

HOUSE BILL No. 1234

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2; IC 6-7-3-16; IC 8-22-3-34; IC 9-29; IC 10-11-2-28; IC 10-19; IC 10-22; IC 11-8-9-1; IC 11-12-4-4; IC 11-13; IC 12-21-5-4; IC 14-9; IC 16-18-4-4; IC 20-26; IC 21-17-5-5; IC 21-39-4-6; IC 21-41; IC 22-5-6-2; IC 33-37-7-9; IC 34-30-2; IC 35-37-4-5; IC 35-44.2-3-3; IC 35-47; IC 35-52; IC 36-5-7; IC 36-8.

Synopsis: Law enforcement training and education. Repeals certain statutes concerning law enforcement academies and law enforcement training currently located in the state and local administration law (Title 5). Recodifies the repealed statutes in the public safety law (Title 10). Changes the name of the law enforcement training board to the peace officer standards and training commission (commission). Enables individuals to obtain law enforcement training without an appointment by a law enforcement agency. Authorizes a state educational institution to enter into contractual agreements with the commission for specific programs to be wholly supported by the commission without the approval of the commission for higher education. Authorizes a qualified postsecondary educational institution to: (1) submit an application to the commission for a certificate of authority to conduct law enforcement training programs; and (2) cooperate with the commission for the development of specialized courses of study in police science and administration. Specifies that local law enforcement agencies may require police officer trainees to complete pre-basic courses and basic training provided by any authorized entity. Makes conforming changes. Makes an appropriation.

Effective: July 1, 2016.

McNamara, Bacon

January 11, 2016, read first time and referred to Committee on Veterans Affairs and Public Safety.



Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1234

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

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

- 1 SECTION 1. IC 5-2-1 IS REPEALED [EFFECTIVE JULY 1, 2016].
- 2 (Mandatory Training for Law Enforcement Officers).
- 3 SECTION 2. IC 5-2-2 IS REPEALED [EFFECTIVE JULY 1, 2016].
- 4 (Law Enforcement Academy Building Commission).
- 5 SECTION 3. IC 5-2-8 IS REPEALED [EFFECTIVE JULY 1, 2016].
- 6 (Law Enforcement Training and Continuing Education).
- 7 SECTION 4. IC 5-2-18.2-2, AS ADDED BY P.L.171-2011,
- 8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2016]: Sec. 2. As used in this chapter, "law enforcement
- 10 officer" has the meaning set forth in ~~IC 5-2-1-2~~. **IC 10-22-2-9.**
- 11 SECTION 5. IC 5-2-20-2, AS ADDED BY P.L.171-2011,
- 12 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2016]: Sec. 2. As used in this chapter, "law enforcement
- 14 officer" has the meaning set forth in ~~IC 5-2-1-2~~. **IC 10-22-2-9.**
- 15 SECTION 6. IC 6-7-3-16 IS AMENDED TO READ AS FOLLOWS
- 16 [EFFECTIVE JULY 1, 2016]: Sec. 16. (a) The department may award
- 17 up to ten percent (10%) of the total amount collected from an



1 assessment under this chapter to any person who provides information
2 leading to the collection of a tax liability imposed under this chapter.
3 An award made under this subsection must be made before any other
4 distributions under this section.

5 (b) Whenever a law enforcement agency provides information
6 leading to the collection of a tax liability imposed under this chapter,
7 the department shall award thirty percent (30%) of the total amount
8 collected from an assessment to the law enforcement agency that
9 provided the information that resulted in the assessment. The law
10 enforcement agency shall use the money the agency receives under this
11 chapter to conduct criminal investigations. A law enforcement agency
12 may not receive an award under more than one (1) subsection.

13 (c) The department shall award ten percent (10%) of the amount
14 deposited in the fund during each month to the ~~law enforcement~~
15 **training board peace officer standards and training commission** to
16 train law enforcement personnel.

17 (d) The department may use twenty percent (20%) of the amount
18 deposited in the fund during a state fiscal year to pay the costs of
19 administration and enforcement of this chapter.

20 (e) Awards may not be made under this chapter to the following:

- 21 (1) A law enforcement officer.
- 22 (2) An employee of the department.
- 23 (3) An employee of the Internal Revenue Service.
- 24 (4) An employee of the federal Drug Enforcement Agency.

25 (f) All the money deposited in the fund that is not needed for awards
26 or to cover the costs of administration under this chapter shall be
27 transferred to the state drug free communities fund established under
28 IC 5-2-10.

29 (g) An award made under subsection (a) or (b) shall be made on the
30 basis of collections from each individual assessment that resulted from
31 information supplied to the department by a person or law enforcement
32 agency.

33 (h) Money shall be considered collected under this section only after
34 all protest periods have expired or all appeals have been adjudicated.

35 SECTION 7. IC 8-22-3-34 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 34. (a) The special
37 police authorized by this chapter possess all the common law and
38 statutory powers of the police of the entity that established the authority
39 by ordinance, including the power of fresh pursuit upon adjoining
40 streets and roads.

41 (b) An operator (as defined in IC 5-23-2-8) who enters into an
42 operating agreement with an authority under IC 5-23 may exercise the



1 special police powers granted by this section during the term of the
 2 operating agreement. A person employed by an operator to exercise
 3 special police powers under this subsection must have training that is
 4 at least equivalent to the minimum training requirements established
 5 for law enforcement officers under ~~IC 5-2-1~~. **IC 10-22.**

6 (c) This section does not apply to an authority that was established
 7 under IC 19-6-3 (before its repeal on April 1, 1980).

8 SECTION 8. IC 9-29-4-2 IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2016]: Sec. 2. A person described in
 10 subdivision (3) who makes an inspection under IC 9-17-2-12 may
 11 charge a fee. A fee charged under this section is subject to the
 12 following:

13 (1) The fee must be established by ordinance adopted by the unit
 14 (as defined in IC 36-1-2-23).

15 (2) The fee may not exceed five dollars (\$5).

16 (3) The revenue from the inspection fee shall be deposited in the
 17 following manner:

18 (A) A special vehicle inspection fund if the person making the
 19 inspection is a member of the county sheriff's department. The
 20 fiscal body of the unit must appropriate the money from the
 21 inspection fund only for law enforcement purposes.

22 (B) A local law enforcement continuing education fund
 23 established by ~~IC 5-2-8-2~~ **IC 10-22-13-3** if the person making
 24 the inspection is a member of a city or town police department,
 25 a town marshal, or a town marshal deputy.

26 SECTION 9. IC 9-29-11-1, AS AMENDED BY P.L.174-2006,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2016]: Sec. 1. (a) Except as provided in subsection (c), the
 29 main department, office, agency, or other person under whose
 30 supervision a law enforcement officer carries on the law enforcement
 31 officer's duties may charge a fee that is fixed by ordinance of the fiscal
 32 body in an amount not less than five dollars (\$5) for each report.

33 (b) The fee collected under subsection (a) or (c) shall be deposited
 34 in the following manner:

35 (1) If the department supplying a copy of the accident report is the
 36 state police department, in a separate account known as the
 37 "accident report account". The account may be expended at the
 38 discretion of the state police superintendent for a purpose
 39 reasonably related to the keeping of accident reports and records
 40 or the prevention of street and highway accidents.

41 (2) If the department supplying a copy of the accident report is the
 42 sheriff, county police, or county coroner, in a separate account



1 known as the "accident report account". The account may be
 2 expended at the discretion of the chief administrative officer of
 3 the entity that charged the fee for any purpose reasonably related
 4 to the keeping of accident reports and records or the prevention
 5 of street and highway accidents.

6 (3) If the department supplying a copy of the accident report is a
 7 city or town police department, in the local law enforcement
 8 continuing education fund established by ~~IC 5-2-8-2~~
 9 **IC 10-22-13-3**.

10 (c) The superintendent of the state police department may charge a
 11 fee in an amount that is not less than five dollars (\$5) for:

12 (1) each report; and

13 (2) the inspection and copying of other report related data
 14 maintained by the department.

15 SECTION 10. IC 10-11-2-28, AS AMENDED BY P.L.83-2006,
 16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2016]: Sec. 28. (a) The department shall maintain security and
 18 preserve the peace in and about the following:

19 (1) The state capitol building.

20 (2) A state office building.

21 (3) A state parking facility.

22 (4) A state motor pool garage.

23 (5) A state warehouse.

24 (6) The Indiana state library.

25 (7) The governor's residence.

26 (8) Any other building or property used by the state for any of the
 27 following purposes:

28 (A) Housing of personnel or activities of an agency or a branch
 29 of state government.

30 (B) Providing transportation or parking for state employees or
 31 persons having business with state government.

32 (b) A special police employee of the department assigned to the
 33 security activities under this section, other than an officer or police
 34 employee of the department who possesses police powers under section
 35 21 of this chapter, possesses all of the common law and statutory
 36 powers of law enforcement officers except for the service of civil
 37 process.

38 (c) For purposes of ~~IC 5-2-1~~, **IC 10-22**, a special police employee
 39 assigned to the security activities under this section, other than a
 40 regular police employee of the department, is a capitol police officer.

41 (d) Capitol police officers shall enforce IC 4-20.5 and rules of the
 42 Indiana department of administration.



1 (e) The superintendent may adopt rules under IC 4-22-2 to do the
2 following:

3 (1) Enforce IC 4-20.5 and rules of the Indiana department of
4 administration concerning the security of state property.

5 (2) Carry out the responsibilities for security of state property
6 under this section.

7 SECTION 11. IC 10-19-5-4, AS ADDED BY P.L.22-2005,
8 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2016]: Sec. 4. The deputy executive director appointed under
10 section 3 of this chapter shall serve as the vice chair of the ~~law~~
11 ~~enforcement training board under IC 5-2-1-3.~~ **peace officer standards**
12 **and training commission under IC 10-22-3.**

13 SECTION 12. IC 10-19-9-10, AS ADDED BY P.L.22-2005,
14 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2016]: Sec. 10. The division may consult, cooperate, or
16 contract with the ~~law enforcement training board;~~ **peace officer**
17 **standards and training commission**, a college or university, or any
18 other individual or entity for the development and providing of courses
19 of study for public safety service providers.

20 SECTION 13. IC 10-22 IS ADDED TO THE INDIANA CODE AS
21 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
22 2016]:

23 **ARTICLE 22. PEACE OFFICER STANDARDS AND**
24 **TRAINING**

25 **Chapter 1. General Provisions**

26 **Sec. 1. In order to ensure the public safety and general welfare**
27 **of the people of Indiana and to promote equity for all segments of**
28 **society, a program of mandatory training for law enforcement**
29 **officers is established.**

30 **Sec. 2. This article must be interpreted to achieve the purposes**
31 **of this article through the establishment of minimum standards in**
32 **law enforcement training.**

33 **Sec. 3. It is the intent of this article to encourage all law**
34 **enforcement officers, departments, and agencies in Indiana to**
35 **adopt standards that are higher than the minimum standards**
36 **implemented under this article. The minimum standards may not**
37 **be considered sufficient or adequate in those cases where higher**
38 **standards have been adopted or proposed.**

39 **Sec. 4. The chief executive officer of each law enforcement**
40 **department or agency in Indiana shall use all reasonable means to**
41 **ensure that the law enforcement officers within the department or**
42 **agency comply with this article.**



1 **Sec. 5. Before April 1, the chief executive officer of each law**
 2 **enforcement department or agency in Indiana shall submit**
 3 **annually to the executive director of the commission a written**
 4 **report detailing the basic and inservice training status of each:**

5 **(1) law enforcement officer on the payroll of the department**
 6 **or agency; and**

7 **(2) police reserve officer working for the department or**
 8 **agency.**

9 **Chapter 2. Definitions.**

10 **Sec. 1. Unless the context clearly denotes otherwise, the**
 11 **definitions set forth in this chapter apply throughout this article.**

12 **Sec. 2. "Abuse" means:**

13 **(1) conduct that causes bodily injury (as defined in**
 14 **IC 35-31.5-2-29) or damage to property; or**

15 **(2) a threat of conduct that would cause bodily injury (as**
 16 **defined in IC 35-31.5-2-29) or damage to property.**

17 **Sec. 3. "Building commission" refers to the law enforcement**
 18 **academy building commission created by IC 5-2-2-1 (before its**
 19 **repeal) and IC 10-22-4-1.**

20 **Sec. 4. "City or town law enforcement agency" includes a law**
 21 **enforcement agency located within a particular city or town and**
 22 **consisting of:**

23 **(1) postsecondary educational institution police officers**
 24 **appointed under IC 21-17-5 or IC 21-39-4; or**

25 **(2) school corporation police officers appointed under**
 26 **IC 20-26-16.**

27 **Sec. 5. "Commission" refers to the peace officer standards and**
 28 **training commission created by IC 10-22-3-1.**

29 **Sec. 6. "County law enforcement agency" includes a law**
 30 **enforcement agency located within a particular county and**
 31 **consisting of:**

32 **(1) postsecondary educational institution police officers**
 33 **appointed under IC 21-17-5 or IC 21-39-4; or**

34 **(2) school corporation police officers appointed under**
 35 **IC 20-26-16.**

36 **Sec. 7. "Executive training program" means the police chief**
 37 **executive training program established by the commission under**
 38 **1C 10-22-7-2.**

39 **Sec. 8. "Hiring or appointing authority" means the:**

40 **(1) chief executive officer, board, or other entity of a police**
 41 **department or agency with authority to appoint and hire law**
 42 **enforcement officers; or**



1 (2) governor, mayor, board, or other entity with the authority
 2 to appoint a chief executive officer of a police department or
 3 agency.

4 **Sec. 9. "Law enforcement officer" means an appointed officer**
 5 **or employee hired by the state, any of the state's political**
 6 **subdivisions, or a public or private postsecondary educational**
 7 **institution whose board of trustees has established a police**
 8 **department under IC 21-17-5-2 or IC 21-39-4-2 who is granted**
 9 **lawful authority to enforce all or some of the penal laws of the state**
 10 **of Indiana and who possesses, with respect to those laws, the power**
 11 **to effect arrests for offenses committed in the officer's or**
 12 **employee's presence. However, the following are expressly**
 13 **excluded from the term "law enforcement officer" for the purposes**
 14 **of this article:**

- 15 (1) A constable.
 16 (2) A special police officer whose powers and duties are
 17 described in IC 36-8-3-7 or a special deputy whose powers
 18 and duties are described in IC 36-8-10-10.6.
 19 (3) A county police reserve officer who receives compensation
 20 for lake patrol duties under IC 36-8-3-20(f)(4).
 21 (4) A conservation reserve officer who receives compensation
 22 for lake patrol duties under IC 14-9-8-27.
 23 (5) An employee of the Indiana gaming commission whose
 24 powers and duties are described in IC 4-32.2-9.
 25 (6) A correctional police officer described in IC 11-8-9.

