

SENATE BILL No. 63

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-22-2.3-10; IC 5-2-1; IC 35-31.5-2-185; IC 36-8-17-7.5.

Synopsis: Law enforcement powers of fire investigators. Provides that a fire investigator appointed after June 30, 2024, who is a member of: (1) a fire department that provides service to a first or second class city (city); or (2) a city fire department; may exercise police powers for the city if certain requirements are satisfied, including meeting basic training standards established by the law enforcement training board (board) and written notification is sent from the city fire chief to the city police chief and county sheriff. (Under current law, the fire investigator must be authorized to exercise police power by the police chief and fire chief of the first class or second class city.) Provides that a fire investigator who exercised police powers before July 1, 2024, and has not completed the basic training standards established by the board must complete supplemental training and education established by the board to continue exercising police powers after June 30, 2026. Allows the board to adopt interim rules to establish the supplemental training and educational requirements for fire investigators.

Effective: July 1, 2024.

Ford J.D.

January 8, 2024, read first time and referred to Committee on Homeland Security and Transportation.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 63

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-22-2.3-10 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2024]: **Sec. 10. The Indiana law enforcement training board may**
4 **adopt interim rules under the interim rule procedures in**
5 **IC 4-22-2-37.2 under the board's authority in IC 5-2-1-9.1 to**
6 **establish supplemental training and educational requirements for**
7 **certain fire investigators. A rule described in this section expires**
8 **not later than two (2) years after the rule is accepted for filing by**
9 **the publisher of the Indiana Register and may not be continued in**
10 **another interim rule.**

11 SECTION 2. IC 5-2-1-9, AS AMENDED BY P.L.170-2023,
12 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2024]: Sec. 9. (a) The board shall adopt in accordance with
14 IC 4-22-2 all necessary rules to carry out the provisions of this chapter.
15 The rules, which shall be adopted only after necessary and proper
16 investigation and inquiry by the board, shall include the establishment
17 of the following:



- 1 (1) A consistent and uniform statewide deadly force policy and
2 training program, that is consistent with state and federal law.
3 Upon adoption by the law enforcement training board, the policy
4 and training program must be implemented, without modification,
5 by all Indiana law enforcement agencies, offices, or departments.
- 6 (2) A consistent and uniform statewide defensive tactics policy
7 and training program, that is consistent with state and federal law.
8 Upon adoption by the law enforcement training board, the policy
9 and training program must be implemented, without modification,
10 by all Indiana law enforcement agencies, offices, or departments.
- 11 (3) A uniform statewide minimum standard for vehicle pursuits
12 consistent with state and federal law.
- 13 (4) Minimum standards of physical, educational, mental, and
14 moral fitness which shall govern the acceptance of any person for
15 training by any law enforcement training school or academy
16 meeting or exceeding the minimum standards established
17 pursuant to this chapter.
- 18 (5) Minimum standards for law enforcement training schools
19 administered by towns, cities, counties, law enforcement training
20 centers, agencies, or departments of the state.
- 21 (6) Minimum standards for courses of study, attendance
22 requirements, equipment, and facilities for approved town, city,
23 county, and state law enforcement officer, police reserve officer,
24 and conservation reserve officer training schools.
- 25 (7) Minimum standards for a course of study on cultural diversity
26 awareness, including training on the U nonimmigrant visa created
27 through the federal Victims of Trafficking and Violence
28 Protection Act of 2000 (P.L. 106-386) that must be required for
29 each person accepted for training at a law enforcement training
30 school or academy. Cultural diversity awareness study must
31 include an understanding of cultural issues related to race,
32 religion, gender, age, domestic violence, national origin, and
33 physical and mental disabilities.
- 34 (8) Minimum qualifications for instructors at approved law
35 enforcement training schools.
- 36 (9) Minimum basic training requirements which law enforcement
37 officers appointed to probationary terms shall complete before
38 being eligible for continued or permanent employment.
- 39 (10) Minimum basic training requirements which law
40 enforcement officers appointed on other than a permanent basis
41 shall complete in order to be eligible for continued employment
42 or permanent appointment.



