



Reprinted  
February 25, 1999

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## HOUSE BILL No. 2071

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DIGEST OF HB 2071 (Updated February 24, 1999 10:33 pm - DI 69)

**Citations Affected:** Noncode.

**Synopsis:** Marion County public safety consolidation. Requires a referendum allowing voters of Indianapolis to: (1) consolidate the Indianapolis police department with the Marion County sheriff's department and establish the Marion County sheriff as the exclusive law enforcement authority for the county and the city; and (2) consolidate fire protection service into the Marion County fire department under the control of the Marion County fire commission. Provides that if the law enforcement referendum question passes, the Marion County sheriff is the exclusive police force of the county and the city. Provides that if the fire protection referendum passes, the fire departments of the city and the townships within the county are eliminated and fire protection authority is consolidated with the Marion County fire department. Allows Speedway, Lawrence, Southport, and Beech Grove to opt into: (1) the Marion County law enforcement (Continued next page)

**Effective:** July 1, 1999.

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### Crawford

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January 27, 1999, read first time and referred to Committee on Local Government.  
February 16, 1999, reported — Do Pass.  
February 24, read second time, amended, ordered engrossed.

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HB 2071—LS 7723/DI 94+



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consolidation; and (2) the fire protection consolidation. Makes other specific changes.

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**HB 2071—LS 7723/DI 94+**



Reprinted  
February 25, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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## HOUSE BILL No. 2071

A BILL FOR AN ACT concerning local government.

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

- 1 SECTION 1. [EFFECTIVE JULY 1, 1999] (a) **This SECTION**  
2 **applies only to a county having a consolidated city on July 1, 1999.**  
3 (b) **Two (2) public questions shall be placed on the ballot at a**  
4 **special election held November 2, 1999, asking the voters of the**  
5 **consolidated city whether the police department of the consolidated**  
6 **city should be consolidated with the county sheriff's department**  
7 **under the control of the sheriff, and whether fire protection**  
8 **authority for the consolidated city should be consolidated under a**  
9 **county fire commission and county fire commissioner. The public**  
10 **questions must read as follows:**  
11 (1) **"Should the police department of Indianapolis be**  
12 **consolidated with the Marion County Sheriff's Department**  
13 **under the control of the Marion County Sheriff?"**.  
14 (2) **"Should all fire protection authority for Indianapolis be**  
15 **consolidated under the Marion County Fire Department**  
16 **under the control of the Marion County Fire Commission and**

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- 1           the Marion County Fire Commissioner?''.
- 2           (c) The county election board shall tabulate the votes cast on the
- 3 public questions described in this SECTION and certify the results
- 4 under IC 3-12-4-9 to the state election commission.
- 5           (d) Subject to this SECTION, IC 3-10-3 and IC 3-10-8 apply to
- 6 the election required by this SECTION.
- 7           SECTION 2. [EFFECTIVE JULY 1, 1999] (a) This SECTION
- 8 applies only to a county having a consolidated city on July 1, 1999.
- 9           (b) If the county election board certifies to the state election
- 10 commission that a majority of the voters voting in the November
- 11 2, 1999, special election voted in favor of the public question in
- 12 SECTION 1(b)(1) of this act, concerning Marion county law
- 13 enforcement consolidation, this SECTION applies.
- 14           (c) Before December 31, 2001, the county must consolidate the
- 15 police department of the consolidated city with the county sheriff's
- 16 department under the control and authority of the county sheriff.
- 17           (d) On January 1, 2002, the law enforcement authority for the
- 18 police department of the consolidated city is revoked, and the
- 19 county sheriff's department is the exclusive law enforcement
- 20 agency for the county and the consolidated city.
- 21           (e) Before January 1, 2002, the county sheriff shall employ every
- 22 officer who is serving as a member of the police department of the
- 23 consolidated city on December 31, 2001, as a member of the county
- 24 sheriff's department.
- 25           (f) A member of the police department who becomes a member
- 26 of the sheriff's department on January 1, 2002, as a result of this
- 27 act, shall be given rank and seniority equivalent to the rank and
- 28 seniority held in the police department the member was serving in
- 29 on December 31, 2001.
- 30           (g) If, before January 1, 2002:
- 31           (1) an agreement entered into with the police department of
- 32 the consolidated city; or
- 33           (2) a judgment entered against the police department of the
- 34 consolidated city;
- 35 requires the police department of the consolidated city to make
- 36 payments after December 31, 2001, the holders of the obligations
- 37 are entitled to payment from the county sheriff's department after
- 38 December 31, 2001. The city-county council shall make any
- 39 necessary additional appropriation for the county sheriff's
- 40 department to fulfill the obligation.
- 41           (h) All buildings, facilities, and other real, personal, and mixed
- 42 property owned by the police department of the consolidated city

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1 on December 31, 2001, become the property of the county sheriff's  
 2 department on January 1, 2002, and no compensation is payable by  
 3 the county sheriff's department to the municipality for the  
 4 buildings, facilities, and other real, personal, and mixed property.

