by subsection (b) for ~~each the first~~ term to which the
 36 individual is elected or appointed to an office described in section 2 of
 37 this chapter.

38 ~~(e)~~ **(f)** This subsection applies only to an individual appointed to fill
 39 a vacancy in an office described in section 2 of this chapter. An
 40 individual described in this subsection may, but is not required to, take
 41 training courses required by subsection (b). If an individual described
 42 in this subsection takes a training course required by subsection (b) for



1 an office described in section 2 of this chapter, the city shall pay for the
 2 training course as if the individual had been elected or appointed to an
 3 office described in section 2 of this chapter.

4 ~~(f)~~ **(g)** The:

- 5 (1) city executive;
- 6 (2) city legislative body; and
- 7 (3) individual who holds the office described in section 2 of this
 8 chapter;

9 shall use all reasonable means to ensure that the individual who holds
 10 the office described in section 2 of this chapter complies with the
 11 training requirements established by this section.

12 ~~(g)~~ **(h)** The individual who holds the office described in section 2 of
 13 this chapter shall maintain written documentation of the training
 14 courses that the individual completes toward the requirements of this
 15 section.

16 ~~(h)~~ **(i)** If a city reorganizes under IC 36-1.5, the individual who
 17 performs the functions of an office described in section 2 of this
 18 chapter for the city shall comply with the training requirements
 19 established by this section for the reorganized political subdivision.

20 SECTION 4. IC 36-5-6-10, AS ADDED BY P.L.257-2019,
 21 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) As used in this section,
 23 "training courses" refers to training courses, workshops, training
 24 institutes authorized by IC 5-11-14, formal academies, special
 25 seminars, and other in-service training related to an office described in
 26 section 2 of this chapter that are developed or offered under the rubric
 27 of a generally accepted professional association, association of
 28 governments or a state agency or department, or public university or
 29 affiliated center.

30 (b) An individual **who is first** elected to the office described in
 31 section 2 of this chapter on or after November 5, 2019, shall complete
 32 at least:

- 33 (1) ~~fourteen (14)~~ **fifteen (15)** hours of training courses within one
 34 (1) year; and
- 35 (2) ~~thirty-six (36)~~ **forty (40)** hours of training courses within three
 36 (3) years;

37 after the individual is elected to the office described in section 2 of this
 38 chapter.

39 **(c) The training requirements established by subsection (b) do**
 40 **not apply to an individual who has previously served a four (4)**
 41 **year term in an office described in section 2 of this chapter.**

42 ~~(e)~~ **(d)** A training course that an individual completes:



1 (1) after being elected to the office described in section 2 of this
 2 chapter; and
 3 (2) before the individual begins serving in the office described in
 4 section 2 of this chapter;
 5 shall be counted toward the requirements under subsection (b).
 6 ~~(d)~~ (e) An individual shall fulfill the training requirements
 7 established by subsection (b) for ~~each~~ **the first** term to which the
 8 individual is elected to the office described in section 2 of this chapter.
 9 ~~(e)~~ (f) This subsection applies only to an individual appointed to fill
 10 a vacancy in the office described in section 2 of this chapter. An
 11 individual described in this subsection may, but is not required to, take
 12 training courses required by subsection (b). If an individual described
 13 in this subsection takes a training course required by subsection (b) for
 14 an individual elected to the office described in section 2 of this chapter,
 15 the town shall pay for the training course as if the individual had been
 16 elected to the office described in section 2 of this chapter.
 17 ~~(f)~~ (g) The:
 18 (1) town executive;
 19 (2) town legislative body; and
 20 (3) individual who holds the office described in section 2 of this
 21 chapter;
 22 shall use all reasonable means to ensure that the individual who holds
 23 the office described in section 2 of this chapter complies with the
 24 training requirements established by this section.
 25 ~~(g)~~ (h) The individual who holds the office described in section 2 of
 26 this chapter shall maintain written documentation of the training
 27 courses that the individual completes toward the requirements of this
 28 section.
 29 ~~(h)~~ (i) If a town reorganizes under IC 36-1.5, the individual who
 30 performs the functions of the office described in section 2 of this
 31 chapter for the town shall comply with the training requirements
 32 established by this section for the reorganized political subdivision.