- 1 (11) Minimum basic training requirements which law
 2 enforcement officers appointed on a permanent basis shall
 3 complete in order to be eligible for continued employment.
- 4 (12) Minimum basic training requirements for each person
 5 accepted for training at a law enforcement training school or
 6 academy that include six (6) hours of training in interacting with:
 7 (A) persons with autism, mental illness, addictive disorders,
 8 intellectual disabilities, and developmental disabilities;
 9 (B) missing endangered adults (as defined in IC 12-7-2-131.3);
 10 and
 11 (C) persons with Alzheimer's disease or related senile
 12 dementia;
- 13 to be provided by persons approved by the secretary of family and
 14 social services and the board. The training must include an
 15 overview of the crisis intervention teams.
- 16 (13) Minimum standards for a course of study on human and
 17 sexual trafficking that must be required for each person accepted
 18 for training at a law enforcement training school or academy and
 19 for inservice training programs for law enforcement officers. The
 20 course must cover the following topics:
 21 (A) Examination of the human and sexual trafficking laws (IC
 22 35-42-3.5).
 23 (B) Identification of human and sexual trafficking.
 24 (C) Communicating with traumatized persons.
 25 (D) Therapeutically appropriate investigative techniques.
 26 (E) Collaboration with federal law enforcement officials.
 27 (F) Rights of and protections afforded to victims.
 28 (G) Providing documentation that satisfies the Declaration of
 29 Law Enforcement Officer for Victim of Trafficking in Persons
 30 (Form I-914, Supplement B) requirements established under
 31 federal law.
 32 (H) The availability of community resources to assist human
 33 and sexual trafficking victims.
- 34 (14) Minimum standards for ongoing specialized, intensive, and
 35 integrative training for persons responsible for investigating
 36 sexual assault cases involving adult victims. This training must
 37 include instruction on:
 38 (A) the neurobiology of trauma;
 39 (B) trauma informed interviewing; and
 40 (C) investigative techniques.
- 41 (15) Minimum standards for de-escalation training. De-escalation
 42 training shall be taught as a part of existing use-of-force training



1 and not as a separate topic.

2 (16) Minimum standards regarding best practices for crowd
3 control, protests, and First Amendment activities.

4 (17) Minimum standards for basic training and inservice training
5 programs, which may be completed online or by other means of
6 virtual instruction, that occur after December 31, 2024, and that
7 address the mental health and wellness of law enforcement
8 officers including:

9 (A) healthy coping skills to preserve the mental health of law
10 enforcement officers and manage the stress and trauma of
11 policing;

12 (B) recognizing:

13 (i) symptoms of posttraumatic stress disorder; and

14 (ii) signs of suicidal behavior; and

15 (C) information on mental health resources available for law
16 enforcement officers.

17 All statewide policies and minimum standards shall be documented in
18 writing and published on the Indiana law enforcement academy (ILEA)
19 website. Any policy, standard, or training program implemented,
20 adopted, or promulgated by a vote of the board may only subsequently
21 be modified or rescinded by a two-thirds (2/3) majority vote of the
22 board.

23 (b) A law enforcement officer appointed after July 5, 1972, and
24 before July 1, 1993, may not enforce the laws or ordinances of the state
25 or any political subdivision unless the officer has, within one (1) year
26 from the date of appointment, successfully completed the minimum
27 basic training requirements established under this chapter by the board.
28 If a person fails to successfully complete the basic training
29 requirements within one (1) year from the date of employment, the
30 officer may not perform any of the duties of a law enforcement officer
31 involving control or direction of members of the public or exercising
32 the power of arrest until the officer has successfully completed the
33 training requirements. This subsection does not apply to any law
34 enforcement officer appointed before July 6, 1972, or after June 30,
35 1993.

36 (c) Military leave or other authorized leave of absence from law
37 enforcement duty during the first year of employment after July 6,
38 1972, shall toll the running of the first year, which shall be calculated
39 by the aggregate of the time before and after the leave, for the purposes
40 of this chapter.

41 (d) Except as provided in subsections (e), (m), (t), and (u), a law
42 enforcement officer appointed to a law enforcement department or



1 agency after June 30, 1993, may not:

- 2 (1) make an arrest;
 3 (2) conduct a search or a seizure of a person or property; or
 4 (3) carry a firearm;

5 unless the law enforcement officer successfully completes, at a board
 6 certified law enforcement academy or at a law enforcement training
 7 center under section 10.5 or 15.2 of this chapter, the basic training
 8 requirements established by the board under this chapter.