5 (i) All:

6 (1) pension and retirement plans and funds; and

7 (2) laws relating to pension and retirement plans and funds;  
 8 in effect for an officer of the police department of the consolidated  
 9 city on December 31, 2001, continue in full force and effect without  
 10 change. No rights of any person covered by a pension described in  
 11 this SECTION are affected or diminished in any way by this act.

12 (j) An officer who becomes a member of the county sheriff's  
 13 department as a result of this act may convert the member's  
 14 benefits to the sheriff's pension not later than July 1, 2002.

15 (k) The legislative services agency shall prepare legislation for  
 16 introduction in the 2002 session of the general assembly to:

17 (1) eliminate any references providing authority for the  
 18 establishment of a police force, other than the county sheriff,  
 19 of the consolidated city;

20 (2) resolve any conflicts created by this act; and

21 (3) correct any other typographical, clerical, or spelling errors  
 22 in the law resulting from the enactment of this SECTION.

23 SECTION 3. [EFFECTIVE JULY 1, 1999] (a) This SECTION  
 24 applies only to a county having a consolidated city on July 1, 1999.

25 (b) If the county election board certifies to the state election  
 26 commission that a majority of the voters voting in the November  
 27 2, 1999, special election voted in favor of the public question in  
 28 SECTION 1(b)(2) of this act, concerning Marion County fire  
 29 protection consolidation, this SECTION applies.

30 (c) The county fire commission is established.

31 (d) The county fire commission consists of:

32 (1) one (1) member appointed by the executive of the  
 33 consolidated city; and

34 (2) one (1) member appointed by the township trustee and  
 35 township advisory board of each township in the county.

36 A person appointed as a member of the county fire commission  
 37 serves a term of four (4) years. A member is eligible to serve on the  
 38 county fire commission not more than eight (8) years in any twelve  
 39 (12) year period.

40 (e) The county fire commission shall meet not later than  
 41 January 1, 2002, and shall select a county fire commissioner to  
 42 manage the operations of the county fire department. The county



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1 fire commissioner is an employee of the county and shall serve at  
2 the pleasure of the fire commission.

3 (f) Before December 31, 2002, the county must consolidate the  
4 fire departments of the consolidated city and the townships within  
5 the county under the Marion County fire department.

6 (h) Except in an excluded city, on January 1, 2003, the fire  
7 protection authority for the fire departments of the:

8 (1) consolidated city; and

9 (2) townships within a county that contains a consolidated  
10 city;

11 is revoked, and the county fire department is the exclusive fire  
12 protection agency within the county.

13 (i) Before January 1, 2003, the fire commissioner shall employ  
14 every officer who is serving on December 31, 2002, as a member of  
15 a fire department of:

16 (1) the consolidated city; and

17 (2) a township within the county that contains the  
18 consolidated city.

19 (j) A member of a fire department who becomes a member of  
20 the county fire department on January 1, 2003, as a result of this  
21 act, shall be given rank and seniority equivalent to the rank and  
22 seniority held in the fire department of which the person was a  
23 member on December 31, 2002.

24 (k) Except as provided in subsection (e), if, before January 1,  
25 2002:

26 (1) an agreement entered into with the fire department of:

27 (A) the consolidated city; or

28 (B) a township within the county;

29 (2) a judgment entered against the fire department of:

30 (A) the consolidated city; or

31 (B) a township within the county;

32 requires the fire department to make payments after December 31,  
33 2002, the holders of the obligations are entitled to payment from  
34 the county fire department after December 31, 2002. The  
35 city-county council shall make any necessary additional  
36 appropriations for the county fire department to fulfill the  
37 obligation.