26 **Sec. 10. "Police chief" refers to the:**

- 27 (1) police chief of any city;
 28 (2) police chief of any town having a metropolitan police
 29 department; and
 30 (3) chief of a consolidated law enforcement department
 31 established under IC 36-3-1-5.1.

32 **The term does not include a town marshal.**

33 **Sec. 11. "Qualified postsecondary educational institution" refers**
 34 **to the following:**

- 35 (1) An approved postsecondary educational institution (as
 36 defined by IC 21-7-13-6(a)).
 37 (2) A public, nonprofit, or proprietary postsecondary
 38 educational institution located outside Indiana that is
 39 accredited by an accrediting agency recognized by the United
 40 States Department of Education.

41 **Sec. 12. "Upper level policymaking position" refers to the**
 42 **following:**



1 (1) If the authorized size of the department or town marshal
2 system is not more than ten (10) members, the term refers to
3 the position held by the police chief or town marshal.

4 (2) If the authorized size of the department or town marshal
5 system is more than ten (10) members but less than fifty-one
6 (51) members, the term refers to:

7 (A) the position held by the police chief or town marshal;
8 and

9 (B) each position held by the members of the police
10 department or town marshal system in the next rank and
11 pay grade immediately below the police chief or town
12 marshal.

13 (3) If the authorized size of the department or town marshal
14 system is more than fifty (50) members, the term refers to:

15 (A) the position held by the police chief or town marshal;
16 and

17 (B) each position held by the members of the police
18 department or town marshal system in the next two (2)
19 ranks and pay grades immediately below the police chief
20 or town marshal.

21 **Chapter 3. Peace Officer Standards and Training Commission**

22 **Sec. 1. The peace officer standards and training commission is**
23 **created to carry out this article as a criminal justice agency of the**
24 **state.**

25 **Sec. 2. (a) The commission consists of the following members**
26 **appointed by the governor:**

27 (1) The superintendent of the state police department.

28 (2) The deputy director of the division of preparedness and
29 training of the department of homeland security.

30 (3) The chief of police of a consolidated city.

31 (4) One (1) county sheriff from a county having a population
32 of at least one hundred thousand (100,000).

33 (5) One (1) county sheriff from a county having a population
34 of at least fifty thousand (50,000) but less than one hundred
35 thousand (100,000).

36 (6) One (1) county sheriff from a county having a population
37 of less than fifty thousand (50,000).

38 (7) One (1) chief of police from a city having a population of
39 at least thirty-five thousand (35,000), who is not the chief of
40 police of a consolidated city.

41 (8) One (1) chief of police from a city having a population of
42 at least ten thousand (10,000) but less than thirty-five



- 1 thousand (35,000).
 2 (9) One (1) chief of police, police officer, or town marshal
 3 from a city or town having a population of less than ten
 4 thousand (10,000).
 5 (10) One (1) prosecuting attorney.
 6 (11) One (1) judge of a circuit or superior court exercising
 7 criminal jurisdiction.
 8 (12) One (1) member representing professional journalism.
 9 (13) One (1) member representing the medical profession.
 10 (14) One (1) member representing education.
 11 (15) One (1) member representing business and industry.
 12 (16) One (1) member representing labor.
 13 (17) One (1) member representing Indiana elected officials of
 14 counties, cities, and towns.
- 15 (b) The superintendent of the state police department shall serve
 16 as chairperson of the commission.
- 17 (c) The deputy director of the division of preparedness and
 18 training of the department of homeland security shall serve as the
 19 vice chair of the commission.
- 20 Sec. 3. (a) The appointments required by section 2 of this
 21 chapter must be made on a bipartisan basis so that not more than
 22 one-half (1/2) of the members of the commission are members of
 23 either of the two (2) major political parties.
- 24 (b) A member of the commission shall serve a four (4) year term
 25 or while maintaining the position held at the time of appointment
 26 to the commission, whichever is the lesser period. An individual
 27 may serve as a member of the commission only while holding the
 28 office or position held at the time of the individual's appointment
 29 to the commission in order that the representative nature of the
 30 commission described in section 2 of this chapter may be
 31 maintained. However, each member of the commission shall serve
 32 until the member's successor has been appointed and qualified,
 33 unless the member's services are terminated earlier for sufficient
 34 reason.
- 35 (c) A vacancy on the commission caused by the expiration of a
 36 term, the termination of the office or position held at the time of
 37 appointment, or for any other reason must be filled in the same
 38 manner as original appointments. A member appointed to fill a
 39 vacancy created other than by the expiration of a term is appointed
 40 for the unexpired term of the member succeeded in the same
 41 manner as an original appointment. Members of the commission
 42 may be reappointed for additional terms.



1 (d) A member of the commission may be removed by the
 2 governor for inefficiency, incompetence, neglect of duty, or other
 3 good cause after having been accorded a hearing by the governor
 4 upon reasonable notice of the charge being made against the
 5 member.

6 Sec. 4. Membership on the commission does not constitute
 7 holding a public office. A member of the commission is not
 8 required to take and file an oath of office before serving on the
 9 commission. The commission may exercise only the powers granted
 10 by this article. A member of the commission is not disqualified
 11 from holding any public office or position by reason of the
 12 member's appointment to or membership on the commission.
 13 Notwithstanding the provisions of any statute, ordinance, or city
 14 charter, a member of the commission may not be required to
 15 forfeit any office, position, or employment by reason of an
 16 appointment under this chapter.

17 Sec. 5. The commission shall meet at least four (4) times each
 18 year and shall hold special meetings when called by the
 19 chairperson. The presence of nine (9) members of the commission
 20 constitutes a quorum for doing business. At least nine (9)
 21 affirmative votes are required for the passage of any matter put to
 22 a vote of the commission. The commission shall establish its own
 23 procedure and requirements with respect to the place and conduct
 24 of its meetings.

25 Sec. 6. The members of the commission serve without
 26 compensation. However, the following are allowed to each member
 27 for attendance at regular or special meetings of the commission or
 28 for otherwise engaging in official business of the commission:

29 (1) A salary per diem.

30 (2) Reimbursement for actual expenses incurred, in
 31 accordance with travel policies and procedures established by
 32 the department of administration and the budget agency.

33 **Chapter 4. Law Enforcement Academy Building Commission**

34 Sec. 0.5. As used in this chapter, "building commission" refers
 35 to the law enforcement academy building commission.

36 Sec. 1. The law enforcement academy building commission
 37 created as a public body corporate and politic under IC 5-2-2-1
 38 (before the repeal of IC 5-2-2 and its recodification as this
 39 chapter):

40 (1) is not affected by the repeal of IC 5-2-2;

41 (2) except as provided in subdivision (3), may continue to exist
 42 as if the statute had not been repealed; and



1 (3) is subject to this chapter.

2 **Sec. 2. The building commission has the following powers:**

3 (1) To sue and be sued.

4 (2) To plead and be impleaded.

5 (3) To adopt and have a corporate seal.

6 (4) To make rules and bylaws for the management and
7 regulation of the affairs of the building commission.

8 (5) To do all things necessary or convenient to carry out the
9 powers given in this chapter.

10 **Sec. 3. (a) The building commission consists of six (6) members**
11 **appointed by the governor. The governor shall make the**
12 **appointments on a bipartisan basis so that not more than one-half**
13 **(1/2) of the members of the commission are at any time members**
14 **of either of the two (2) major political parties.**

15 (b) Except as provided in subsection (c), each member of the
16 building commission shall serve for a term of four (4) years.

17 (c) A member appointed to fill a vacancy on the building
18 commission serves only for the duration of the unexpired term.

19 (d) A member of the building commission shall serve until the
20 member's successor is appointed and qualified. A member of the
21 building commission is subject to removal only for good cause.

22 **Sec. 4. (a) The building commission shall elect a chair, vice**
23 **chair, and secretary-treasurer from its membership.**

24 (b) The building commission may employ an executive director
25 who is the executive head of the building commission. The
26 executive director is responsible to the building commission in
27 carrying out the instructions of the building commission as it
28 fulfills the building commission's assigned statutory duties. The
29 building commission may employ all other necessary assistants,
30 counsel, and consultants to carry out the provisions of this chapter.

31 (c) The building commission shall meet at least once each year
32 and may hold special meetings as necessary upon the call of the
33 chair or a majority of the members. The presence of four (4)
34 members constitutes a quorum for doing business. At least four (4)
35 affirmative votes are required for the passage of any matter put to
36 a vote of the building commission.

37 **Sec. 5. Members of the building commission are entitled to**
38 **receive a per diem and reimbursement for travel expenses incurred**
39 **in connection with the affairs of the commission, but may not**
40 **receive any additional compensation. Membership on the**
41 **commission does not constitute holding of a public office.**

42 **Sec. 6. (a) The building commission may acquire or select a site**



1 located in Indiana and construct and erect upon that site a building
2 or buildings to be used as a law enforcement academy by the law
3 enforcement training board created by IC 5-2-1 (before its repeal),
4 and its successor agency, the peace officer standards and training
5 commission created under IC 10-22-3.

6 (b) The site selected may be on land already owned by the state.
7 However, the building commission may acquire a site under this
8 chapter by purchase, gift, or condemnation if a site already owned
9 by the state is not suitable or available.

10 (c) If land already owned by the state is selected, the building
11 commission may clear and prepare the site for the construction
12 and erection of the building or buildings described in subsection
13 (a). In addition to constructing the building or buildings, the
14 building commission shall also install any and all equipment,
15 appurtenances, and paraphernalia as necessary to constitute a fully
16 equipped and modern law enforcement academy. If found
17 necessary, the building commission shall also improve, landscape,
18 embellish, and beautify the grounds, and lay out and install walks,
19 drives, fences, and other appurtenances as necessary to produce an
20 integrated and artistic setting.

21 (d) Except as otherwise provided, the building commission shall
22 determine the location and area of the lands acquired and the
23 character of the buildings, structures, embellishments,
24 ornamentation, equipment, and other appurtenances installed or
25 constructed on the site selected.

26 **Sec. 7. (a) The building commission is endowed with the right**
27 **and power of eminent domain to the extent that the right and**
28 **power is necessary or proper to carry out section 6 of this chapter.**

29 (b) If the building commission is unable to agree with the owner
30 of the land or right or with the guardian of the owner as to:

31 (1) the damages sustained by the owner; or

32 (2) the purchase price of the land or right;

33 the building commission may proceed in the name of the state of
34 Indiana in the exercise of the right of eminent domain to condemn
35 the land or right necessary or proper to carry out the provisions of
36 this chapter under Indiana law.

37 (c) Whenever the building commission considers it necessary to
38 acquire any real estate or right for any purpose contemplated in
39 this chapter, the building commission may adopt an appropriate
40 resolution setting forth the description of the real estate or right
41 sought to be acquired by it, the purpose for which the real estate is
42 to be used, and such other facts as the building commission



1 determines necessary or pertinent. The building commission shall
 2 refer a resolution adopted under this section to the attorney
 3 general.

4 (d) After receiving a resolution referred under subsection (c),
 5 the attorney general shall commence an action in the name of the
 6 state of Indiana in the circuit court or superior court of the county
 7 in which the real estate or right described in the resolution is
 8 situated and shall take all necessary and proper steps to secure the
 9 condemnation of the real estate or right.

10 Sec. 8. An employee of the building commission engaged in the
 11 execution of any survey authorized by the building commission
 12 may enter any lands or waters within Indiana for the purpose of
 13 inspecting, leveling, or doing any other work considered necessary
 14 to carry out a provision of this chapter. However, the employee
 15 must ensure that:

16 (1) no injury is done to the real estate or waters entered upon;
 17 and

18 (2) no damages result from the employee's entry or work.

19 Sec. 9. The building commission shall procure and adopt a
 20 design for the erection and construction of a building or buildings
 21 for a law enforcement academy. For the purpose of securing
 22 designs, the building commission shall employ as its architect an
 23 architect of known skill and ability within the architecture
 24 profession.

25 Sec. 10. Upon completion by the architect or architects and
 26 upon the approval by the building commission of the completed
 27 plans and specifications, the building commission shall at one (1)
 28 time or from time to time advertise for and receive competitive
 29 bids for the construction and equipment of the building or
 30 buildings of the law enforcement academy. Upon receipt of the
 31 submitted bids, the building commission shall then proceed to
 32 award a contract or contracts to the lowest and best bidder or
 33 bidders. The procedure for advertising, receiving bids, and
 34 awarding contracts must conform to all applicable state laws.

35 Sec. 11. The building commission may:

36 (1) receive donations, gifts, devises, and bequests; and

37 (2) use the donations, gifts, devises, and bequests for the
 38 purpose of carrying out this chapter.

39 Sec. 12. The title to all real estate donated, given, devised, or
 40 bequeathed to the building commission and all real estate
 41 purchased or otherwise acquired by the building commission shall
 42 be:



- 1 (1) good and sufficient;
- 2 (2) approved by the attorney general; and
- 3 (3) taken in the name of the state of Indiana.

4 **Sec. 13. (a) A member of the building commission, the architect,**
 5 **or any other person employed by the building commission who**
 6 **knowingly is interested in, or knowingly derives any profit from,**
 7 **any contract, employment, or purchase connected with the building**
 8 **or buildings, or with any action of the building commission,**
 9 **commits a Level 6 felony.**

10 (b) A member of the building commission, the architect, or any
 11 person employed by the building commission who knowingly is
 12 interested in any claim against the building commission or the state
 13 growing out of the construction of the building or buildings, other
 14 than for compensation for services or their expenses as provided in
 15 this chapter, commits a Level 6 felony.

16 **Sec. 14. (a) Before entering into any contract for the purchase**
 17 **or sale of any material or supplies or for the performance of any**
 18 **work or labor, other than the salaries of employees, costing more**
 19 **than ten thousand dollars (\$10,000), the building commission must**
 20 **first give notice of the building commission's intention to purchase**
 21 **or sell the material or supplies, or to enter into the contract for**
 22 **such work or labor, by publication in a newspaper of general**
 23 **circulation printed and published in Indianapolis, for two (2)**
 24 **successive weeks before the time fixed for the letting of the contract**
 25 **or the purchase or sale of the material or supplies.**

26 (b) A contract entered into under subsection (a) must be in
 27 writing.