9 (e) This subsection does not apply to:

- 10 (1) a gaming agent employed as a law enforcement officer by the
 11 Indiana gaming commission; or
 12 (2) an:
 13 (A) attorney; or
 14 (B) investigator;

15 designated by the securities commissioner as a police officer of
 16 the state under IC 23-19-6-1(k).

17 Before a law enforcement officer appointed after June 30, 1993,
 18 completes the basic training requirements, the law enforcement officer
 19 may exercise the police powers described in subsection (d) if the
 20 officer successfully completes the pre-basic course established in
 21 subsection (f). Successful completion of the pre-basic course authorizes
 22 a law enforcement officer to exercise the police powers described in
 23 subsection (d) for one (1) year after the date the law enforcement
 24 officer is appointed.

25 (f) The board shall adopt rules under IC 4-22-2 to establish a
 26 pre-basic course for the purpose of training:

- 27 (1) law enforcement officers;
 28 (2) police reserve officers (as described in IC 36-8-3-20); and
 29 (3) conservation reserve officers (as described in IC 14-9-8-27);

30 regarding the subjects of arrest, search and seizure, the lawful use of
 31 force, de-escalation training, interacting with individuals with autism,
 32 and the operation of an emergency vehicle. The pre-basic course must
 33 be offered on a periodic basis throughout the year at regional sites
 34 statewide. The pre-basic course must consist of at least forty (40) hours
 35 of course work. The board may prepare the classroom part of the
 36 pre-basic course using available technology in conjunction with live
 37 instruction. The board shall provide the course material, the instructors,
 38 and the facilities at the regional sites throughout the state that are used
 39 for the pre-basic course. In addition, the board may certify pre-basic
 40 courses that may be conducted by other public or private training
 41 entities, including postsecondary educational institutions.

42 (g) Subject to subsection (h), the board shall adopt rules under



1 IC 4-22-2 to establish a mandatory inservice training program for
 2 police officers and police reserve officers (as described in
 3 IC 36-8-3-20). After June 30, 1993, a law enforcement officer who has
 4 satisfactorily completed basic training and has been appointed to a law
 5 enforcement department or agency on either a full-time or part-time
 6 basis is not eligible for continued employment unless the officer
 7 satisfactorily completes the mandatory inservice training requirements
 8 established by rules adopted by the board. Inservice training must
 9 include de-escalation training. Inservice training must also include:

10 (1) training:

11 (A) in interacting with persons with mental illness, addictive
 12 disorders, intellectual disabilities, autism, developmental
 13 disabilities, and Alzheimer's disease or related senile
 14 dementia; and

15 (B) provided by persons approved by the secretary of family
 16 and social services and the board;

17 (2) after December 31, 2024, annual training, which may be
 18 completed online or by other means of virtual instruction, that
 19 addresses the mental health and wellness of law enforcement
 20 officers including:

21 (A) healthy coping skills to preserve the mental health of law
 22 enforcement officers and manage the stress and trauma of
 23 policing;

24 (B) recognizing:

25 (i) symptoms of posttraumatic stress disorder; and

26 (ii) signs of suicidal behavior; and

27 (C) information on mental health resources available for law
 28 enforcement officers; and

29 (3) training concerning:

30 (A) human and sexual trafficking; and

31 (B) high risk missing persons (as defined in IC 5-2-17-1).

32 The board may approve courses offered by other public or private
 33 training entities, including postsecondary educational institutions, as
 34 necessary in order to ensure the availability of an adequate number of
 35 inservice training programs. The board may waive an officer's inservice
 36 training requirements if the board determines that the officer's reason
 37 for lacking the required amount of inservice training hours is due to
 38 either an emergency situation or the unavailability of courses.

39 (h) This subsection applies only to a mandatory inservice training
 40 program under subsection (g). Notwithstanding subsection (g), the
 41 board may, without adopting rules under IC 4-22-2, modify the course
 42 work of a training subject matter, modify the number of hours of



1 training required within a particular subject matter, or add a new
2 subject matter, if the board satisfies the following requirements:

3 (1) The board must conduct at least two (2) public meetings on
4 the proposed modification or addition.