38 (l) All buildings, facilities, and other real, personal, and mixed  
39 property owned by a fire department of:

40 (1) the consolidated city; or

41 (2) a township within the county;

42 on December 31, 2002, become the property of the county fire

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1 department on January 1, 2003, and no compensation is payable by  
 2 the county fire department for the buildings, facilities, and other  
 3 real, personal, and mixed property.

4 (m) All:

5 (1) pension and retirement plans and funds; and  
 6 (2) laws relating to pension and retirement plans and funds;  
 7 in effect for a member of a fire department of the consolidated city  
 8 and a township within the county, on December 31, 2002, continue  
 9 in full force and effect without change. No rights of any person  
 10 covered by a pension described in this SECTION are affected or  
 11 diminished in any way by this act.

12 (n) The legislative services agency shall prepare legislation for  
 13 introduction in the 2003 session of the general assembly to:

- 14 (1) codify the authority of the Marion County fire department  
 15 and the Marion County fire commission;  
 16 (2) eliminate any references providing authority for the  
 17 establishment of a fire department, other than the county fire  
 18 department, of the consolidated city or a township within the  
 19 county;  
 20 (3) resolve any conflicts created by this SECTION; and  
 21 (4) correct any other typographical, clerical, or spelling errors  
 22 in the law resulting from the enactment of this act.

23 SECTION 4. [EFFECTIVE JULY 1, 1999] (a) This SECTION  
 24 applies only to a county having a consolidated city on July 1, 1999.

25 (b) If the following occur, this SECTION applies to an excluded  
 26 city referenced in IC 36-3-1-7:

- 27 (1) The county election board certifies to the state election  
 28 commission that a majority of the voters voting in the  
 29 November 2, 1999, special election voted in favor of the public  
 30 question in SECTION 1(b)(1) of this act, concerning Marion  
 31 county law enforcement consolidation.  
 32 (2) The legislative body of an excluded city adopts a resolution  
 33 to opt into the law enforcement consolidation before  
 34 December 31, 2001, and the excluded city transmits a copy of  
 35 the resolution to the county recorder on or before December  
 36 31, 2001.

37 (c) As used in this SECTION, "excluded city" means an  
 38 excluded city that has adopted a resolution to opt into the Marion  
 39 county law enforcement consolidation.

40 (d) Before December 31, 2001, the county must consolidate the  
 41 police department of the excluded city with the county sheriff's  
 42 department under the control and authority of the county sheriff.



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1 (e) On January 1, 2002, the law enforcement authority for the  
2 police department of the excluded city is revoked, and the county  
3 sheriff's department is the exclusive law enforcement agency for  
4 the county and the excluded city.

5 (f) Before January 1, 2002, the county sheriff shall employ every  
6 officer who is serving as a member of the police department of the  
7 excluded city on December 31, 2001, as a member of the county  
8 sheriff's department.

9 (g) A member of the police department who becomes a member  
10 of the sheriff's department on January 1, 2002, as a result of this  
11 act shall be given rank and seniority equivalent to the rank and  
12 seniority held in the police department that the member was  
13 serving in on December 31, 2001.

14 (h) If, before January 1, 2002:  
15 (1) an agreement entered into with the police department of  
16 the excluded city; or  
17 (2) a judgment entered against the police department of the  
18 excluded city;

19 requires the police department of the excluded city to make  
20 payments after December 31, 2001, the holders of the obligations  
21 are entitled to payment from the county sheriff's department after  
22 December 31, 2001. The city-county council shall make any  
23 necessary additional appropriation for the county sheriff's  
24 department to fulfill the obligation.

25 (i) All buildings, facilities, and other real, personal, and mixed  
26 property owned by the police department of the excluded city on  
27 December 31, 2001, become the property of the county sheriff's  
28 department on January 1, 2002, and no compensation is payable by  
29 the county sheriff's department to the municipality for the  
30 buildings, facilities, and other real, personal, and mixed property.

31 (j) All:  
32 (1) pension and retirement plans and funds; and  
33 (2) laws relating to pension and retirement plans and funds;  
34 in effect for an officer of the police department of the excluded city  
35 on December 31, 2001, continue in full force and effect without  
36 change. No rights or any person covered by a pension described in  
37 this SECTION are affected or diminished in any way by this act.

38 (k) An officer who becomes a member of the county sheriff's  
39 department as a result of this act may convert the member's  
40 benefits to the sheriff's pension not later than July 1, 2002.

