

HOUSE BILL No. 1327

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8-2-16.

Synopsis: Public safety funding. Provides that if, absent a legitimate fiscal reason, the fiscal body of a governmental unit adopts an ordinance or undertakes any other measure that would reduce the annual budget amount for an upcoming fiscal year of the governmental unit's police department to an amount lower than the police department's annual budget amount for the prior fiscal year, the budget amount for the police department for the prior fiscal year will be the budget amount for the police department for the upcoming fiscal year. Provides that if, absent a legitimate fiscal reason, the fiscal body of a governmental unit adopts an ordinance or undertakes any other measure that would reduce the number of budgeted police officer positions, or that would shift any budgeted police officer positions to non-policing positions, for an upcoming fiscal year that would cause the number of budgeted police officer positions for the upcoming fiscal year to be lower than the number of budgeted police officer positions for the prior fiscal year, the number of budgeted police officer positions for the prior fiscal year will be the number of budgeted police officer positions for the upcoming fiscal year. Provides that if a governmental unit demonstrates a legitimate fiscal reason for a reduction in the police department's budget amount or a reduction in the number of budgeted police officer positions from the prior fiscal year to the upcoming fiscal year, the percentage of the reduction in the police department's budget amount may not exceed the percentage of any reduction in the budget amount for any other department within the governmental unit. Provides that if a governmental unit cannot demonstrate that its police department properly responded to 911 emergency calls during a fiscal

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Effective: July 1, 2021.

Ellington, Teshka

January 14, 2021, read first time and referred to Committee on Local Government.



Digest Continued

year, the governmental unit may be subject to having a portion of its annual levy for the subsequent fiscal year transferred to another governmental unit.



Introduced

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.

HOUSE BILL No. 1327

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 36-8-2-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 16. (a) For purposes of this section, a "governmental**
4 **unit" means a city, town, county, or township.**

5 **(b) If the fiscal body of a governmental unit adopts an ordinance**
6 **or undertakes any other measure that would reduce the annual**
7 **budget amount for an upcoming fiscal year of the governmental**
8 **unit's police department to an amount lower than the police**
9 **department's annual budget amount for the prior fiscal year, the**
10 **budget amount for the police department for the prior fiscal year**
11 **will be the budget amount for the police department for the**
12 **upcoming fiscal year.**

13 **(c) If the fiscal body of a governmental unit adopts an ordinance**
14 **or undertakes any other measure that would reduce the number of**
15 **budgeted police officer positions, or that would shift any budgeted**



1 police officer positions to non-policing positions, for an upcoming
2 fiscal year that would cause the number of budgeted police officer
3 positions for the upcoming fiscal year to be lower than the number
4 of budgeted police officer positions for the prior fiscal year, the
5 number of budgeted police officer positions for the prior fiscal year
6 will be the number of budgeted police officer positions for the
7 upcoming fiscal year.

8 (d) Subsections (b) and (c) do not apply if the governmental unit
9 can demonstrate a legitimate fiscal reason or reasons for a
10 reduction in the police department's budget amount or a reduction
11 in the number of budgeted police officer positions from the prior
12 fiscal year to the upcoming fiscal year. If the governmental unit
13 does demonstrate a legitimate fiscal reason or reasons for a
14 reduction in the police department's budget amount or a reduction
15 in the number of budgeted police officer positions from the prior
16 fiscal year to the subsequent fiscal year, the percentage of the
17 reduction in the police department's budget amount may not
18 exceed the percentage of any reduction in the budget amount for
19 any other department within the governmental unit.

20 (e) If a governmental unit cannot demonstrate that its police
21 department properly responded to 911 emergency calls during a
22 fiscal year, the governmental unit may be subject to having a
23 portion of its annual levy for the subsequent fiscal year transferred
24 to another governmental unit.

25 (f) The department of local government finance shall enforce
26 and administer this section.