28 (c) A person that enters into a contract with the building
 29 commission under subsection (a) shall furnish a surety bond for the
 30 faithful performance of the terms of the contract. A bond furnished
 31 under this subsection must be:

- 32 (1) with a surety company approved by the building
- 33 commission; and
- 34 (2) in an amount fixed by the building commission.

35 **Sec. 15. (a) For the purpose of providing funds to carry out the**
 36 **provisions of this chapter with respect to the construction and**
 37 **equipment of a building or buildings for use as a law enforcement**
 38 **academy and acquiring or providing a site therefor, the building**
 39 **commission may, under a resolution or resolutions, issue and sell**
 40 **interest bearing law enforcement academy revenue debentures in**
 41 **any amount not to exceed three million two hundred thousand**
 42 **dollars (\$3,200,000) and bearing such date or dates, and maturing**



1 at such time or times not exceeding forty (40) years from their
2 respective dates, bearing interest at such rate or rates payable
3 semiannually, in such form, carrying such registration privileges
4 payable at such place or places, and may be made subject to
5 redemption before maturity in such manner, at such time, and
6 upon such terms with or without premium, all as may be provided
7 by the pertinent resolution and expressed on the face of the
8 respective debentures. The debentures shall be signed by the chair
9 of the building commission, attested by the secretary, and with the
10 seal of the building commission affixed. The signature of the chair
11 may be a facsimile thereof imprinted thereon. Interest on the
12 debentures when issued must be evidenced by attached interest
13 coupons bearing the facsimile of the signatures of said chair and
14 secretary. The debentures and the interest coupons attached to the
15 debentures when issued have all the qualities of negotiable
16 instruments under the law merchant and are incontestable in the
17 hands of a bona fide purchaser or holder thereof for value, and the
18 debentures and interest on the debentures are exempt from all
19 taxation except the financial institutions tax and estate,
20 inheritance, or gift taxes imposed by law. The debentures shall be
21 sold at public sale in accordance with IC 21-32-3. In determining
22 the amount of the debentures to be issued and sold there may be
23 included the cost of construction, the cost of all land and clearings
24 thereof and improvements thereto, including walks, drives, and
25 other appurtenances, material, and labor that are necessary, cost
26 of equipment, financing charges, interest accruing on the
27 debentures before and during the construction period, and all
28 other expenses, including legal fees, engineers' and architects' fees,
29 and all other expenses necessary or incident to the construction
30 and equipment of the building or buildings and the acquisition and
31 providing a site for the building or buildings. The proceeds of the
32 debentures are appropriated for the purpose for which the
33 debentures may be issued under this chapter, and the proceeds
34 shall be deposited and disbursed in accordance with provisions and
35 restrictions as the building commission may provide in the
36 resolution authorizing the issuance of the debentures. Any
37 debentures issued under this chapter may be thereafter refinanced
38 through the issuance of refunding debentures subject to
39 restrictions or conditions as may be provided in the resolution
40 authorizing the issuance of the debentures in the first instance and
41 in the issuance of such refunding debentures, the maturities and
42 other details thereof, the rights of the holders thereof, and the



1 rights, duties, and obligations of the building commission in all
2 respects thereto are governed by this chapter insofar as the same
3 may be applicable.

4 (b) The debentures issued under the provisions of this chapter
5 constitute only the corporate obligations of the building
6 commission payable solely and only from and secured exclusively
7 by pledge of the income and revenue of such building or buildings
8 remaining after payment or provisions for payment of the expenses
9 of operation, maintenance, and repair of the building or buildings
10 to the extent such expenses of operation, maintenance, and repair
11 are not otherwise provided, and it must be plainly stated on the
12 face of each debenture that the debenture does not constitute an
13 indebtedness of the state within the meaning or application of any
14 constitutional provision or limitation but that it is payable solely
15 and only as to both principal and interest from the net revenues of
16 the building or buildings. This chapter and the covenants and
17 undertakings of the building commission as expressed in any
18 proceedings preliminary to or in connection with the issuance of
19 the debentures may be enforced by any debenture holder by suit
20 for injunction or mandamus against the building commission or
21 any officer, agent, or employee of the building commission, but a
22 suit for monetary judgment may never be brought against the state
23 for any violations under this chapter.

24 Sec. 16. When any debentures under section 15 of this chapter
25 have been issued, the building commission shall proceed promptly
26 with the construction and equipment of the building or buildings,
27 and from and after the date of completion of the building or
28 buildings, the building or buildings must be available for use and
29 occupancy by the law enforcement training board or its successor
30 agency, the peace officer standards and training commission. It is
31 represented that the state will have a continuing need for use and
32 occupancy of the facilities to be afforded by the building or
33 buildings. The building commission and the law enforcement
34 training board, or its successor agency, the peace officer standards
35 and training commission, shall enter into appropriate agreements
36 setting forth the terms and conditions of such use and occupancy
37 and the sums agreed to be paid at stated intervals for such use and
38 occupancy. The law enforcement training board or its successor
39 agency, the peace officer standards and training commission, is not
40 obligated to continue such use and occupancy and make payments
41 therefor under any such agreement but is entitled and required to
42 vacate the building or buildings if it is shown that the terms and



1 conditions of such use and occupancy and the amount to be paid
 2 therefor is unjust and unreasonable considering the value of the
 3 services and facilities thereby afforded. However, in determining
 4 just and reasonable amounts to be paid for the use and occupancy
 5 of the building or buildings, the building commission shall impose
 6 and collect amounts that in the aggregate will be sufficient to pay
 7 the expenses of operation, maintenance, and repair of the building
 8 or buildings to the extent that the expenses are not otherwise
 9 provided and leave a balance of net income and revenues from the
 10 building or buildings to pay the interest on the debentures as the
 11 same become due and accomplish retirement of the debentures at
 12 or before maturity.

13 **Sec. 17. The compensation of all employees and agents of the**
 14 **building commission must be fixed by the building commission and**
 15 **approved by the governor.**

16 **Chapter 5. Administrative Rules**

17 **Sec. 1. The commission shall adopt in accordance with IC 4-22-2**
 18 **all necessary rules to carry out this article. The rules must include**
 19 **the establishment of the following:**

20 (1) **Minimum standards of physical, educational, mental, and**
 21 **moral fitness that govern the acceptance of any person for**
 22 **training by any law enforcement training school or academy**
 23 **that meet or exceed the minimum standards established under**
 24 **this chapter.**

25 (2) **Minimum standards for law enforcement training schools**
 26 **administered by towns, cities, counties, law enforcement**
 27 **training centers, agencies, approved postsecondary**
 28 **educational institutions, or departments of the state.**

29 (3) **Minimum standards for courses of study, attendance**
 30 **requirements, equipment, and facilities for approved town,**
 31 **city, county, and state law enforcement officer, police reserve**
 32 **officer, and conservation reserve officer training schools.**

33 (4) **Minimum standards for a course of study on cultural**
 34 **diversity awareness, including training on the U**
 35 **nonimmigrant visa created through the federal Victims of**
 36 **Trafficking and Violence Protection Act of 2000 (P.L.**
 37 **106-386) that must be required for each person accepted for**
 38 **training at a law enforcement training school or academy.**
 39 **Cultural diversity awareness study must include an**
 40 **understanding of cultural issues related to race, religion,**
 41 **gender, age, domestic violence, national origin, and physical**
 42 **and mental disabilities.**



- 1 (5) Minimum qualifications for instructors at approved law
 2 enforcement training schools or academies.
- 3 (6) Minimum basic training requirements that law
 4 enforcement officers appointed to probationary terms must
 5 complete before being eligible for continued or permanent
 6 employment.
- 7 (7) Minimum basic training requirements that law
 8 enforcement officers appointed on other than a permanent
 9 basis must complete in order to be eligible for continued
 10 employment or permanent appointment.
- 11 (8) Minimum basic training requirements that law
 12 enforcement officers appointed on a permanent basis must
 13 complete in order to be eligible for continued employment.
- 14 (9) Minimum basic training requirements for each person
 15 accepted for training at a law enforcement training school or
 16 academy that include six (6) hours of training in interacting
 17 with:
- 18 (A) persons with autism, mental illness, addictive
 19 disorders, intellectual disabilities, and developmental
 20 disabilities;
- 21 (B) missing endangered adults (as defined in
 22 IC 12-7-2-131.3); and
- 23 (C) persons with Alzheimer's disease or related senile
 24 dementia;
- 25 to be provided by persons approved by the secretary of family
 26 and social services and the commission. The training must
 27 include an overview of the crisis intervention teams.
- 28 (10) Minimum standards for a course of study on human and
 29 sexual trafficking that must be required for each person
 30 accepted for training at a law enforcement training school or
 31 academy and for inservice training programs for law
 32 enforcement officers. The course must cover the following
 33 topics:
- 34 (A) Examination of the human and sexual trafficking laws
 35 (IC 35-42-3.5).
- 36 (B) Identification of human and sexual trafficking.
- 37 (C) Communicating with traumatized persons.
- 38 (D) Therapeutically appropriate investigative techniques.
- 39 (E) Collaboration with federal law enforcement officials.
- 40 (F) Rights of and protections afforded to victims.
- 41 (G) Providing documentation that satisfies the Declaration
 42 of Law Enforcement Officer for Victim of Trafficking in



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Persons (Form I-914, Supplement B) requirements established under federal law.

(H) The availability of community resources to assist human and sexual trafficking victims.

Sec. 2. The commission shall adopt all necessary rules to:

- (1) establish inservice and advanced training programs and minimum courses of study and attendance requirements for such programs, to ensure that all appointed and elected law enforcement officers may be offered training in current law enforcement and related subjects;
- (2) establish training programs for railroad police, prison and industrial plant guards, postsecondary educational institution safety and security personnel, whether public or private, and such other enforcement related groups as the commission considers necessary, on a voluntary enrollment basis;
- (3) establish policies and procedures governing the use of state owned law enforcement training facilities constructed or established under this article or IC 5-2-1 (before its repeal); and
- (4) give public notice of any other policies, procedures, functions, or requirements that the commission considers necessary and appropriate to carry out this chapter.

Sec. 3. The rules adopted by the law enforcement training board before July 1, 2016, are considered, after June 30, 2016, rules of the commission.

Chapter 6. Minimum Pre-Basic and Basic Training Requirements

Sec. 1. (a) This section does not apply to any law enforcement officer appointed before July 6, 1972, or after June 30, 1993.

(b) A law enforcement officer appointed after July 5, 1972, and before July 1, 1993, may not enforce the laws or ordinances of the state or any political subdivision unless the officer has, within one (1) year from the date of appointment, successfully completed the minimum basic training requirements established under IC 5-2-1 (before its repeal). If a person fails to successfully complete the basic training requirements within one (1) year from the date of employment, the officer may not perform any of the duties of a law enforcement officer involving control or direction of members of the public or exercising the power of arrest until the officer has successfully completed the training requirements.

(c) Military leave or other authorized leave of absence from law enforcement duty during the first year of employment after July 6,



1 1972, tolls the running of the first year, which must be calculated
 2 by the aggregate of the time before and after the leave, for the
 3 purposes of this section.

4 Sec. 2. (a) This section applies to a law enforcement officer
 5 appointed to a law enforcement department or agency after June
 6 30, 1993.

7 (b) Except as provided in sections 3, 4, 5, and 6 of this chapter,
 8 a law enforcement officer may not:

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

12 unless the law enforcement officer successfully completes the basic
 13 training requirements established by the commission under this
 14 chapter.

15 (c) The basic training required by subsection (b) may be
 16 completed at any of the following:

- 17 (1) A commission certified law enforcement academy.
 18 (2) A law enforcement training center approved under
 19 IC 10-22-8.
 20 (3) A qualified postsecondary educational institution
 21 approved under IC 10-22-14.

22 Sec. 3. (a) This section does not apply to:

- 23 (1) a gaming agent employed as a law enforcement officer by
 24 the Indiana gaming commission; or
 25 (2) an:
 26 (A) attorney; or
 27 (B) investigator;

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

30 (b) Before a law enforcement officer appointed after June 30,
 31 1993, completes the basic training requirements established by the
 32 commission under this chapter, the law enforcement officer may
 33 exercise the police powers described in section 2 of this chapter if
 34 the officer successfully completes the pre-basic course established
 35 in subsection (c). Successful completion of the pre-basic course
 36 authorizes a law enforcement officer to exercise the police powers
 37 described in section 2 of this chapter for one (1) year after the date
 38 the law enforcement officer is appointed.

39 (c) The commission shall adopt rules under IC 4-22-2 to
 40 establish a pre-basic course for the purpose of training:

- 41 (1) law enforcement officers;
 42 (2) police reserve officers (as described in IC 36-8-3-20);



1 (3) conservation reserve officers (as described in
2 IC 14-9-8-27); and

3 (4) individuals described in section 11 of this chapter who:

4 (A) are interested in careers in law enforcement; and

5 (B) successfully pass a background check conducted using
6 the automated training management system required by
7 section 12 of this chapter;

8 regarding the subjects of arrest, search and seizure, the lawful use
9 of force, interacting with individuals with autism, and the
10 operation of an emergency vehicle. The pre-basic course must be
11 offered on a periodic basis throughout the year at regional sites
12 statewide. The pre-basic course must consist of at least forty (40)
13 hours of course work. The commission may prepare the classroom
14 part of the pre-basic course using available technology in
15 conjunction with live instruction. The commission shall provide the
16 course material, the instructors, and the facilities at the regional
17 sites throughout Indiana that are used for the pre-basic course. In
18 addition, the commission may certify pre-basic courses that may be
19 conducted by other public or private training entities, including
20 certified training centers and qualified postsecondary educational
21 institutions.

22 Sec. 4. (a) This section applies only to a gaming agent employed
23 as a law enforcement officer by the Indiana gaming commission.

24 (b) A gaming agent may exercise the police powers described in
25 section 2 of this chapter if:

26 (1) the agent successfully completes the pre-basic course
27 described in section 3 of this chapter; and

28 (2) the agent successfully completes any other training courses
29 established by the Indiana gaming commission in conjunction
30 with the commission.

31 Sec. 5. (a) This section applies only to a securities enforcement
32 officer designated as a law enforcement officer by the securities
33 commissioner.