41 (l) The legislative services agency shall prepare legislation for  
42 introduction in the 2002 session of the general assembly to:

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1 (1) eliminate any references providing authority for the  
 2 establishment of a police force, other than the county sheriff,  
 3 in the excluded city;

4 (2) resolve any conflicts created by this act; and

5 (3) correct any other typographical, clerical, or spelling errors  
 6 in the law resulting from the enactment of this SECTION.

7 SECTION 5. [EFFECTIVE JULY 1, 1999] (a) This SECTION  
 8 applies only to a county having a consolidated city on July 1, 1999.

9 (b) If the following occur, this SECTION applies to an excluded  
 10 city referenced in IC 36-3-1-7:

11 (1) The county election board certifies to the state election  
 12 commission that a majority of the voters voting in the  
 13 November 2, 1999, special election voted in favor of the public  
 14 question in SECTION 1(b)(2) of this act concerning Marion  
 15 County fire protection consolidation.

16 (2) The legislative body of an excluded city adopts a resolution  
 17 to opt into the fire protection consolidation before December  
 18 31, 2001, and the excluded city transmits a copy of the  
 19 resolution to the county recorder on or before December 31,  
 20 2001.

21 (c) As used in this SECTION, "excluded city" means an  
 22 excluded city that has adopted a resolution to opt into the Marion  
 23 County fire protection consolidation.

24 (d) The Marion County fire commission is expanded to include  
 25 one (1) member appointed by the executive of the excluded city.

26 (e) Before December 31, 2002, the county must consolidate the  
 27 fire department of the excluded city under the Marion County fire  
 28 department.

29 (f) On January 1, 2003, the fire protection authority for the fire  
 30 department of the excluded city is revoked, and the county fire  
 31 department is the exclusive fire protection agency within the  
 32 excluded city.

33 (g) Before January 1, 2003, the fire commissioner shall employ  
 34 every officer who is serving on December 31, 2002, as a member of  
 35 a fire department of the excluded city.

36 (h) A member of a fire department who becomes a member of  
 37 the county fire department on January 1, 2003, as a result of this  
 38 act, shall be given rank and seniority equivalent to the rank and  
 39 seniority held in the fire department of which the person was a  
 40 member on December 31, 2002.

41 (i) If, before January 1, 2002:

42 (1) an agreement entered into with the fire department of the

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- 1           excluded city; or  
2           (2) a judgment entered against the fire department of the  
3           excluded city;  
4           requires the fire department to make payments after December 31,  
5           2002, the holders of the obligations are entitled to payment from  
6           the county fire department after December 31, 2002. The  
7           city-county council shall make any necessary additional  
8           appropriations for the county fire department to fulfill the  
9           obligation.
- 10          (j) All buildings, facilities, and other real, personal, and mixed  
11          property owned on December 31, 2002, by a fire department of the  
12          excluded city, become the property of the county fire department  
13          on January 1, 2003, and no compensation is payable by the county  
14          fire department for the buildings, facilities, and other real,  
15          personal, and mixed property.
- 16          (k) All:
- 17               (1) pension and retirement plans and funds; and  
18               (2) laws relating to pension and retirement plans and funds;  
19          in effect on December 31, 2002, for a member of a fire department  
20          of the excluded city, continue in full force and effect without  
21          change. No rights of any person covered by a pension described in  
22          this SECTION are affected or diminished in any way by this act.
- 23          (l) The legislative services agency shall prepare legislation for  
24          introduction in the 2003 session of the general assembly to:
- 25               (1) codify the authority of the Marion County fire department  
26               and the Marion County fire commission;  
27               (2) eliminate any references providing authority for the  
28               establishment of a fire department, other than the county fire  
29               department, of the excluded city;  
30               (3) resolve any conflicts created by this SECTION; and  
31               (4) correct any other typographical, clerical, or spelling errors  
32          in the law resulting from the enactment of this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 2071, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STEVENSON, Chair

Committee Vote: yeas 7, nays 4.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 2071 be amended to read as follows:

