



March 29, 2011

**ENGROSSED
HOUSE BILL No. 1406**

DIGEST OF HB 1406 (Updated March 22, 2011 11:07 am - DI 71)

Citations Affected: IC 21-17; IC 21-39.

Synopsis: Jurisdiction of university and college police. Provides that a police officer employed by a college or university may exercise th officer's police power in any part of Indiana if: (1) the college or university adopts a resolution specifically describing the territorial jurisdiction of a police officer employed by the college or university; and (2) the board of trustees sends notice to the superintendent of state police and the sheriff (or in the case of a consolidated city, the chief of police) of the county in which the institution is primarily located. Requires a police officer employed by a college or university to meet the certain training requirements in order to exercise the officer's police powers. Requires a police officer employed by a college or university that exercises the officer's police powers outside of the county in which the institution is primarily located to notify the sheriff (or in a consolidated city, the chief of police) as soon as practicable.

Effective: July 1, 2011.

**Truitt, Kirchhofer, Klinker,
Lawson L**

(SENATE SPONSORS — HEAD, ARNOLD, LANANE)

January 18, 2011, read first time and referred to Committee on Veterans Affairs and Public Safety.

February 10, 2011, amended, reported — Do Pass.

February 14, 2011, read second time, ordered engrossed.

February 15, 2011, engrossed. Read third time, passed. Yeas 92, nays 3.

SENATE ACTION

February 17, 2011, read first time and referred to Committee on Homeland Security, Transportation and Veterans Affairs.

March 28, 2011, reported favorably — Do Pass.

EH 1406—LS 7099/DI 106+



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March 29, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1406



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 21-17-5-5, AS ADDED BY P.L.2-2007, SECTION
2 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]: Sec. 5. (a) **This section applies only to a police officer who**
4 **meets the minimum basic training and educational requirements**
5 **adopted by the law enforcement training board under IC 5-2-1-9**
6 **as necessary for employment as a law enforcement officer.**
7 (b) ~~Except as provided in subsection (b)~~; A police officer appointed
8 under this chapter may exercise the powers granted under this chapter
9 ~~only~~ upon any real property owned or occupied by the educational
10 institution employing the police officer, including the streets passing
11 through and adjacent to the educational institution. **An institution may**
12 **extend a police officer's territorial jurisdiction in accordance with**
13 **subsection (c).**
14 (c) **An institution may extend a police officer's territorial**
15 **jurisdiction to the entire state, or to any part of the state, if:**
16 (1) **the board of trustees adopts a resolution specifically**
17 **describing the territorial jurisdiction of a police officer**

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EH 1406—LS 7099/DI 106+



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appointed under this chapter; and
(2) the board of trustees notifies the:
 (A) superintendent of the state police department; and
 (B) sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in subdivision (2)(A) and (2)(B) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(d) If a police officer appointed under this section exercises the officer's police powers outside of the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable.

(b) Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the educational institution's property is located, depending upon the jurisdiction involved:

SECTION 2. IC 21-39-4-6, AS ADDED BY P.L.2-2007, SECTION 280, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) A police officer may exercise the powers granted under this chapter ~~only~~ as follows:

(1) A police officer may exercise the officer's powers upon real property owned or occupied by the state educational institution employing the police officer, including the streets passing through and adjacent to the state educational institution. Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the appropriate law enforcement agency where the property is located, depending upon the jurisdiction involved:

(2) This subdivision applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer. An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:

- (A) the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and
- (B) the board of trustees notifies the:

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1 (i) superintendent of the state police department; and
 2 (ii) sheriff of the county in which the institution is
 3 primarily located (or the chief of police of the
 4 consolidated city, if the institution is primarily located in
 5 a consolidated city);
 6 of the boundaries of the extended territorial jurisdiction.
 7 The institution shall provide the persons described in clause
 8 (B)(i) and (B)(ii) with notice of the extended jurisdiction every
 9 two (2) years, by January 31 of the second year.
 10 (b) If a police officer appointed under this section exercises the
 11 officer's police powers outside of the county in which the institution
 12 is primarily located, the officer shall notify the sheriff (or, in the
 13 case of a consolidated city, the chief of police) as soon as
 14 practicable.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1406, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 21-17-5-5, AS ADDED BY P.L.2-2007, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) **This section applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer.**

(b) **Except as provided in subsection (b);** A police officer appointed under this chapter may exercise the powers granted under this chapter ~~only~~ upon any real property owned or occupied by the educational institution employing the police officer, including the streets passing through and adjacent to the educational institution. **An institution may extend a police officer's territorial jurisdiction in accordance with subsection (c).**

(c) **An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:**

(1) **the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and**

(2) **the board of trustees notifies the:**

(A) **superintendent of the state police department; and**

(B) **sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);**

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in subdivision (2)(A) and (2)(B) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(d) **If a police officer appointed under this section exercises the officer's police powers outside of the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable.**

(b) **Additional jurisdiction may be established by agreement with the chief of police of the municipality or sheriff of the county or the**

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appropriate law enforcement agency where the educational institution's property is located; depending upon the jurisdiction involved."

Page 1, line 3, after "6." insert "(a)".

Page 1, line 4, after "chapter" delete ":" and insert "as follows:".

Page 1, line 5, after "(1)" insert "A police officer may exercise the officer's powers".

Page 1, line 7, delete "institution;" and insert "institution.".

Page 1, line 11, delete "and".

Page 1, delete lines 12 through 17, begin a new line block indented and insert:

"(2) This subdivision applies only to a police officer who meets the minimum basic training and educational requirements adopted by the law enforcement training board under IC 5-2-1-9 as necessary for employment as a law enforcement officer. An institution may extend a police officer's territorial jurisdiction to the entire state, or to any part of the state, if:

(A) the board of trustees adopts a resolution specifically describing the territorial jurisdiction of a police officer appointed under this chapter; and

(B) the board of trustees notifies the:

- (i) superintendent of the state police department; and**
- (ii) sheriff of the county in which the institution is primarily located (or the chief of police of the consolidated city, if the institution is primarily located in a consolidated city);**

of the boundaries of the extended territorial jurisdiction.

The institution shall provide the persons described in clause (B)(i) and (B)(ii) with notice of the extended jurisdiction every two (2) years, by January 31 of the second year.

(b) If a police officer appointed under this section exercises the officer's police powers outside of the county in which the institution is primarily located, the officer shall notify the sheriff (or, in the case of a consolidated city, the chief of police) as soon as practicable."

Delete page 2.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1406 as introduced.)

BORDERS, Chair

Committee Vote: yeas 10, nays 0.

EH 1406—LS 7099/DI 106+



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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred House Bill No. 1406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1406 as printed February 11, 2011.)

WYSS, Chairperson

Committee Vote: Yeas 9, Nays 0.

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