34 (b) A securities enforcement officer may exercise the police
35 powers described in section 2 of this chapter if:

36 (1) the securities enforcement officer successfully completes
37 the pre-basic course described in section 3 of this chapter; and

38 (2) the securities enforcement officer successfully completes
39 any other training courses established by the securities
40 commissioner in conjunction with the commission.

41 Sec. 6. A fire investigator in the division of fire and building
42 safety is required to comply with the basic training standards



1 established under this chapter.

2 **Sec. 7. The commission shall adopt rules establishing a town**
 3 **marshal basic training program, subject to the following:**

4 (1) **The program must require fewer hours of instruction and**
 5 **class attendance and fewer courses of study than are required**
 6 **for the mandated basic training program.**

7 (2) **Certain parts of the course materials may be studied by a**
 8 **candidate at the candidate's home in order to fulfill**
 9 **requirements of the program.**

10 (3) **Law enforcement officers successfully completing the**
 11 **requirements of the program are eligible for appointment**
 12 **only in towns employing the town marshal system (IC 36-5-7)**
 13 **and having not more than one (1) marshal and two (2)**
 14 **deputies.**

15 (4) **The limitation imposed by subdivision (3) does not apply**
 16 **to an officer who has successfully completed the mandated**
 17 **basic training program.**

18 (5) **The time limitations imposed by section 1 of this chapter**
 19 **for completing the training are also applicable to the**
 20 **program.**

21 (6) **The program must require training in interacting with**
 22 **individuals with autism.**

23 **Sec. 8. (a) This section applies only to a correctional police**
 24 **officer employed by the department of correction.**

25 **(b) A correctional police officer may exercise the police powers**
 26 **described in section 2 of this chapter if:**

27 (1) **the officer successfully completes the pre-basic course**
 28 **described in section 3 of this chapter; and**

29 (2) **the officer successfully completes any other training**
 30 **courses established by the department of correction in**
 31 **conjunction with the commission.**

32 **Sec. 9. An investigator of the Medicaid fraud control unit may**
 33 **not enforce Medicaid fraud statutes, rules, or regulations unless the**
 34 **investigator has, within one (1) year of the date of employment as**
 35 **an investigator, successfully completed the minimum basic training**
 36 **requirements established under this chapter.**

37 **Sec. 10. (a) An individual who successfully completes the:**

38 (1) **pre-basic course established under section 3(c) of this**
 39 **chapter;**

40 (2) **basic training described in section 2 of this chapter; or**

41 (3) **town marshal basic training described in section 7 of this**
 42 **chapter;**



1 is eligible for appointment to an appropriate law enforcement
 2 agency for two (2) years after the date of the individual's
 3 completion of the training program.

4 (b) An individual who:

5 (1) is ineligible for employment by a law enforcement agency
 6 under subsection (a); and

7 (2) has completed either:

8 (A) the pre-basic course established under section 3(c) of
 9 this chapter; or

10 (B) the town marshal basic training described in section 7
 11 of this chapter;

12 may regain eligibility for employment by a law enforcement agency
 13 by completing the basic training described in section 2 of this
 14 chapter or a refresher course established under subsection (d).

15 (c) An individual who:

16 (1) is ineligible for employment by a law enforcement agency
 17 under subsection (a); and

18 (2) has completed the basic training described in section 2 of
 19 this chapter;

20 may regain eligibility for employment by a law enforcement agency
 21 by completing a refresher course established under subsection (d).

22 (d) The commission shall adopt rules under IC 4-22-2 to
 23 establish refresher courses for individuals who are ineligible for
 24 employment by a law enforcement agency because more than two
 25 (2) years have elapsed since completing a training program
 26 described in subsection (a). A refresher course established under
 27 this subsection must ensure that the individual completing the
 28 refresher course has mastery of the skills and information
 29 commensurate with the successful completion of the training
 30 program previously completed by the individual.

31 Sec. 11. An individual is not required to have received an
 32 appointment from a law enforcement agency before receiving law
 33 enforcement training under this article.

34 Sec. 12. An individual who wishes to participate in law
 35 enforcement training conducted under this article must
 36 successfully pass a background check conducted using the
 37 automated training management system.

38 Chapter 7. Inservice Training Requirements, Continuing
 39 Education, and Other Professional Development

40 Sec. 1. (a) The commission shall adopt rules under IC 4-22-2 to
 41 establish a mandatory inservice training program for police
 42 officers and police reserve officers (as described in IC 36-8-3-20).



1 (b) A law enforcement officer who has satisfactorily completed
 2 basic training and has been appointed to a law enforcement
 3 department or agency on either a full-time or part-time basis is not
 4 eligible for continued employment unless the officer satisfactorily
 5 completes the mandatory inservice training requirements
 6 established by rules adopted by the commission. Inservice training
 7 must include training in interacting with persons with mental
 8 illness, addictive disorders, intellectual disabilities, autism,
 9 developmental disabilities, and Alzheimer's disease or related
 10 senile dementia.

11 (c) Inservice training must include training concerning human
 12 and sexual trafficking and high risk missing persons (as defined in
 13 IC 5-2-17-1).

14 (d) The commission may approve courses offered by other
 15 public or private training entities, including postsecondary
 16 educational institutions, as necessary in order to ensure the
 17 availability of an adequate number of inservice training programs.
 18 The commission may waive an officer's inservice training
 19 requirements if the commission determines that the officer's reason
 20 for lacking the required amount of inservice training hours is due
 21 to either of the following:

22 (1) An emergency situation.

23 (2) The unavailability of courses.

24 (e) Training provided under this section must be provided by
 25 persons approved by the secretary of family and social services and
 26 the board,

27 Sec. 2. (a) The commission shall adopt rules under IC 4-22-2 to
 28 establish a police chief executive training program. The executive
 29 training program must include training in the following areas:

30 (1) Liability.

31 (2) Media relations.

32 (3) Accounting and administration.

33 (4) Discipline.

34 (5) Department policy making.

35 (6) Lawful use of force.

36 (7) Department programs.

37 (8) Emergency vehicle operation.

38 (9) Cultural diversity.

39 (b) A police chief shall apply for admission to the executive
 40 training program within two (2) months of the date the police chief
 41 initially takes office. A police chief must successfully complete the
 42 executive training program within six (6) months of the date the



1 police chief initially takes office. However, if space in the executive
2 training program is not available at a time that will allow
3 completion of the executive training program within six (6) months
4 of the date the police chief initially takes office, the police chief
5 must successfully complete the next available executive training
6 program that is offered after the police chief initially takes office.

7 (c) A police chief who fails to comply with subsection (b) may
8 not continue to serve as the police chief until completion of the
9 executive training program.

10 (d) A town marshal is not considered to be a police chief for
11 purposes of this section, but a town marshal may enroll in the
12 executive training program.

13 Sec. 3. The commission shall adopt rules under IC 4-22-2 to
14 establish a refresher course for an officer who:

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

17 (2) has not been employed as a law enforcement officer for at
18 least two (2) years and less than six (6) years before the officer
19 is hired under subdivision (1) due to the officer's resignation
20 or retirement; and

21 (3) completed at any time a basic training course certified by
22 the commission before the officer is hired under subdivision
23 (1).

24 Sec. 4. (a) The commission shall adopt rules under IC 4-22-2 to
25 establish a refresher course for an officer who:

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

28 (2) has not been employed as a law enforcement officer for at
29 least six (6) years and less than ten (10) years before the
30 officer is hired under subdivision (1) due to the officer's
31 resignation or retirement;

32 (3) is hired under subdivision (1) in an upper level
33 policymaking position; and

34 (4) completed at any time a basic training course certified by
35 the board before the officer is hired under subdivision (1).

36 (b) A refresher course established under this section may not
37 exceed one hundred twenty (120) hours of course work. All credit
38 hours received for successfully completing the police chief
39 executive training program under section 2 of this chapter shall be
40 applied toward the refresher course credit hour requirements.

41 Sec. 5. (a) Subject to subsection (b), an officer to whom section
42 3 or 4 of this chapter applies must successfully complete the



1 refresher course described in section 3 or 4 of this chapter not later
 2 than six (6) months after the officer's date of hire, or the officer
 3 loses the officer's powers of:

- 4 (1) arrest;
 5 (2) search; and
 6 (3) seizure.

7 (b) A law enforcement officer who has worked as a law
 8 enforcement officer for less than twenty-five (25) years before
 9 being hired under section 3(1) or 4(a)(1) of this chapter is not
 10 eligible to attend the refresher course described in section 3 or 4 of
 11 this chapter and must repeat the full basic training course to regain
 12 law enforcement powers. However, a law enforcement officer who
 13 has worked as a law enforcement officer for at least twenty-five
 14 (25) years before being hired under section 3(1) or 4(a)(1) of this
 15 chapter and who otherwise satisfies the requirements of section 3
 16 or 4 of this chapter is not required to repeat the full basic training
 17 course to regain law enforcement powers but shall attend the
 18 refresher course described in section 3 or 4 of this chapter and the
 19 pre-basic training course established under IC 10-22-6-3.

20 Sec. 6. (a) There is established in each county a county law
 21 enforcement continuing education program. The program is
 22 funded by amounts appropriated under IC 33-37-8-4 or
 23 IC 33-37-8-6.

24 (b) A county law enforcement agency continuing education
 25 program shall provide to each law enforcement officer employed
 26 by the county and may provide to each law enforcement officer
 27 employed by a city or town law enforcement agency within the
 28 county continuing education concerning the following:

- 29 (1) Duties of a law enforcement officer in enforcing
 30 restraining orders, protective orders, temporary injunctions,
 31 and permanent injunctions involving abuse.
 32 (2) Guidelines for making felony and misdemeanor arrests in
 33 cases involving abuse.
 34 (3) Techniques for handling incidents of abuse that:
 35 (A) minimize the likelihood of injury to the law
 36 enforcement officer; and
 37 (B) promote the safety of a victim.
 38 (4) Information about the nature and extent of abuse.
 39 (5) Information about the legal rights of and remedies
 40 available to victims of abuse, including the U nonimmigrant
 41 visa created under the federal Victims of Trafficking and
 42 Violence Protection Act of 2000 (P.L. 106-386).



- 1 **(6) How to document and collect evidence in an abuse case.**
 2 **(7) The legal consequences of abuse.**
 3 **(8) The impact on children of law enforcement intervention in**
 4 **abuse cases.**
 5 **(9) Services and facilities available to victims of abuse and**
 6 **abusers.**
 7 **(10) Verification of restraining orders, protective orders,**
 8 **temporary injunctions, and permanent injunctions.**
 9 **(11) Policies concerning arrest or release of suspects in abuse**
 10 **cases.**
 11 **(12) Emergency assistance to victims of abuse and criminal**
 12 **justice options for victims of abuse.**
 13 **(13) Landlord-tenant concerns in abuse cases.**
 14 **(14) The taking into protective custody of an abused child.**
 15 **(15) Assessment of a situation in which a child may be**
 16 **seriously endangered if the child is left in the child's home.**
 17 **(16) Assessment of a situation involving an endangered adult**
 18 **(as defined in IC 12-10-3-2).**
 19 **(17) Response to a sudden, unexpected infant death.**
 20 **(18) Performing cardiopulmonary resuscitation and the**
 21 **Heimlich maneuver.**
 22 **(19) Cultural diversity awareness that includes an**
 23 **understanding of cultural issues related to race, religion,**
 24 **gender, age, domestic violence, national origin, and physical**
 25 **and mental disabilities.**
 26 **(c) A county law enforcement agency may enter into an**
 27 **agreement with other law enforcement agencies to provide the**
 28 **continuing education required by this section and section 7(b) of**
 29 **this chapter.**
 30 **Sec. 7. (a) There is established in each city and in each town with**
 31 **a city court or town court a local law enforcement continuing**
 32 **education program. The program is funded by amounts**
 33 **appropriated under IC 33-37-8-4 and fees collected under**
 34 **IC 9-29-4-2, IC 9-29-11-1, and IC 35-47-2-3.**
 35 **(b) A city or town law enforcement agency shall provide to each**
 36 **law enforcement officer employed by the city or town law**
 37 **enforcement agency continuing education concerning the**
 38 **following:**
 39 **(1) Duties of a law enforcement officer in enforcing**
 40 **restraining orders, protective orders, temporary injunctions,**
 41 **and permanent injunctions involving abuse.**
 42 **(2) Guidelines for making felony and misdemeanor arrests in**



- 1 cases involving abuse.
- 2 (3) Techniques for handling incidents of abuse that:
- 3 (A) minimize the likelihood of injury to the law
- 4 enforcement officer; and
- 5 (B) promote the safety of a victim.
- 6 (4) Information about the nature and extent of abuse.
- 7 (5) Information about the legal rights of and remedies
- 8 available to victims of abuse.
- 9 (6) How to document and collect evidence in an abuse case.
- 10 (7) The legal consequences of abuse.
- 11 (8) The impact on children of law enforcement intervention in
- 12 abuse cases.
- 13 (9) Services and facilities available to victims of abuse and
- 14 abusers.
- 15 (10) Verification of restraining orders, protective orders,
- 16 temporary injunctions, and permanent injunctions.
- 17 (11) Policies concerning arrest or release of suspects in abuse
- 18 cases.
- 19 (12) Emergency assistance to victims of abuse and criminal
- 20 justice options for victims of abuse.
- 21 (13) Landlord-tenant concerns in abuse cases.
- 22 (14) The taking into protective custody of an abused child.
- 23 (15) Assessment of a situation in which the child may be
- 24 seriously endangered if the child is left in the child's home.
- 25 (16) Assessment of a situation involving an endangered adult
- 26 (as defined in IC 12-10-3-2).
- 27 (17) Response to a sudden, unexpected infant death.
- 28 (18) Performing cardiopulmonary resuscitation and the
- 29 Heimlich maneuver.
- 30 (c) A city or town law enforcement agency may enter into an
- 31 agreement with other county, city, or town law enforcement
- 32 agencies to provide the continuing education required by this
- 33 section, and the inservice training required by section 1(b) of this
- 34 chapter.
- 35 Sec. 8. (a) As a part of the state police department's inservice
- 36 training, the department shall provide to each law enforcement
- 37 officer employed by the department continuing education
- 38 concerning the following:
- 39 (1) Duties of a law enforcement officer in enforcing
- 40 restraining orders, protective orders, temporary injunctions,
- 41 and permanent injunctions involving abuse.
- 42 (2) Guidelines for making felony and misdemeanor arrests in