- Page 1, line 3, delete "countywide".
- Page 1, line 5, delete "county" and insert "**consolidated city**".
- Page 1, line 5, delete "departments" and insert "**department**".
- Page 1, line 6, delete "and the excluded cities".
- Page 1, line 8, delete "and the excluded".
- Page 1, line 9, delete "cities".
- Page 1, line 12, delete "departments" and insert "**department**".
- Page 1, line 12, delete ", Speedway,".
- Page 1, line 13, delete "Lawrence, Southport, and Beech Grove".
- Page 1, line 16, delete "Indianapolis," and insert "**Indianapolis be**".
- Page 2, delete line 1.
- Page 2, line 18, delete "and the excluded cities,".
- Page 2, line 19, delete "as referenced in IC 36-3-1-7,".
- Page 2, line 22, delete "and the excluded cities".
- Page 2, line 24, delete "county," and insert "**county and**".
- Page 2, line 24, after "city" delete ", and the" and insert ".".
- Page 2, delete line 25.
- Page 2, line 27, delete ":".
- Page 2, line 28, delete "(1)".
- Page 2, run in lines 27 and 28.
- Page 2, line 28, delete "; and".
- Page 2, delete line 29.
- Page 2, run in lines 28 and 30.
- Page 2, line 39, delete "or an excluded city".
- Page 2, line 41, delete "or an excluded city".
- Page 2, line 42, delete "or the".
- Page 3, line 1, delete "excluded city".
- Page 3, line 8, delete "or an excluded city".
- Page 3, line 17, delete "or an excluded city".
- Page 3, line 28, delete "or an excluded city".
- Page 3, line 42, after "city;" insert "**and**".
- Page 4, line 2, delete "; and" and insert ".".
- Page 4, delete lines 3 through 4.
- Page 4, delete lines 9 through 13.
- Page 4, line 14, delete "(f)" and insert "(e)".
- Page 4, line 19, delete "(g)" and insert "(f)".
- Page 4, line 20, delete "," and insert "**and**".
- Page 4, line 21, delete ", and the excluded cities referenced in IC 36-3-1-7 that have".

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- Page 4, line 22, delete "not opted out under subsection (e)".
- Page 4, line 24, delete "that opts out under subsection (e)".
- Page 4, line 27, after ";" insert "**and**".
- Page 4, line 29, delete "and".
- Page 4, delete lines 30 and 31.
- Page 4, line 37, after ";" insert "**and**".
- Page 4, line 39, delete "; and" and insert ".".
- Page 4, delete lines 40 through 41.
- Page 5, line 8, after ";" insert "**or**".
- Page 5, line 9, delete "or".
- Page 5, delete lines 10 through 11.
- Page 5, line 13, after ";" insert "**or**".
- Page 5, line 14, delete "or".
- Page 5, delete lines 15 through 16.
- Page 5, line 25, after ";" insert "**or**".
- Page 5, line 26, delete "or".
- Page 5, delete lines 27 through 28.
- Page 5, line 36, delete "," and insert "and".
- Page 5, line 37, delete "or an excluded city that has not".
- Page 5, line 38, delete "opted out under subsection (e)".
- Page 6, line 6, after "city" delete "," and insert "**or**".
- Page 6, line 7, delete ", or an excluded city that has not opted out under" and insert ";".
- Page 6, delete line 8.
- Page 6, after line 11, begin a new paragraph and insert:  
**"SECTION 4. [EFFECTIVE JULY 1, 1999] (a) This SECTION applies only to a county having a consolidated city on July 1, 1999.**  
**(b) If the following occur, this SECTION applies to an excluded city referenced in IC 36-3-1-7:**
- (1) The county election board certifies to the state election commission that a majority of the voters voting in the November 2, 1999, special election voted in favor of the public question in SECTION 1(b)(1) of this act, concerning Marion county law enforcement consolidation.**
  - (2) The legislative body of an excluded city adopts a resolution to opt into the law enforcement consolidation before December 31, 2001, and the excluded city transmits a copy of the resolution to the county recorder on or before December 31, 2001.**
- (c) As used in this SECTION, "excluded city" means an excluded city that has adopted a resolution to opt into the Marion county law enforcement consolidation.**

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(d) Before December 31, 2001, the county must consolidate the police department of the excluded city with the county sheriff's department under the control and authority of the county sheriff.

(e) On January 1, 2002, the law enforcement authority for the police department of the excluded city is revoked, and the county sheriff's department is the exclusive law enforcement agency for the county and the excluded city.

(f) Before January 1, 2002, the county sheriff shall employ every officer who is serving as a member of the police department of the excluded city on December 31, 2001, as a member of the county sheriff's department.

(g) A member of the police department who becomes a member of the sheriff's department on January 1, 2002, as a result of this act shall be given rank and seniority equivalent to the rank and seniority held in the police department that the member was serving in on December 31, 2001.

