

# HOUSE BILL No. 1533

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-8.

**Synopsis:** Residency of public safety officers. Provides that a city or town (municipality) may adopt an ordinance requiring a member of the police or fire department (department) to reside within the municipality within a period of time specified in the ordinance, but not sooner than six months after the date the ordinance is adopted or the member is hired by the department.

**Effective:** July 1, 2019.

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## Hatcher

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January 17, 2019, read first time and referred to Committee on Local Government.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1533

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.65-2008,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 2. (a) **Except as provided in subsections (b)**  
4 **through (f)**, members of the police and fire departments must reside  
5 in Indiana within:  
6 (1) the county in which the city is located; or  
7 (2) a county that is contiguous to the county in which the city is  
8 located.  
9 (b) **A city may adopt an ordinance that requires a member of**  
10 **the city's police or fire department to reside within the city. The**  
11 **ordinance may require a member to reside within the city within**  
12 **a specified time period after:**  
13 (1) **the ordinance is adopted; or**  
14 (2) **the member is hired by the police or fire department;**  
15 **or lose the member's eligibility to remain a member of the city's**  
16 **police or fire department. However, the member may not be**  
17 **required to reside within the city less than six (6) months after the**



1 **date the ordinance is adopted or the member is hired by the**  
 2 **department.**

3 ~~(b)~~ **(c)** In a consolidated city, a member who was residing outside  
 4 the county on January 1, 1975, is exempt from subsection (a).

5 ~~(c)~~ **(d)** A city with a population of less than seven thousand five  
 6 hundred (7,500) may adopt an ordinance that requires a member of the  
 7 city's police or fire department to comply with the following:

- 8 (1) Reside within the county in which the city is located.  
 9 (2) Have adequate means of transportation into the city.  
 10 (3) Maintain in the member's residence telephone service with the  
 11 city.

12 ~~(d)~~ **(e)** This subsection applies to a city that:  
 13 (1) has a population of less than seven thousand five hundred  
 14 (7,500); and  
 15 (2) adopted an ordinance to establish the requirements described  
 16 in this subsection before September 1, 1984.

17 A city may require, in addition to the requirements of subsection ~~(c)~~;  
 18 **(d)**, that a member of the police or fire department reside within the  
 19 city until the member has served in the department for five (5) years.

20 ~~(e)~~ **(f)** An ordinance ~~adopted under described in~~ subsection ~~(c)~~ **(d)**  
 21 or ~~described in subsection (d)(2)~~ **(e)(2)** may not require a member of  
 22 a city's police or fire department to reside within the county in which  
 23 the city is located if the member resides outside the county on the date  
 24 the ordinance is adopted.

25 SECTION 2. IC 36-8-4.5-4, AS ADDED BY P.L.65-2008,  
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2019]: Sec. 4. **(a) Except as otherwise provided in this**  
 28 **chapter**, a member of a town police or fire department must reside in  
 29 Indiana within:

- 30 (1) the county in which the town is located; or  
 31 (2) a county that is contiguous to the county in which the town is  
 32 located.

33 **(b) A town may adopt an ordinance that requires a member of**  
 34 **the town's police or fire department to reside within the town. The**  
 35 **ordinance may require a member to reside within the town within**  
 36 **a specified time period after:**

- 37 **(1) the ordinance is adopted; or**  
 38 **(2) the member is hired by the police or fire department;**  
 39 **or lose the member's eligibility to remain a member of the town's**  
 40 **police or fire department. However, the member may not be**  
 41 **required to reside within the town less than six (6) months after the**  
 42 **date the ordinance is adopted or the member is hired by the**



1 department.