- 1 cases involving abuse.
- 2 (3) Techniques for handling incidents of abuse that:
- 3 (A) minimize the likelihood of injury to the law
- 4 enforcement officer; and
- 5 (B) promote the safety of a victim.
- 6 (4) Information about the nature and extent of the abuse.
- 7 (5) Information about the legal rights of and remedies
- 8 available to victims of abuse.
- 9 (6) How to document and collect evidence in an abuse case.
- 10 (7) The legal consequences of abuse.
- 11 (8) The impact on children of law enforcement intervention in
- 12 abuse cases.
- 13 (9) Services and facilities available to victims of abuse and
- 14 abusers.
- 15 (10) Verification of restraining orders, protective orders,
- 16 temporary injunctions, and permanent injunctions.
- 17 (11) Policies concerning arrest or release of suspects in abuse
- 18 cases.
- 19 (12) Emergency assistance to victims of abuse and criminal
- 20 justice options for victims of abuse.
- 21 (13) Landlord-tenant concerns in abuse cases.
- 22 (14) The taking into protective custody of an abused child.
- 23 (15) Assessment of a situation in which a child may be
- 24 seriously endangered if the child is left in the child's home.
- 25 (16) Assessment of a situation involving an endangered adult
- 26 (as defined in IC 12-10-3-2).
- 27 (17) Response to a sudden, unexpected infant death.
- 28 (b) The cost of providing continuing education under this
- 29 section must be paid from money in the state police training fund.
- 30 Chapter 8. Law Enforcement Academies and Training Centers
- 31 Sec. 1. (a) The law enforcement academy building fund is
- 32 established.
- 33 (b) The fund consists of amounts deposited under IC 33-37-7-9.
- 34 (c) The fund may be used by the law enforcement training board
- 35 (before its repeal) or the commission to acquire for the state land
- 36 and interests in and to land, and to construct upon the land a fully
- 37 equipped law enforcement academy to consist of classrooms,
- 38 housing facilities, a cafeteria, firearms ranges, a driving course,
- 39 and other physical facilities that are necessary in the discretion of
- 40 the commission for the basic, inservice, and advanced training of
- 41 law enforcement officers in the skills and techniques of law
- 42 enforcement.



1 (d) Any balance of the fund that is unexpended at the end of any
 2 fiscal year does not revert to the state general fund, but shall be
 3 carried forward for the commission's use in the following state
 4 fiscal year. A balance carried forward under this subsection is
 5 appropriated to the commission for the following state fiscal year.

6 Sec. 2. (a) The commission may expend money for all expenses
 7 required for land acquisition and transfer, including:

8 (1) personal services;

9 (2) appraisers fees;

10 (3) the cost of acquiring any interest in land; and

11 (4) costs for the construction and maintenance of
 12 improvements on an acquired interest in land.

13 (b) The budget agency may, with the approval of the
 14 commission and the governor, make allocations and transfers of
 15 funds appropriated by the general assembly to state agencies
 16 having jurisdiction and control over land acquired by the
 17 commission for the purposes of this article. However, the budget
 18 agency may not make allocations and transfers in the acquisition
 19 of land that has been declared surplus land of the state under a
 20 statute.

21 (c) The commission may acquire land and law enforcement
 22 academy buildings by gift, donation, bequest, devise, exchange,
 23 purchase, or eminent domain, or other means. However, any
 24 money or proceeds from gifts, bequests, grants, or other donations
 25 must be deposited in a special donation fund established under
 26 subsection (d).

27 (d) The special donation fund is established. The commission
 28 may use money in the fund for the purposes of this section. Money
 29 in the fund does not revert to the state general fund unless specified
 30 by the donor as a condition of the donor's gift.

31 (e) All land and academy buildings, however acquired, are the
 32 property of the state.

33 Sec. 3. (a) The law enforcement training fund is established. The
 34 fund consists of amounts deposited under IC 33-37-7-9. The
 35 commission may accept gifts and grants of money, services, or
 36 property to supplement the fund and to use the gifts and grants for
 37 any purpose consistent with the purposes of the fund described in
 38 subsection (b).

39 (b) The law enforcement training fund may be used by the
 40 commission for the following purposes:

41 (1) Building and grounds maintenance for the law
 42 enforcement academy.



1 **(2) Training equipment and supplies necessary to operate the**
 2 **law enforcement academy.**

3 **(3) Aid to approved law enforcement training schools certified**
 4 **as having met or exceeded the minimum standards established**
 5 **by the commission.**

6 **(4) Personal services, as authorized by the commission with**
 7 **the approval of the governor.**

8 **(5) Any other purpose necessary to carry out this chapter, as**
 9 **determined by the commission.**

10 **Sec. 4. (a) Subject to the rules of the commission, the facilities of**
 11 **the law enforcement academy are available to any law enforcement**
 12 **agency of the state or a political subdivision.**

13 **(b) Any law enforcement agency of the state, any of its political**
 14 **subdivisions, a qualified postsecondary educational institution, or**
 15 **any commission certified training center may conduct training:**

16 **(1) for the law enforcement agency of any political subdivision**
 17 **in Indiana; and**

18 **(2) in facilities other than those of the law enforcement**
 19 **academy;**

20 **if the minimum standards established by the commission are met**
 21 **or exceeded.**

22 **(c) A law enforcement agency or a commission certified training**
 23 **center conducting approved local training under subsection (b) is**
 24 **entitled to a per capita allowance from the law enforcement**
 25 **training fund to defray the parts of the cost of basic training as**
 26 **approved by the commission. The per capita allowance shall be**
 27 **earmarked and expended only for law enforcement training.**

28 **(d) The facilities of the law enforcement academy must be**
 29 **available for the training of railroad police, prison and industrial**
 30 **plant guards, postsecondary educational institution safety and**
 31 **security personnel, whether public or private, and such other**
 32 **enforcement related groups as are approved by the commission,**
 33 **upon terms and conditions established by the commission. Railroad**
 34 **police and nongovernmental enforcement related groups that**
 35 **qualify to use the facilities of the academy under the rules of the**
 36 **commission shall reimburse the commission for the cost of the**
 37 **training. The commission shall deposit amounts received under this**
 38 **section in the law enforcement training fund.**

39 **(e) The facilities of the law enforcement academy may be used**
 40 **for the training of firefighting personnel where the subject matter**
 41 **of the training relates to duties that involve law enforcement**
 42 **related conduct. The training must be conducted upon terms and**



1 conditions established by the commission. However, no volunteer
2 firefighter is required to attend training at the academy.

3 (f) The cost of the mandatory basic training conducted by the
4 commission at the facilities of the law enforcement academy must
5 be paid out of the law enforcement training fund, if the trainee has
6 been previously investigated, approved, and appointed to a law
7 enforcement department or agency regardless of whether the
8 appointment is for service as an active or reserve officer. All other
9 training programs authorized by this article and conducted at the
10 law enforcement training academy are subject to fee schedules and
11 charges for tuition, lodging, meals, instructors, training materials,
12 and any other items or services established by the commission.

13 Sec. 5. The facilities of the law enforcement academy may be
14 used for the training of investigators of the Medicaid fraud control
15 unit. The training shall be conducted upon the terms and
16 conditions established by the commission.

17 Sec. 6. A commission certified training center may provide basic
18 training to a law enforcement officer who is:

- 19 (1) employed by a law enforcement agency that is a member
20 agency of the law enforcement training center; and
- 21 (2) not accepted by the law enforcement academy for the next
22 basic training course because the academy does not have a
23 space for the officer in the next basic training course.

24 Sec. 7. (a) The commission may adopt rules under IC 4-22-2 to
25 establish a southwest Indiana law enforcement training academy.

26 (b) If the commission adopts rules under subsection (a) to
27 establish a southwest Indiana law enforcement training academy,
28 the commission shall in accordance with IC 4-22-2 adopt rules
29 establishing minimum standards for the southwest Indiana law
30 enforcement training academy.

31 (c) The southwest Indiana law enforcement training academy
32 may provide:

- 33 (1) basic training to a law enforcement officer who is not
34 accepted by the law enforcement academy for the next basic
35 training course because the academy does not have a space for
36 the officer in the next basic training course;
- 37 (2) pre-basic courses described in IC 10-22-6;
- 38 (3) inservice training described in IC 10-22-7; and
- 39 (4) other law enforcement training approved by the
40 commission;

41 if the training academy meets or exceeds the minimum standards
42 established under subsection (b) by the commission.



1 (d) The southwest Indiana law enforcement training academy
2 established under this section may receive funding only from the
3 following:

- 4 (1) A local unit of government (as defined in IC 14-22-31.5-1).
5 (2) A unit of a fraternal order or a similar association.
6 (3) Charitable contributions.
7 (4) Federal grants.

8 Sec. 8. (a) The northwest Indiana law enforcement academy,
9 including the academy's board of directors, is designated as a
10 criminal justice agency.

11 (b) The northwest Indiana law enforcement academy is a
12 commission certified training center.

13 (c) As a designated criminal justice agency, the board of
14 directors of the northwest Indiana law enforcement academy:

- 15 (1) has all the duties and privileges of a police agency;
16 (2) may appoint, through its executive director, police officers
17 for the northwest Indiana law enforcement academy;
18 (3) shall establish all rules, policies, and procedures
19 concerning the internal organization, duties, and
20 responsibilities of the police agency, including:
21 (A) prescribing a distinctive uniform; and
22 (B) designating and operating emergency vehicles; and
23 (4) may undertake investigations according to the purposes of
24 this chapter.

25 Chapter 9. Additional Powers and Duties of the Commission

26 Sec. 1. The commission shall enter into agreements with other
27 agencies and qualified postsecondary educational institutions that
28 demonstrate the ability to meet applicable standards established by
29 the commission in carrying out the intent of this article.

30 Sec. 2. The commission shall adopt rules under IC 4-22-2 to
31 establish a program to certify handgun safety courses, including
32 courses offered in the private sector, that meet standards approved
33 by the commission for training probation officers in handgun
34 safety as required by IC 11-13-1-3.5(3).

35 Sec. 3. The commission may:

- 36 (1) recommend or conduct studies, make surveys, and require
37 reports to be made by the chief administrative officer of any
38 law enforcement agency or department of the state or any of
39 its political subdivisions as necessary to carry out the
40 purposes of this article;
41 (2) originate, compile, and disseminate lecture outlines and
42 other training material, and design and furnish forms and



1 certificates necessary to carry out and certify compliance with
 2 the training program authorized or required by this article;
 3 and

4 (3) perform any other acts necessary and appropriate to carry
 5 out the duties, responsibilities, and functions of the
 6 commission as set forth in this article.

7 **Sec. 4. The commission or any of its designated representatives**
 8 **may:**

9 (1) visit and inspect any law enforcement training school of
 10 the state or any of its political subdivisions for the purpose of
 11 determining whether the minimum standards established
 12 under this article are being complied with and to issue or
 13 revoke certificates indicating compliance;

14 (2) issue and revoke certificates for instructors qualified or
 15 unqualified to participate in law enforcement training under
 16 this article;

17 (3) issue, authorize, or revoke the issuance of:

18 (A) diplomas;

19 (B) certificates;

20 (C) badges; and

21 (D) other documents showing compliance and
 22 qualification;

23 to law enforcement officers or other persons trained under
 24 this article;

25 (4) consult with and cooperate with any law enforcement
 26 agency of the state or any of its political subdivisions for the
 27 development of inservice and advanced training programs for
 28 the fulfillment of specific needs in law enforcement;

29 (5) consult with and cooperate with approved postsecondary
 30 educational institutions for the development of specialized
 31 courses of study in police science and administration;

32 (6) consult with and cooperate with other departments and
 33 agencies concerned with law enforcement training; and

34 (7) perform other acts necessary or appropriate to carry out
 35 this article.

36 **Sec. 5. As a designated criminal justice agency, the commission:**

37 (1) has all the duties and privileges of a police agency;

38 (2) may appoint, through its executive director, police officers
 39 for the Indiana law enforcement academy;

40 (3) shall establish all rules, policies, and procedures
 41 concerning the internal organization, duties, and
 42 responsibilities of the police agency, including:



- 1 (A) prescribing a distinctive uniform; and
 2 (B) designating and operating emergency vehicles; and
 3 (4) may undertake investigations according to the purposes of
 4 this chapter.

5 **Chapter 10. Commission Personnel**

6 **Sec. 1. (a)** There is created the position of executive director of
 7 the peace officer standards and training commission. The executive
 8 director is the chief administrative officer of the Indiana law
 9 enforcement academy.

10 (b) The commission shall select the executive director whose
 11 tenure of office shall be protected by a four (4) year, renewable
 12 contract of employment that may be terminated earlier by the
 13 commission only for inefficiency, incompetence, neglect of duty, or
 14 other good cause after having been accorded a hearing by the
 15 commission upon reasonable notice of the charge being made
 16 against the executive director. A vote of at least eleven (11)
 17 members of the commission is necessary for the early termination
 18 of the executive director's contract of employment.

19 (c) The executive director must be selected on the basis of
 20 education, training, and experience and must have at least ten (10)
 21 years experience as an active law enforcement officer, at least five
 22 (5) years of which must have been in an executive or administrative
 23 capacity.

24 **Sec. 2.** The executive director shall perform duties assigned by
 25 the commission. The salary and compensation for the executive
 26 director, the training staff, and employees are fixed by the
 27 commission with the approval of the governor.

28 **Sec. 3.** The executive director shall establish a table of
 29 organization to be supplemented with job descriptions for each
 30 position subordinate to that of the executive director, all of which
 31 is subject to the approval of the commission. All persons hired to
 32 fill approved vacancies must be selected on the basis of
 33 qualifications and merit based on training, education, and
 34 experience. Employees and members of the training staff are not
 35 subject to discharge, demotion, or suspension because of political
 36 affiliation, but may be discharged, demoted, or suspended only for
 37 cause after charges made in writing by the executive director. A
 38 person discharged or disciplined for cause is entitled to a hearing
 39 before the commission if the person requests a hearing by giving
 40 notice to the executive director within fifteen (15) days after
 41 receiving written notice of discharge or disciplinary action.
 42 Procedures must be consistent with IC 4-21.5.