5 (2) After approving the modification or addition at a public
6 meeting, the board must post notice of the modification or
7 addition on the Indiana law enforcement academy's website at
8 least thirty (30) days before the modification or addition takes
9 effect.

10 If the board does not satisfy the requirements of this subsection, the
11 modification or addition is void. This subsection does not authorize the
12 board to eliminate any inservice training subject matter required under
13 subsection (g).

14 (i) The board shall also adopt rules establishing a town marshal and
15 conservancy district marshal basic training program, subject to the
16 following:

17 (1) The program must require fewer hours of instruction and class
18 attendance and fewer courses of study than are required for the
19 mandated basic training program.

20 (2) Certain parts of the course materials may be studied by a
21 candidate at the candidate's home in order to fulfill requirements
22 of the program.

23 (3) Law enforcement officers successfully completing the
24 requirements of the program are eligible for appointment only in
25 towns employing the town marshal system (IC 36-5-7) or a
26 conservancy district that employs a conservancy district marshal
27 under IC 14-33-25 and having not more than one (1) marshal and
28 six (6) deputies.

29 (4) The limitation imposed by subdivision (3) does not apply to an
30 officer who has successfully completed the mandated basic
31 training program.

32 (5) The time limitations imposed by subsections (b) and (c) for
33 completing the training are also applicable to the marshal basic
34 training program.

35 (6) The program must require training in interacting with
36 individuals with autism.

37 (j) The board shall adopt rules under IC 4-22-2 to establish an
38 executive training program. The executive training program must
39 include training in the following areas:

40 (1) Liability.

41 (2) Media relations.

42 (3) Accounting and administration.



- 1 (4) Discipline.
 2 (5) Department policy making.
 3 (6) Lawful use of force and de-escalation training.
 4 (7) Department programs.
 5 (8) Emergency vehicle operation.
 6 (9) Cultural diversity.
 7 (10) After December 31, 2024, mental health and wellness and
 8 suicide prevention of law enforcement officers. The training
 9 requirement under this subdivision may be provided as part of an
 10 online course or by other means of virtual instruction.
- 11 (k) A police chief shall apply for admission to the executive training
 12 program within two (2) months of the date the police chief initially
 13 takes office. A police chief must successfully complete the executive
 14 training program within six (6) months of the date the police chief
 15 initially takes office. However, if space in the executive training
 16 program is not available at a time that will allow completion of the
 17 executive training program within six (6) months of the date the police
 18 chief initially takes office, the police chief must successfully complete
 19 the next available executive training program that is offered after the
 20 police chief initially takes office.
- 21 (l) A police chief who fails to comply with subsection (k) may not
 22 continue to serve as the police chief until completion of the executive
 23 training program. For the purposes of this subsection and subsection
 24 (k), "police chief" refers to:
 25 (1) the police chief of any city;
 26 (2) the police chief of any town having a metropolitan police
 27 department; and
 28 (3) the chief of a consolidated law enforcement department
 29 established under IC 36-3-1-5.1.
- 30 A town marshal or a conservancy district marshal is not considered to
 31 be a police chief for these purposes, but a town marshal or a
 32 conservancy district marshal may enroll in the executive training
 33 program.
- 34 (m) A fire investigator in the department of homeland security
 35 appointed after December 31, 1993, is required to comply with the
 36 basic training standards established under this chapter. **A fire
 37 investigator appointed after June 30, 2024, is required to comply
 38 with the basic training standards established under this chapter to
 39 be authorized to exercise police powers under IC 36-8-17-7.5.**
- 40 (n) The board shall adopt rules under IC 4-22-2 to establish a
 41 program to certify handgun safety courses, including courses offered
 42 in the private sector, that meet standards approved by the board for



1 training probation officers in handgun safety as required by
2 IC 11-13-1-3.5(2).

3 (o) The board shall adopt rules under IC 4-22-2 to establish a
4 refresher course for an officer who:

5 (1) is hired by an Indiana law enforcement department or agency
6 as a law enforcement officer;

7 (2) has not been employed as a law enforcement officer for:

8 (A) at least two (2) years; and

9 (B) less than six (6) years before the officer is hired under
10 subdivision (1); and

11 (3) completed at any time a basic training course certified or
12 recognized by the board before the officer is hired under
13 subdivision (1).