(h) If, before January 1, 2002:

- (1) an agreement entered into with the police department of the excluded city; or
- (2) a judgment entered against the police department of the excluded city;

requires the police department of the excluded city to make payments after December 31, 2001, the holders of the obligations are entitled to payment from the county sheriff's department after December 31, 2001. The city-county council shall make any necessary additional appropriation for the county sheriff's department to fulfill the obligation.

(i) All buildings, facilities, and other real, personal, and mixed property owned by the police department of the excluded city on December 31, 2001, become the property of the county sheriff's department on January 1, 2002, and no compensation is payable by the county sheriff's department to the municipality for the buildings, facilities, and other real, personal, and mixed property.

(j) All:

- (1) pension and retirement plans and funds; and
  - (2) laws relating to pension and retirement plans and funds;
- in effect for an officer of the police department of the excluded city on December 31, 2001, continue in full force and effect without change. No rights or any person covered by a pension described in this SECTION are affected or diminished in any way by this act.

(k) An officer who becomes a member of the county sheriff's department as a result of this act may convert the member's



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benefits to the sheriff's pension not later than July 1, 2002.

(l) The legislative services agency shall prepare legislation for introduction in the 2002 session of the general assembly to:

- (1) eliminate any references providing authority for the establishment of a police force, other than the county sheriff, in the excluded city;
- (2) resolve any conflicts created by this act; and
- (3) correct any other typographical, clerical, or spelling errors in the law resulting from the enactment of this SECTION.

SECTION 5. [EFFECTIVE JULY 1, 1999] (a) This SECTION applies only to a county having a consolidated city on July 1, 1999.

(b) If the following occur, this SECTION applies to an excluded city referenced in IC 36-3-1-7:

- (1) The county election board certifies to the state election commission that a majority of the voters voting in the November 2, 1999, special election voted in favor of the public question in SECTION 1(b)(2) of this act concerning Marion County fire protection consolidation.
- (2) The legislative body of an excluded city adopts a resolution to opt into the fire protection consolidation before December 31, 2001, and the excluded city transmits a copy of the resolution to the county recorder on or before December 31, 2001.

(c) As used in this SECTION, "excluded city" means an excluded city that has adopted a resolution to opt into the Marion County fire protection consolidation.

(d) The Marion County fire commission is expanded to include one (1) member appointed by the executive of the excluded city.

(e) Before December 31, 2002, the county must consolidate the fire department of the excluded city under the Marion County fire department.

(f) On January 1, 2003, the fire protection authority for the fire department of the excluded city is revoked, and the county fire department is the exclusive fire protection agency within the excluded city.

(g) Before January 1, 2003, the fire commissioner shall employ every officer who is serving on December 31, 2002, as a member of a fire department of the excluded city.

(h) A member of a fire department who becomes a member of the county fire department on January 1, 2003, as a result of this act, shall be given rank and seniority equivalent to the rank and seniority held in the fire department of which the person was a



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member on December 31, 2002.

(i) If, before January 1, 2002:

- (1) an agreement entered into with the fire department of the excluded city; or
- (2) a judgment entered against the fire department of the excluded city;

requires the fire department to make payments after December 31, 2002, the holders of the obligations are entitled to payment from the county fire department after December 31, 2002. The city-county council shall make any necessary additional appropriations for the county fire department to fulfill the obligation.

(j) All buildings, facilities, and other real, personal, and mixed property owned on December 31, 2002, by a fire department of the excluded city, become the property of the county fire department on January 1, 2003, and no compensation is payable by the county fire department for the buildings, facilities, and other real, personal, and mixed property.

(k) All:

- (1) pension and retirement plans and funds; and
- (2) laws relating to pension and retirement plans and funds; in effect on December 31, 2002, for a member of a fire department of the excluded city, continue in full force and effect without change. No rights of any person covered by a pension described in this SECTION are affected or diminished in any way by this act.

(l) The legislative services agency shall prepare legislation for introduction in the 2003 session of the general assembly to:

- (1) codify the authority of the Marion County fire department and the Marion County fire commission;
- (2) eliminate any references providing authority for the establishment of a fire department, other than the county fire department, of the excluded city;
- (3) resolve any conflicts created by this SECTION; and
- (4) correct any other typographical, clerical, or spelling errors in the law resulting from the enactment of this act."

Renumber all SECTIONS consecutively.

(Reference is to HB 2071 as printed February 17, 1999.)

CRAWFORD

