

January 23, 1998

SENATE BILL No. 152

DIGEST OF SB 152 (Updated January 22, 1998 1:18 pm - DI 75)

Citations Affected: IC 7.1-2; IC 10-1.

Synopsis: Repeals the limitation on alcoholic beverage commissioners' and enforcement officers' political activity.

Effective: July 1, 1998.

Meeks, Craycraft

January 6, 1998, read first time and referred to Committee on Elections.
January 22, 1998, amended, reported favorably — Do Pass.

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SB 152—LS 6693/DI 51+



January 23, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 152

A BILL FOR AN ACT to amend the Indiana Code concerning law enforcement officers.

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

1 SECTION 1. IC 10-1-1-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) The superintendent shall,
3 with the approval of the board and within the limits of any
4 appropriation made available for such purpose, and subject only to
5 section 5 of this chapter, appoint such personnel to the ranks, grades,
6 and positions of the department as are deemed by the superintendent
7 to be necessary for the efficient administration of the department.
8 Appointment, insofar as is consistent with the satisfaction of prescribed
9 standards and prerequisites, shall be made to the ranks, grades, and
10 positions of the department in such manner as to create and maintain
11 in such ranks, grades, and positions a personnel of which not more than
12 one-half (1/2) are adherents of any one (1) political party. If any of said
13 ranks, grades, or positions contains at any time more than one-half
14 (1/2) who are adherents of any one (1) political party, then there shall
15 be no person of such party appointed or promoted to such rank, grade,
16 or position so long as such condition exists. The superintendent shall
17 devise and administer examinations designed to test applicants in the

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1 qualifications required for the rank, grade, or position, and only those
 2 applicants shall be appointed who best meet the prescribed standards
 3 and prerequisites. All employees appointed to the department are on
 4 probation for a period of one (1) year from the date of appointment, and
 5 the board may extend such probationary status, for cause, for any
 6 period not exceeding one (1) additional year.

7 (b) An employee may:

8 (1) be a candidate for elected office or a political party office, if

9 permitted under 5 U.S.C. 1502, and serve in that office if elected;

10 (2) be appointed to or selected for a pro tempore appointment to
 11 any office and serve in that office if appointed or selected; and

12 (3) as long as the employee is not on duty, solicit votes and
 13 campaign funds and challenge voters for the office for which the
 14 person is a candidate.

15 If elected **to other than a part-time local elected office**, the employee
 16 or appointee shall resign as an employee or appointee before assuming
 17 elected office. **An employee may serve in a part-time local elected**
 18 **office. However, service in that office must be in accordance with**
 19 **IC 4-2-6 and the rules and employee policies of the department.**

20 SECTION 2. IC 7.1-2-1-12 IS REPEALED [EFFECTIVE JULY 1,
 21 1998].

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SENATE MOTION

Mr. President: I move that Senator Craycraft be added as coauthor of Senate Bill 152.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred Senate Bill 152, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning law enforcement officers.

Page 2, after line 19, begin a new paragraph and insert:

"SECTION 2. IC 7.1-2-1-12 IS REPEALED [EFFECTIVE JULY 1, 1998] .".

and when so amended that said bill do pass.

(Reference is to Senate Bill 152 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 9, Nays 0.

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