14 (p) An officer to whom subsection (o) applies must successfully
15 complete the refresher course described in subsection (o) not later than
16 six (6) months after the officer's date of hire, or the officer loses the
17 officer's powers of:

18 (1) arrest;

19 (2) search; and

20 (3) seizure.

21 (q) The board shall adopt rules under IC 4-22-2 to establish a
22 refresher course for an officer who:

23 (1) is appointed by an Indiana law enforcement department or
24 agency as a reserve police officer; and

25 (2) has not worked as a reserve police officer for at least two (2)
26 years after:

27 (A) completing the pre-basic course; or

28 (B) leaving the individual's last appointment as a reserve
29 police officer.

30 An officer to whom this subsection applies must successfully complete
31 the refresher course established by the board in order to work as a
32 reserve police officer.

33 (r) This subsection applies to an individual who, at the time the
34 individual completes a board certified or recognized basic training
35 course, has not been appointed as a law enforcement officer by an
36 Indiana law enforcement department or agency. If the individual is not
37 employed as a law enforcement officer for at least two (2) years after
38 completing the basic training course, the individual must successfully
39 retake and complete the basic training course as set forth in subsection
40 (d).

41 (s) The board shall adopt rules under IC 4-22-2 to establish a
42 refresher course for an individual who:



- 1 (1) is appointed as a board certified instructor of law enforcement
2 training; and
3 (2) has not provided law enforcement training instruction for
4 more than one (1) year after the date the individual's instructor
5 certification expired.
- 6 An individual to whom this subsection applies must successfully
7 complete the refresher course established by the board in order to
8 renew the individual's instructor certification.
- 9 (t) This subsection applies only to a gaming agent employed as a
10 law enforcement officer by the Indiana gaming commission. A gaming
11 agent appointed after June 30, 2005, may exercise the police powers
12 described in subsection (d) if:
- 13 (1) the agent successfully completes the pre-basic course
14 established in subsection (f); and
15 (2) the agent successfully completes any other training courses
16 established by the Indiana gaming commission in conjunction
17 with the board.
- 18 (u) This subsection applies only to a securities enforcement officer
19 designated as a law enforcement officer by the securities
20 commissioner. A securities enforcement officer may exercise the police
21 powers described in subsection (d) if:
- 22 (1) the securities enforcement officer successfully completes the
23 pre-basic course established in subsection (f); and
24 (2) the securities enforcement officer successfully completes any
25 other training courses established by the securities commissioner
26 in conjunction with the board.
- 27 (v) This subsection applies only to a correctional police officer
28 employed by the department of correction. A correctional police officer
29 may exercise the police powers described in subsection (d) if:
- 30 (1) the officer successfully completes the pre-basic course
31 described in subsection (f); and
32 (2) the officer successfully completes any other training courses
33 established by the department of correction in conjunction with
34 the board.
- 35 (w) This subsection applies only to the sexual assault training
36 described in subsection (a)(14). The board shall:
- 37 (1) consult with experts on the neurobiology of trauma, trauma
38 informed interviewing, and investigative techniques in developing
39 the sexual assault training; and
40 (2) develop the sexual assault training and begin offering the
41 training not later than July 1, 2022.
- 42 (x) After July 1, 2023, a law enforcement officer who regularly



1 investigates sexual assaults involving adult victims must complete the
2 training requirements described in subsection (a)(14) within one (1)
3 year of being assigned to regularly investigate sexual assaults involving
4 adult victims.

5 (y) A law enforcement officer who regularly investigates sexual
6 assaults involving adult victims may complete the training
7 requirements described in subsection (a)(14) by attending a:

- 8 (1) statewide or national training; or
- 9 (2) department hosted local training.

10 (z) Notwithstanding any other provisions of this section, the board
11 is authorized to establish certain required standards of training and
12 procedure.

