

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 169 be amended to read as follows:

- 1 Page 1, line 3, after "first" delete ",".
- 2 Page 1, line 3, strike "refers to a first".
- 3 Page 1, line 3, after "second" delete ",".
- 4 Page 1, line 3, strike "second".
- 5 Page 1, line 3, delete "or third".
- 6 Page 1, line 3, strike "class city, as".
- 7 Page 1, line 4, strike "classified under IC 36-4-1-1." and insert "**has**
- 8 **the meaning set forth in IC 36-1-2-3.**"
- 9 Page 1, between lines 4 and 5, begin a new paragraph and insert:
- 10 "SECTION 2. IC 27-2-15-4.3 IS ADDED TO THE INDIANA
- 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 12 [EFFECTIVE JULY 1, 2013]: **Sec. 4.3. As used in this chapter,**
- 13 **"municipality" has the meaning set forth in IC 36-1-2-11."**
- 14 Page 1, line 8, strike "city;" and insert "**municipality;**".
- 15 Page 1, line 9, strike "city" and insert "**municipality**".
- 16 Page 1, line 11, strike "city" and insert "**municipality**".
- 17 Page 1, line 14, strike "city" and insert "**municipality**".
- 18 Page 2, line 10, strike "city" and insert "**municipality**".
- 19 Page 2, line 17, strike "city." and insert "**municipality.**".
- 20 Page 2, after line 18, begin a new paragraph and insert:
- 21 "SECTION 4. IC 27-2-15-6 IS AMENDED TO READ AS
- 22 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. Upon a judgment
- 23 being rendered under IC 36-7-9-13(c) or IC 36-7-9-13(d), the **city**
- 24 **municipality** is entitled to the available insurance proceeds set aside
- 25 to the extent of the costs set forth in IC 36-7-9-12. All claims by the
- 26 **city municipality** against the available insurance proceeds must be
- 27 made within one (1) year after the date of the fire or explosion or
- 28 within one (1) year after the final outcome of a case or appeal initiated
- 29 under IC 36-7-9, whichever is later. Proceeds in the escrow account
- 30 that are not claimed in this manner shall be paid to the insured.

1 SECTION 5. IC 27-2-15-9 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. The state fire
3 marshal, a deputy fire marshal, an enforcement authority, or an officer
4 of a **city municipality** complying with this chapter or attempting in
5 good faith to comply with this chapter is immune from civil and
6 criminal liability in connection with actions taken under this chapter."

7 Renumber all SECTIONS consecutively.
(Reference is to SB 169 as printed January 25, 2013.)

Senator HEAD