1 **Sec. 4. (a) The executive director or a member of the training**
 2 **staff of the commission, when assisting a law enforcement officer**
 3 **or agency in either an advisory or active capacity, has the same**
 4 **powers as the officer or agency receiving the assistance.**

5 **(b) When the executive director or a member of the training**
 6 **staff of the commission is assisting a law enforcement officer or**
 7 **agency, the executive director or member of the training staff:**

8 **(1) shall serve under the supervision of the chief official of the**
 9 **agency being assisted; and**

10 **(2) is not entitled to receive any compensation other than that**
 11 **provided by the commission.**

12 **Chapter 11. Powers and Duties of Police Officers Appointed by**
 13 **the Commission**

14 **Sec. 1. Police officers appointed by the commission have all**
 15 **necessary law enforcement powers, including:**

16 **(1) the power to arrest, without process, all persons who**
 17 **within the police officer's view commit any felony or**
 18 **misdemeanor;**

19 **(2) all common law and statutory powers, privileges, and**
 20 **immunities of sheriffs, except those specifically forbidden by**
 21 **the commission; and**

22 **(3) the power to serve civil process to the extent authorized by**
 23 **the commission.**

24 **Sec. 2. Police officers appointed by the commission shall:**

25 **(1) preserve the peace, maintain order, and prevent the**
 26 **unlawful use of force or violence or other unlawful conduct on**
 27 **property owned or operated by the commission;**

28 **(2) protect all persons and property located on property**
 29 **owned or operated by the commission from injury, harm, or**
 30 **damage;**

31 **(3) assist the executive director to enforce the rules of the**
 32 **commission or the Indiana law enforcement academy;**

33 **(4) assist and cooperate with other law enforcement agencies**
 34 **and officers; and**

35 **(5) enforce the state motor vehicle laws and motor vehicle**
 36 **rules established by the commission on property owned or**
 37 **operated by the commission.**

38 **Sec. 3. Police officers appointed by the commission:**

39 **(1) must take an appropriate oath of office in a form and**
 40 **manner prescribed by the commission;**

41 **(2) serve at the pleasure of the commission; and**

42 **(3) must comply with the training requirements under**



1 **IC 10-22-6 and IC 10-22-7.**

2 **Chapter 12. Investigation and Discipline of Commission Trained**
3 **Law Enforcement Officers**

4 **Sec. 1. The commission may revoke from a law enforcement**
5 **officer a diploma, certificate, badge, or other document showing**
6 **compliance and qualification issued by the commission for any of**
7 **the following reasons:**

8 **(1) The officer has been convicted of:**

9 **(A) a felony; or**

10 **(B) two (2) or more misdemeanors that would cause a**
11 **reasonable person to believe that the officer is potentially**
12 **dangerous or violent or has a propensity to violate the law.**

13 **(2) The officer has been found not guilty of a felony by reason**
14 **of mental disease or defect.**

15 **(3) The officer's diploma, certificate, badge, or other**
16 **document showing compliance and qualification was issued in**
17 **error or was issued on the basis of information later**
18 **determined to be false.**

19 **Sec. 2. A person who knows of cause for the revocation of a law**
20 **enforcement officer's diploma, certificate, badge, or other**
21 **document showing compliance and qualification shall inform the**
22 **officer's hiring or appointing authority or the commission. A**
23 **person who makes a good faith report of cause for revocation of a**
24 **law enforcement officer's diploma, certificate, badge, or other**
25 **document showing compliance and qualification is immune from**
26 **civil liability.**

27 **Sec. 3. If the chief executive officer receives a report of cause for**
28 **revocation concerning a law enforcement officer within the chief**
29 **executive officer's agency, the chief executive officer shall:**

30 **(1) cause the internal affairs division (or a similar unit) of the**
31 **agency to investigate the report without unnecessary delay; or**

32 **(2) request that the investigation be conducted by a law**
33 **enforcement agency other than the law enforcement agency**
34 **to which the subject of the investigation belongs.**

35 **Sec. 4. If a hiring or appointing authority receives a report of**
36 **cause for revocation concerning the chief executive officer, the**
37 **hiring or appointing authority shall cause an appropriate**
38 **investigative agency to investigate without unnecessary delay.**

39 **Sec. 5. If the commission receives a report or otherwise learns**
40 **of cause for revocation concerning a law enforcement officer or**
41 **chief executive officer, the commission shall consider the report**
42 **and direct the executive director to notify the subject officer's**



1 hiring or appointing authority about the report and request an
2 investigation. The hiring or appointing authority shall cause an
3 investigation to be conducted by an appropriate investigative
4 agency without unnecessary delay.

5 Sec. 6. When a hiring or appointing authority completes an
6 investigation of cause for revocation, the hiring or appointing
7 authority shall forward a complete report of its investigation,
8 findings, and recommendations, if any, to the commission. The
9 hiring or appointing authority shall also forward to the
10 commission a description of any administrative or disciplinary
11 action taken as a result of the investigation not later than sixty (60)
12 days after the hiring or appointing authority takes administrative
13 or disciplinary action.

14 Sec. 7. (a) Except as provided in subsection (b), if the
15 commission receives the results of an investigation described in
16 section 6 of this chapter, the commission shall conduct a hearing to
17 consider the report, the recommendations of the report, and any
18 additional information. The commission shall provide the officer
19 who is the subject of the report with notice and an opportunity to
20 be heard. The commission may appoint the executive director or
21 another qualified person to present the report and the results of the
22 investigation to the commission. In determining whether to revoke
23 the subject officer's diploma, certificate, badge, or other document
24 showing compliance and qualification, the commission shall
25 consider the opinion and testimony of the hiring or appointing
26 authority. If the commission determines that cause for revocation
27 exists, the commission may revoke the subject officer's diploma,
28 certificate, badge, or other document showing compliance and
29 qualification. The commission shall send notice of revocation by
30 certified mail to the subject officer's hiring or appointing
31 authority. The subject officer may pursue judicial review of the
32 commission's action under IC 4-21.5-5-13.

33 (b) When the commission receives the results of an investigation
34 described in section 6 of this chapter, the commission may, instead
35 of conducting a hearing under subsection (a), direct the executive
36 director or another qualified person to serve as an administrative
37 law judge to conduct the hearing described in subsection (a). If the
38 administrative law judge determines that cause for revocation
39 exists, the administrative law judge shall revoke the subject
40 officer's diploma, certificate, badge, or other document showing
41 compliance and qualification and notify the subject officer by
42 certified mail of the decision, with notice of the subject officer's



1 right to appeal to the commission not later than fifteen (15) days
 2 after receipt of the notice. An appeal to the commission must be in
 3 writing and may be decided by the commission without a hearing.
 4 The commission shall notify the subject officer of the board's
 5 appellate decision under this subsection by certified mail. The
 6 subject officer may pursue judicial review of the commission's
 7 action under IC 4-21.5-5-13.

8 **Sec. 8. (a)** An officer whose diploma, certificate, badge, or other
 9 document showing compliance and qualification has been revoked
 10 may apply to the commission for reinstatement. The application
 11 for reinstatement must:

12 (1) be in writing; and

13 (2) show:

14 (A) that the cause for revocation no longer exists legally; or

15 (B) that reinstatement is otherwise appropriate and that
 16 the applicant poses no danger to the public and can
 17 perform as a law enforcement officer according to the
 18 commission's standards.

19 (b) The commission may direct the executive director to
 20 investigate an application for reinstatement submitted under this
 21 section and make a report to the commission. The commission shall
 22 consider the application and notify the applicant by certified mail
 23 of the commission's decision.

24 **Chapter 13. Funding Continuing Education Programs**

25 **Sec. 1.** Funds received by a law enforcement agency under this
 26 chapter shall be used for the continuing education and training of
 27 law enforcement officers employed by the agency and for
 28 equipment and supplies for law enforcement purposes.

29 **Sec. 2. (a)** This section applies to a county law enforcement
 30 continuing education program established under IC 10-22-7-6.

31 (b) A county law enforcement continuing education fund is
 32 established for each county. A county law enforcement agency
 33 receiving amounts based upon claims for law enforcement
 34 continuing education funds under IC 33-37-8-4 or IC 33-37-8-6
 35 shall deposit each fee collected into the county law enforcement
 36 continuing education fund.

37 (c) Distribution of money in the county law enforcement
 38 continuing education fund shall be made to a county law
 39 enforcement agency without the necessity of first obtaining an
 40 appropriation from the county fiscal body.

41 (d) At the end of a county's fiscal year, the county auditor shall
 42 transfer to the commission money exceeding one hundred dollars



1 (\$100) that is unencumbered and remains in a county law
 2 enforcement continuing education fund for at least one (1) entire
 3 calendar year from the date of its deposit. The commission shall
 4 deposit amounts received under this subsection in the law
 5 enforcement training fund established under IC 10-22-8-3.

6 (e) To make a claim under IC 33-37-8-6, a law enforcement
 7 agency shall submit to the fiscal body a verified statement of cause
 8 numbers for fees collected that are attributable to the law
 9 enforcement efforts of the agency.

10 (f) A law enforcement agency shall submit a claim for fees under
 11 this section in the same county fiscal year in which the fees are
 12 collected under IC 33-37-4.

13 **Sec. 3. (a) This section applies to a local law enforcement**
 14 **continuing education program established under IC 10-22-7-7.**

15 (b) A local law enforcement continuing education fund is
 16 established for each city or town law enforcement agency located
 17 in a city or town that has a city court or town court. A city or town
 18 law enforcement agency receiving amounts based upon claims for
 19 law enforcement continuing education funds under IC 33-37-8-4 or
 20 IC 33-37-8-6 shall deposit each fee collected into the local law
 21 enforcement continuing education fund.

22 (c) Distribution of money in a local law enforcement continuing
 23 education fund shall be made to a city or town law enforcement
 24 agency without the necessity of first obtaining an appropriation
 25 from the fiscal body of the city or town.

26 (d) To make a claim under IC 33-37-8-4, a law enforcement
 27 agency shall submit to the fiscal body a verified statement of cause
 28 numbers for fees collected that are attributable to the law
 29 enforcement efforts of the agency.

30 **Sec. 4. (a) There is established the state police training fund. The**
 31 **fund consists of amounts collected under IC 33-37-4-1(b)(4),**
 32 **IC 33-37-4-2(b)(3), and IC 33-37-4-3(b)(4) on behalf of the state**
 33 **police department.**

34 (b) If the state police department files a claim under
 35 IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund
 36 or a county user fee fund, the fiscal officer of the city or town or
 37 the county auditor shall deposit fees collected under the cause
 38 numbers submitted by the state police department into the state
 39 police training fund established under this section.

40 (c) Claims against the state police training fund must be
 41 submitted in accordance with IC 5-11-10.

42 (d) Money exceeding one hundred dollars (\$100) that is



1 unencumbered and remains in the state police training fund for at
2 least one (1) entire calendar year from the date of its deposit shall,
3 at the end of the state fiscal year, be deposited in the law
4 enforcement training fund established under IC 10-22-8-3.

5 Sec. 5. (a) There is established the conservation officers training
6 fund. The department of natural resources shall administer the
7 fund. The fund consists of amounts collected under
8 IC 33-37-4-1(b)(4), IC 33-37-4-2(b)(3), and IC 33-37-4-3(b)(4) on
9 behalf of the department of natural resources.

10 (b) If the department of natural resources files a claim under
11 IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund
12 or a county user fee fund, the fiscal officer of the city or town or
13 the county auditor shall deposit fees collected under the cause
14 numbers submitted by the department of natural resources into the
15 conservation officers training fund established under this section.

16 (c) Claims against the conservation officers training fund must
17 be submitted in accordance with IC 5-11-10.

18 (d) Money exceeding one hundred dollars (\$100) that is
19 unencumbered and remains in the conservation officers training
20 fund for at least one (1) entire calendar year from the date of its
21 deposit shall, at the end of the state fiscal year, be deposited in the
22 law enforcement training fund established by IC 10-22-8-3.

23 Sec. 6. (a) There is established the alcoholic beverage
24 enforcement officers training fund. The alcohol and tobacco
25 commission shall administer the fund. The fund consists of
26 amounts collected under IC 33-37-4-1(b)(4), IC 33-37-4-2(b)(3),
27 and IC 33-37-4-3(b)(4) on behalf of the alcohol and tobacco
28 commission.

29 (b) If the alcohol and tobacco commission files a claim under
30 IC 33-37-8-4 or IC 33-37-8-6 against a city or town user fee fund
31 or a county user fee fund, the fiscal officer of the city or town or
32 the county auditor shall deposit fees collected under the cause
33 numbers submitted by the alcohol and tobacco commission into the
34 alcoholic beverage enforcement officers training fund established
35 under this section.

36 (c) Claims against the alcoholic beverage enforcement officers
37 training fund must be submitted in accordance with IC 5-11-10.

38 (d) Money exceeding one hundred dollars (\$100) that is
39 unencumbered and remains in the alcoholic beverage enforcement
40 officers training fund for at least one (1) entire calendar year from
41 the date of its deposit shall, at the end of the state fiscal year, be
42 deposited in the law enforcement training fund established by



1 **IC 10-22-8-3.**

2 **Chapter 14. Law Enforcement Training at Approved**
 3 **Postsecondary Educational Institutions**

4 **Sec. 1. A qualified postsecondary educational institution may**
 5 **apply in the manner prescribed by the commission for**
 6 **authorization to provide any of the following at a site determined**
 7 **by the qualified postsecondary educational institution:**

8 (1) **The pre-basic training program offered under**
 9 **IC 10-22-6-3.**

10 (2) **The basic training program required under IC 10-22-6-2.**

11 (3) **Law enforcement training equivalent to any specialized**
 12 **training program described in IC 10-22-6.**

13 (4) **Any of the following optional or mandatory programs for**
 14 **law enforcement officers described in this article:**

15 (A) **Inservice training programs.**

16 (B) **Professional development programs.**

17 (C) **Continuing education programs.**

18 **Sec. 2. If the commission finds that a qualified postsecondary**
 19 **educational institution meets the requirements prescribed by the**
 20 **commission, the commission shall issue a certificate of authority to**
 21 **the qualified postsecondary educational institution. The certificate**
 22 **of authority authorizes the qualified postsecondary educational**
 23 **institution to conduct law enforcement training programs under**
 24 **this chapter. A certificate of authority issued under this section**
 25 **must specify each type of law enforcement training that the holder**
 26 **of the certificate is authorized to conduct.**

27 **Sec. 3. Law enforcement training programs offered under this**
 28 **chapter must:**

29 (1) **meet the same performance objectives; and**

30 (2) **fulfill the same minimum hours of training standards;**
 31 **imposed by the commission on training programs conducted at the**
 32 **Indiana law enforcement academy.**

33 **Sec. 4. A qualified postsecondary educational institution may**
 34 **not conduct a law enforcement training program unless authority**
 35 **to conduct the program is specified on the certificate of authority**
 36 **issued to the qualified postsecondary educational institution under**
 37 **section 2 of this chapter.**

38 **Sec. 5. Law enforcement training programs provided under this**
 39 **chapter must be conducted by administrators and instructors**
 40 **holding a certificate issued by the commission under section 6 of**
 41 **this chapter.**

42 **Sec. 6. The commission shall prescribe the:**



1 (1) application procedures and minimum qualifications for
 2 obtaining a certificate required by section 5 of this chapter;
 3 and

4 (2) standards and procedures for issuing and renewing the
 5 certificates of certified administrators and certified
 6 instructors.