13 SECTION 3. IC 5-2-1-9.1 IS ADDED TO THE INDIANA CODE
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2024]: **Sec. 9.1. (a) This section applies only to a fire investigator
16 who exercised police powers before July 1, 2024, and has not
17 completed the basic training requirements (Tier I course)
18 established by the board.**

19 (b) **Not later than May 1, 2025, the board shall adopt rules
20 under the interim rule procedures in IC 4-22-2-37.2 to establish
21 training and educational requirements that supplement the
22 training of fire investigators who successfully completed the
23 pre-basic, Tier II, or Tier III courses. A fire investigator who
24 successfully completes the supplemental training established by the
25 board satisfies all training required to be authorized to exercise
26 police powers under IC 36-8-17-7.5 without completing the basic
27 training requirements (Tier I course) established by the board.**

28 (c) **A fire investigator who is authorized under IC 36-8-17-7.5
29 may continue to exercise police powers after June 30, 2024.
30 However, a fire investigator may not be authorized to exercise
31 police powers under IC 36-8-17-7.5 after June 30, 2026, unless the
32 fire investigator successfully completes the supplemental training
33 and educational requirements established by the board under this
34 section.**

35 SECTION 4. IC 35-31.5-2-185, AS AMENDED BY P.L.122-2023,
36 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2024]: Sec. 185. (a) "Law enforcement officer" means:

- 38 (1) a police officer (including a tribal police officer, a correctional
39 police officer, and a hospital police officer employed by a hospital
40 police department established under IC 16-18-4), sheriff,
41 constable, marshal, prosecuting attorney, special prosecuting
42 attorney, special deputy prosecuting attorney, the securities



- 1 commissioner, or the inspector general;
 2 (2) a deputy of any of those persons;
 3 (3) an investigator for a prosecuting attorney or for the inspector
 4 general;
 5 (4) a conservation officer;
 6 (5) an enforcement officer of the alcohol and tobacco
 7 commission;
 8 (6) an enforcement officer of the securities division of the office
 9 of the secretary of state; ~~or~~
 10 (7) a gaming agent employed under IC 4-33-4.5 or a gaming
 11 control officer employed by the gaming control division under
 12 IC 4-33-20;
 13 **(8) a fire investigator of the department of homeland security;**
 14 **or**
 15 **(9) a fire investigator authorized to exercise police powers**
 16 **under IC 36-8-17-7.5.**

17 (b) "Law enforcement officer", for purposes of IC 35-42-2-1,
 18 includes an alcoholic beverage enforcement officer, as set forth in
 19 IC 35-42-2-1.

20 (c) "Law enforcement officer", for purposes of IC 35-45-15,
 21 includes a federal enforcement officer, as set forth in IC 35-45-15-3.

22 (d) "Law enforcement officer", for purposes of IC 35-44.1-3-1 and
 23 IC 35-44.1-3-2, includes a school resource officer (as defined in
 24 IC 20-26-18.2-1) and a school corporation police officer appointed
 25 under IC 20-26-16.

26 (e) "Law enforcement officer", for purposes of IC 35-40.5, has the
 27 meaning set forth in IC 35-40.5-1-1.

28 SECTION 5. IC 36-8-17-7.5, AS ADDED BY P.L.90-2017,
 29 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 7.5. **(a) As used in this section, "city" means a**
 31 **first or second class city.**

32 **(b) As used in this section, "fire investigator" means a fire**
 33 **investigator who serves a city as a member of:**

34 **(1) the city fire department; or**

35 **(2) a fire department that provides service to the city.**

36 ~~(a)~~ **(c)** As used in this section, "police powers" means the power to:

37 (1) make an arrest;

38 (2) conduct a search or seizure of a person or property; or

39 (3) carry a firearm.

40 ~~(b)~~ **(d)** A fire investigator of a first class or second class city may
 41 exercise police powers for a city if the fire investigator meets all of the
 42 following requirements:



- 1 (1) The fire investigator has been authorized to exercise police
- 2 powers by the:
- 3 (A) police chief; and (B) fire chief; of the first class or second
- 4 class city. **The fire chief of the city fire department or the fire**
- 5 **department that provides service to the city has provided**
- 6 **written notification to:**
- 7 (A) the city police chief; and
- 8 (B) the sheriff of each county in which the city is located;
- 9 **that the fire investigator is authorized by the fire chief to**
- 10 **exercise police powers.**
- 11 (2) The fire investigator has successfully completed the pre-basic
- 12 training course established under IC 5-2-1-9(f).
- 13 (3) The fire investigator has successfully completed the minimum
- 14 basic training and educational requirements adopted by the law
- 15 enforcement training board under IC 5-2-1-9 as necessary for
- 16 employment as a law enforcement officer.