7 **Sec. 7.** An individual may apply in the manner prescribed by the
 8 commission for an administrator's certificate or an instructor's
 9 certificate.

10 **Sec. 8.** The following are subject to the continuing jurisdiction
 11 and regulatory authority of the commission:

12 (1) A qualified postsecondary educational institution that
 13 holds a certificate of authority issued under section 4 of this
 14 chapter.

15 (2) A certified administrator.

16 (3) A certified instructor.

17 (4) A law enforcement training program conducted under this
 18 chapter.

19 **Sec. 9.** The commission may suspend, revoke, or refuse to renew
 20 a certificate issued under this chapter if the institution or
 21 individual holding the certificate fails to meet the standards
 22 prescribed by the commission for conducting law enforcement
 23 training programs under this chapter. However, the commission
 24 may suspend, revoke, or refuse to renew a certificate issued under
 25 this chapter only after proper notice and an opportunity for a
 26 hearing under IC 4-21.5.

27 **Sec. 10.** A qualified postsecondary educational institution is not
 28 required to obtain the approval of the commission for higher
 29 education before applying for a certificate of authority under this
 30 chapter. The commission for higher education may not exercise
 31 any regulatory or administrative power concerning any matter
 32 subject to the jurisdiction of the commission under section 8 of this
 33 chapter.

34 **Chapter 15. Transition Provisions**

35 **Sec. 1.** On July 1, 2016, all powers, duties, agreements, and
 36 liabilities of the law enforcement training board are transferred to
 37 the commission, as the successor agency.

38 **Sec. 2.** On July 1, 2016, all records and property of the law
 39 enforcement training board, including appropriations and other
 40 funds under the control or supervision of the law enforcement
 41 training board, are transferred to the commission, as the successor
 42 agency.



1 **Sec. 3. After June 30, 2016, any amounts owed to the law**
 2 **enforcement training board are considered to be owed to the**
 3 **commission, as the successor agency.**

4 **Sec. 4. After June 30, 2016, a reference to the law enforcement**
 5 **training board in a statute, rule, or other document is considered**
 6 **a reference to the commission, as the successor agency.**

7 **Sec. 5. All powers, duties, agreements, and liabilities of the law**
 8 **enforcement training board with respect to bonds issued by the**
 9 **board in connection with any trust agreement or indenture**
 10 **securing those bonds are transferred to the commission, as the**
 11 **successor agency. The rights of the trustee under any trust**
 12 **agreement or indenture and the rights of the bondholders of the**
 13 **law enforcement training board remain unchanged, although the**
 14 **powers, duties, agreements, and responsibilities of the board have**
 15 **been transferred to the commission, as the successor agency.**

16 **Sec. 6. On July 1, 2016, an individual who was serving as a**
 17 **member of the law enforcement training board on June 30, 2016,**
 18 **becomes a member of the commission to serve for the duration of**
 19 **the member's term under IC 5-2-1, as in effect on June 30, 2016.**

20 SECTION 14. IC 11-8-9-1, AS ADDED BY P.L.77-2009,
 21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2016]: Sec. 1. The commissioner may appoint an individual
 23 to serve as a correctional police officer. An individual appointed to
 24 serve as a correctional police officer may not exercise police powers
 25 until the individual successfully completes a program of instruction
 26 certified by the department and the ~~law enforcement training board.~~
 27 **peace officer standards and training commission.**

28 SECTION 15. IC 11-12-4-4, AS AMENDED BY P.L.117-2015,
 29 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2016]: Sec. 4. **(a) As used in this section, "commission"**
 31 **refers to the peace officer standards and training commission**
 32 **created under IC 10-22-3.**

33 ~~(a)~~ **(b)** As used in this section, "jail officer" means a person whose
 34 duties include the daily or ongoing supervision of county jail inmates.

35 ~~(b)~~ **(c)** A person may be confined in the county jail only if there is
 36 a jail officer stationed in the jail.

37 ~~(c)~~ **(d)** A jail officer whose employment begins after December 31,
 38 1985, shall complete the training required by this section during the
 39 first year of employment. This subsection does not apply to a jail
 40 officer who:

41 (1) has successfully completed minimum basic training
 42 requirements (other than training completed under ~~IC 5-2-1-9(h)~~)



1 **IC 10-22-6-7 for town marshals)** for law enforcement officers
 2 established by the ~~law enforcement training board~~; **commission**;
 3 or

4 (2) is a law enforcement officer and is exempt from the training
 5 requirements of ~~IC 5-2-1~~. **IC 10-22**. For purposes of this
 6 subdivision, completion of the training requirements of
 7 ~~IC 5-2-1-9(h)~~ **IC 10-22-6-7 for town marshals** does not exempt
 8 an officer from the minimum basic training requirements of
 9 ~~IC 5-2-1~~. **IC 10-22-6**.

10 ~~(d)~~ (e) The ~~law enforcement training board~~ **commission** shall
 11 develop a forty (40) hour program for the specialized training of jail
 12 officers. The program training must include six (6) hours of training in
 13 interacting with persons with mental illness, addictive disorders,
 14 intellectual disabilities, and developmental disabilities, to be provided
 15 by persons approved by the secretary of family and social services and
 16 the ~~law enforcement training board~~. **commission**. The remainder of the
 17 training shall be provided by the ~~board~~. **commission**.

18 ~~(e)~~ (f) The ~~board~~ **commission** shall certify each person who
 19 successfully completes such a training program.

20 ~~(f)~~ (g) The department shall pay the cost of training each jail officer.

21 SECTION 16. IC 11-13-1-3.5 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3.5. A probation officer
 23 may not carry a handgun as described in IC 35-47-2-1 while acting in
 24 the scope of employment as a probation officer unless all of the
 25 following conditions are met:

26 (1) The appointing court enters an order authorizing the probation
 27 officer to carry the handgun while on duty.

28 (2) The probation officer is issued a license to carry the handgun
 29 under IC 35-47-2.

30 (3) The probation officer successfully completes a handgun safety
 31 course certified by the ~~law enforcement training board~~ under
 32 ~~IC 5-2-1-9(m)~~. **peace officer standards and training**
 33 **commission under IC 10-22-9-2**.

34 SECTION 17. IC 11-13-3-7, AS AMENDED BY P.L.114-2012,
 35 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2016]: Sec. 7. (a) An employee of the department assigned to
 37 supervise and assist parolees may:

38 (1) execute warrants issued by the parole board;

39 (2) serve orders, subpoenas, and notices issued by the parole
 40 board;

41 (3) conduct investigations necessary to the performance of the
 42 employee's duties;



- 1 (4) visit and confer with any person under the employee's
- 2 supervision, even when that person is in custody;
- 3 (5) act as a probation officer if requested by the appropriate court
- 4 and if that request is approved by the department;
- 5 (6) search a parolee's person or property if the employee has
- 6 reasonable cause to believe that the parolee is violating or is in
- 7 imminent danger of violating a condition to remaining on parole;
- 8 (7) arrest a parolee without a warrant if the employee has
- 9 reasonable cause to believe that the parolee has violated or is
- 10 about to violate a condition to remaining on parole and that an
- 11 emergency situation exists, so that awaiting action by the parole
- 12 board under section 8 of this chapter would create an undue risk
- 13 to the public or to the parolee; and
- 14 (8) exercise any other power reasonably necessary in discharging
- 15 the employee's duties and powers.
- 16 (b) An employee of the department assigned to supervise and assist
- 17 parolees is not considered a law enforcement officer under ~~IC 5-2-1~~
- 18 **IC 10-22** or IC 35-31.5-2-185.
- 19 SECTION 18. IC 11-13-6-6, AS AMENDED BY P.L.114-2012,
- 20 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2016]: Sec. 6. (a) An employee of the department assigned to
- 22 supervise and assist parolees may:
- 23 (1) execute warrants issued by the department;
- 24 (2) serve orders, subpoenas, and notices issued by the department;
- 25 (3) conduct investigations necessary to the performance of the
- 26 employee's duties;
- 27 (4) visit and confer with any person under the employee's
- 28 supervision, even when that person is in custody;
- 29 (5) act as a probation officer if requested by the appropriate court
- 30 and if that request is approved by the department;
- 31 (6) search a parolee's person or property if the employee has
- 32 reasonable cause to believe that the parolee is violating or is in
- 33 imminent danger of violating a condition of parole;
- 34 (7) arrest a parolee without a warrant if the employee has
- 35 reasonable cause to believe that the parolee has violated or is
- 36 about to violate a condition of the parolee's parole and that an
- 37 emergency situation exists, so that awaiting action under section
- 38 7 of this chapter would create an undue risk to the public or to the
- 39 parolee; and
- 40 (8) exercise any other power reasonably necessary in discharging
- 41 the employee's duties and powers.
- 42 (b) An employee of the department assigned to supervise and assist



1 parolees is not considered a law enforcement officer under ~~IC 5-2-1~~
 2 **IC 10-22** or IC 35-31.5-2-185.

3 SECTION 19. IC 12-21-5-4, AS ADDED BY P.L.185-2015,
 4 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2016]: Sec. 4. (a) To the extent that funds are made available,
 6 the division, in consultation with:

- 7 (1) the department of education;
- 8 (2) the ~~law enforcement training board;~~ **peace officer standards**
 9 **and training commission;**
- 10 (3) the Indiana Council of Community Mental Health Centers;
- 11 (4) Mental Health America-Indiana;
- 12 (5) the Indiana emergency medical services commission; and
- 13 (6) a private foundation dedicated to the prevention of youth
 14 suicide through education and awareness;

15 shall develop and administer a mental health first aid training program.

16 (b) The mental health first aid training program developed under
 17 subsection (a) must do the following:

- 18 (1) Train individuals attending the training program to recognize
 19 the risk factors and signs of mental health problems or crises in
 20 children and young adults, including signs that a child or young
 21 adult may be considering suicide.
- 22 (2) Train individuals attending the training program to guide
 23 children and young adults who exhibit signs of a mental health
 24 problem or crisis to appropriate behavioral health services.
- 25 (3) Train individuals attending the training program to not label
 26 children who are at risk or show signs of mental health problems
 27 in a manner that would stigmatize the child.

28 (c) The division shall provide training for individuals who will be
 29 instructors in the mental health first aid training program.

30 (d) The division shall make the mental health first aid training
 31 program available to licensed teachers, school counselors, emergency
 32 medical service providers, law enforcement officers, leaders of
 33 community faith organizations, and other persons interested in
 34 receiving training under the program.

35 (e) The division, the department of education, and the Indiana
 36 emergency medical services commission may seek federal and state
 37 funding and may accept private contributions to administer and provide
 38 mental health first aid training programs.

39 (f) Notwithstanding any other law, the division is not required to
 40 implement the mental health first aid training program until after June
 41 30, 2016.

42 (g) Before October 1, 2015, the division shall report to the interim



1 study committee on public health, behavioral health, and human
 2 services established by IC 2-5-1.3-4(14) concerning the status of the
 3 development of the mental health first aid training program.

4 SECTION 20. IC 14-9-8-27 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 27. (a) A conservation
 6 reserve officer may be appointed to assist the division in the
 7 enforcement of watercraft laws and for no other purpose. A
 8 conservation reserve officer must be appointed in the same manner that
 9 a conservation officer is appointed.

10 (b) A conservation reserve officer:

- 11 (1) may not be a conservation officer;
 12 (2) has the police powers of a conservation officer to enforce
 13 watercraft laws, except as limited by the rules of the department;
 14 (3) to the extent that money is appropriated for a purpose listed in
 15 this subdivision, may receive:
 16 (A) a uniform allowance;
 17 (B) compensation for time lost from other employment
 18 because of court appearances;
 19 (C) insurance for life, accident, and sickness coverage;
 20 (D) compensation for lake patrol duties that the division
 21 director assigns and approves for compensation; or
 22 (E) any combination of benefits specified in clauses (A)
 23 through (D);
 24 (4) is not eligible to participate in a pension program provided for
 25 conservation officers;
 26 (5) may not be appointed until completion of the following:
 27 (A) A minimum of forty (40) hours of general reserve officer
 28 training.
 29 (B) A minimum of twelve (12) hours in addition to the training
 30 under subdivision (A) in the enforcement of watercraft laws.
 31 (C) A probationary period specified by rule of the department;
 32 (6) may not:
 33 (A) make an arrest;
 34 (B) conduct a search or seizure of a person or property; or
 35 (C) carry a firearm;
 36 unless the conservation reserve officer successfully completes a
 37 pre-basic course under ~~IC 5-2-1-9(f)~~; **IC 10-22-6-3**; and
 38 (7) may be covered by the medical treatment and burial expense
 39 provisions of the worker's compensation law (IC 22-3-2 through
 40 IC 22-3-6) and the worker's occupational diseases law
 41 (IC 22-3-7).

42 If compensability of an injury covered under subdivision (7) is an issue,



1 the administrative procedures of IC 22-3-2 through IC 22-3-6 and
2 IC 22-3-7 must be used to resolve the issue.

3 (c) A conservation reserve officer carrying out lake patrol duties
4 under this chapter is immune from liability under IC 34-30-12,
5 notwithstanding the payment of compensation to the conservation
6 reserve officer.

7 (d) The department may adopt rules under IC 4-22-2 to implement
8 this section and to limit the authority of conservation reserve officers.

9 SECTION 21. IC 14-9-9-8, AS AMENDED BY P.L.219-2014,
10 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2016]: Sec. 8. (a) If a county is awarded a grant under this
12 chapter, the county must establish a special account within the county's
13 general fund. The grant must be deposited in the special account for the
14 county sheriff's or fiscal body's exclusive use in providing law
15 enforcement services on lakes or boundary waters located within the
16 county.

17 (b) The county sheriff or fiscal body may use grant money as
18 authorized under this chapter without appropriation. However, itemized
19 receipts for expenditures of money granted from the fund must be
20 submitted for inspection and review upon request of the department. At
21 the request of the department, the county auditor of the participating
22 county shall conduct an audit of the account.

23 (c) The receipt of a grant under this chapter may not be used as a
24 basis for lowering the county's maximum permissible ad valorem
25 property tax levy.

26 (d) All individuals providing law enforcement services using a grant
27 under this chapter, whether under the authority of the county sheriff or
28 under a contract with the fiscal body, must meet the minimum training
29 requirement set forth in ~~IC 5-2-1-9~~. **IC 10-22-6.**

30 SECTION 22. IC 16-18-4-4, AS ADDED BY P.L.199-2013,
31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2016]: Sec. 4. (a) The governing board of a hospital shall
33 require an individual appointed as a hospital police officer under this
34 chapter to meet at least the following requirements:

- 35 (1) The individual must successfully complete, within one (1)
36 year after the individual is appointed as a hospital police officer,
37 the minimum basic training and educational requirements as
38 approved by the governing board of the hospital and the ~~law~~
39 **enforcement training board: peace officer standards and**
40 **training commission.**
41 (2) The individual must undergo a psychological evaluation.
42 (3) The individual must undergo a national criminal history



1 background check.

2 (b) The governing board of the hospital shall require an individual
3 appointed as a hospital police officer to annually attend inservice
4 training courses approved by the governing board of the hospital.

5 SECTION 23. IC 20-26-16-4, AS ADDED BY P.L.132-2007,
6 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2016]: Sec. 4. An individual appointed as a school corporation
8 police officer must successfully complete at least:

9 (1) the pre-basic training course established under ~~IC 5-2-1-9(f)~~;
10 **IC 10-22-6-3**; and

11 (2) the minimum basic training and educational requirements
12 adopted by the ~~law enforcement training board under IC 5-2-1-9~~
13 **peace officer standards and training commission under**
14 **IC 10-22-6** as necessary for employment as a law enforcement
15 officer.

16 SECTION 24. IC 20-26-16-5, AS ADDED BY P.L.132-2007,
17 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2016]: Sec. 5. (a) Notwithstanding section 4 of this chapter
19 and IC 5-2-1-9 (**before its repeal**), an individual appointed as a school
20 corporation police officer before July 1, 2007, must complete, not later
21 than July 1, 2010, at least:

22 (1) the pre-basic training course established under IC 5-2-1-9(f)
23 (**before its repeal**); and

24 (2) the minimum basic training and educational requirements
25 adopted by the law enforcement training board under IC 5-2-1-9
26 (**before its repeal**) as necessary for employment as a law
27 enforcement officer.

28 (b) As set forth in IC 5-2-1-9 (**before its repeal**) or **IC 10-22-6**, an
29 individual appointed as a school corporation police officer may not:

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

33 unless the school corporation police officer successfully completes a
34 pre-basic training course under IC 5-2-1-9(f) (**before its repeal**) or
35 **IC 10-22-6-3**.

36 SECTION 25. IC 20-26-16-6, AS ADDED BY P.L.132-2007,
37 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2016]: Sec. 6. (a) A school corporation police officer
39 appointed under this chapter:

40 (1) is a law enforcement officer (as defined in ~~IC 5-2-1-2(1)~~);
41 **IC 10-22-2-9**);

42 (2) must take an appropriate oath of office in a form and manner



- 1 prescribed by the governing body;
 2 (3) serves at the governing body's pleasure; and
 3 (4) performs the duties that the governing body assigns.

4 (b) School corporation police officers appointed under this chapter
 5 have general police powers, including the power to arrest, without
 6 process, all persons who within their view commit any offense. They
 7 have the same common law and statutory powers, privileges, and
 8 immunities as sheriffs and constables, except that they are empowered
 9 to serve civil process only to the extent authorized by the employing
 10 governing body; however, any powers may be expressly forbidden
 11 them by the governing body employing them. In addition to any other
 12 powers or duties, such police officers shall enforce and assist the
 13 educators and administrators of their school corporation in the
 14 enforcement of the rules and regulations of the school corporation, and
 15 assist and cooperate with other law enforcement agencies and officers.

16 (c) Such police officers may exercise the powers granted under this
 17 section only upon any property owned, leased, or occupied by the
 18 school corporation, including the streets passing through and adjacent
 19 to the property. Additional jurisdiction may be established by
 20 agreement with the chief of police of the municipality or sheriff of the
 21 county or the appropriate law enforcement agency where the property
 22 is located, dependent upon the jurisdiction involved.

23 SECTION 26. IC 20-26-18.2-1, AS AMENDED BY P.L.30-2014,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2016]: Sec. 1. (a) As used in this chapter, "school resource
 26 officer" means an individual who:

- 27 (1) has completed the training described in subsection (b);
 28 (2) is assigned to one (1) or more school corporations or charter
 29 schools to:
 30 (A) assist the school safety specialist with the development
 31 and implementation of the school safety plan as provided in
 32 section 2 of this chapter; and
 33 (B) carry out any additional responsibilities assigned to the
 34 school resource officer under the employment engagement,
 35 contract, or memorandum of understanding and to:
 36 (i) protect against outside threats to the physical safety of
 37 students;
 38 (ii) prevent unauthorized access to school property; and
 39 (iii) secure schools against violence and natural disasters;
 40 and
 41 (3) is:
 42 (A) employed by a law enforcement agency;



1 (B) appointed as a police reserve officer (as described in
 2 IC 36-8-3-20) or as a special deputy (as described in
 3 IC 36-8-10-10.6) if the police reserve officer or special deputy:
 4 (i) is subject to the direction of the sheriff or appointing law
 5 enforcement agency;
 6 (ii) is required to obey the rules and orders of the sheriff's
 7 department or appointing law enforcement agency;
 8 (iii) is required to complete all training required of regular
 9 full-time law enforcement officers employed by the sheriff's
 10 department or appointing law enforcement agency; and
 11 (iv) may be removed by the sheriff or appointing law
 12 enforcement agency at any time, with or without cause; or
 13 (C) a school corporation police officer appointed under
 14 IC 20-26-16-3.

15 (b) Before being appointed as a school resource officer, an
 16 individual must have:

17 (1) successfully completed the minimum training requirements
 18 established for law enforcement officers under IC 5-2-1-9 **(before**
 19 **its repeal) or IC 10-22-6; and**
 20 (2) received at least forty (40) hours of school resource officer
 21 training through:
 22 (A) the ~~Indiana~~ law enforcement training board established by
 23 IC 5-2-1-3 **(before its repeal) or the peace officer standards**
 24 **and training commission created under IC 10-22-3;**
 25 (B) the National Association of School Resource Officers; or
 26 (C) another school resource officer training program approved
 27 by the ~~Indiana~~ law enforcement training board **(before its**
 28 **repeal) or the peace officer standards and training**
 29 **commission.**

30 (c) Training described in subsection (b)(2) must include instruction
 31 regarding skills, tactics, and strategies necessary to address the special
 32 nature of:

33 (1) school campuses; and
 34 (2) school building security needs and characteristics.

35 SECTION 27. IC 21-17-5-5, AS AMENDED BY P.L.30-2011,
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2016]: Sec. 5. (a) This section applies only to a police officer
 38 who meets the minimum basic training and educational requirements
 39 adopted by the law enforcement training board under IC 5-2-1-9
 40 **(before its repeal) or the peace officer standards and training**
 41 **commission under IC 10-22-6** as necessary for employment as a law
 42 enforcement officer.



1 (b) A police officer appointed under this chapter may exercise the
 2 powers granted under this chapter upon any real property owned or
 3 occupied by the educational institution employing the police officer,
 4 including the streets passing through and adjacent to the educational
 5 institution. An institution may extend a police officer's territorial
 6 jurisdiction in accordance with subsection (c).

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

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

12 (2) the board of trustees notifies the:

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

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

17 of the boundaries of the extended territorial jurisdiction.

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

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

25 SECTION 28. IC 21-39-4-6, AS AMENDED BY P.L.30-2011,
 26 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2016]: Sec. 6. (a) A police officer may exercise the powers
 28 granted under this chapter as follows:

29 (1) A police officer may exercise the officer's powers upon real
 30 property owned or occupied by the state educational institution
 31 employing the police officer, including the streets passing through
 32 and adjacent to the state educational institution.

33 (2) This subdivision applies only to a police officer who meets the
 34 minimum basic training and educational requirements adopted by
 35 the law enforcement training board under IC 5-2-1-9 (**before its**
 36 **repeal) or the peace officer standards and training**
 37 **commission under IC 10-22-6** as necessary for employment as
 38 a law enforcement officer. An institution may extend a police
 39 officer's territorial jurisdiction to the entire state, or to any part of
 40 the state, if:

41 (A) the board of trustees adopts a resolution specifically
 42 describing the territorial jurisdiction of a police officer



1 appointed under this chapter; and
 2 (B) the board of trustees notifies the:
 3 (i) superintendent of the state police department; and
 4 (ii) sheriff of the county in which the institution is primarily
 5 located (or the chief of police of the consolidated city, if the
 6 institution is primarily located in a consolidated city);
 7 of the boundaries of the extended territorial jurisdiction.
 8 The institution shall provide the persons described in clause (B)(i)
 9 and (B)(ii) with notice of the extended jurisdiction every two (2)
 10 years, by January 31 of the second year.

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

15 SECTION 29. IC 21-41-2-3, AS ADDED BY P.L.2-2007,
 16 SECTION 282, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2016]: Sec. 3. Any state educational institution
 18 may enter into contractual agreements with:

19 (1) governmental units; ~~or with~~
 20 (2) **the peace officer standards and training commission; or**
 21 (3) business and industry;
 22 for specific programs to be wholly supported by ~~the a~~ governmental
 23 unit, **the peace officer standards and training commission**, or
 24 business and industry without the approval of the commission for
 25 higher education.

26 SECTION 30. IC 21-41-13 IS ADDED TO THE INDIANA CODE
 27 AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2016]:

29 **Chapter 13. Law Enforcement Training Programs**

30 **Sec. 1. An approved postsecondary educational institution may**
 31 **submit an application to the peace officer standards and training**
 32 **commission for a certificate of authority to conduct law**
 33 **enforcement training programs under IC 10-22-14.**

34 **Sec. 2. An approved postsecondary educational institution may**
 35 **consult with and cooperate with the peace officer standards and**
 36 **training commission for the development of specialized courses of**
 37 **study in police science and administration. Courses of study**
 38 **developed under this section must be designed to meet the**
 39 **academic standards for law enforcement officers imposed under**
 40 **IC 10-22 and count toward an associate degree or a bachelor's**
 41 **degree.**

42 **Sec. 3. Courses of study developed under section 2 of this**



1 **chapter may be offered separately from a law enforcement training**
 2 **program conducted under IC 10-22-14.**

3 **Sec. 4. IC 10-22-14-10 applies to courses of study developed**
 4 **under section 2 of this chapter.**

5 SECTION 31. IC 22-5-6-2, AS ADDED BY P.L.171-2011,
 6 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2016]: Sec. 2. As used in this chapter, "law enforcement
 8 officer" has the meaning set forth in ~~IC 5-2-1-2~~ **IC 10-22-2-9.**

9 SECTION 32. IC 33-37-7-9, AS AMENDED BY P.L.229-2011,
 10 SECTION 262, IS AMENDED TO READ AS FOLLOWS
 11 [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) On June 30 and on December
 12 31 of each year, the auditor of state shall transfer to the treasurer of
 13 state nine million two hundred seventy-seven thousand twenty-three
 14 dollars (\$9,277,023) for distribution under subsection (b).

15 (b) On June 30 and on December 31 of each year, the treasurer of
 16 state shall deposit into:

17 (1) the family violence and victim assistance fund established by
 18 IC 5-2-6.8-3 an amount equal to eight and three-hundredths
 19 percent (8.03%);

20 (2) the Indiana judges' retirement fund established by
 21 IC 33-38-6-12 an amount equal to thirty-eight and fifty-five
 22 hundredths percent (38.55%);

23 (3) the law enforcement academy building fund established by
 24 ~~IC 5-2-1-13~~ **IC 10-22-8-1** an amount equal to two and fifty-six
 25 hundredths percent (2.56%);

26 (4) the law enforcement training fund established by ~~IC 5-2-1-13~~
 27 **IC 10-22-8-3** an amount equal to ten and twenty-seven
 28 hundredths percent (10.27%);

29 (5) the violent crime victims compensation fund established by
 30 IC 5-2-6.1-40 an amount equal to eleven and ninety-three
 31 hundredths percent (11.93%);

32 (6) the motor vehicle highway account an amount equal to
 33 nineteen and forty-nine hundredths percent (19.49%);

34 (7) the fish and wildlife fund established by IC 14-22-3-2 an
 35 amount equal to twenty-five hundredths percent (0.25%);

36 (8) the Indiana judicial center drug and alcohol programs fund
 37 established by IC 12-23-14-17 for the administration,
 38 certification, and support of alcohol and drug services programs
 39 under IC 12-23-14 an amount equal to one and sixty-three
 40 hundredths percent (1.63%); and

41 (9) the DNA sample processing fund established under
 42 IC 10-13-6-9.5 for the funding of the collection, shipment,



1 analysis, and preservation of DNA samples and the conduct of a
 2 DNA data base program under IC 10-13-6 an amount equal to
 3 seven and twenty-nine hundredths percent (7.29%);
 4 of the amount transferred by the auditor of state under subsection (a).

5 (c) On June 30 and on December 31 of each year, the auditor of
 6 state shall transfer to the treasurer of state for deposit into the public
 7 defense fund established under IC 33-40-6-1 three million seven
 8 hundred thousand dollars (\$3,700,000).

9 SECTION 33. IC 34-30-2-10.5 IS REPEALED [EFFECTIVE JULY
 10 1, 2016]. ~~Sec. 10.5. IC 5-2-1-12.5 (Concerning a good faith report of
 11 cause for revoking a law enforcement officer's diploma, certificate,
 12 badge, or other document showing compliance with training
 13 requirements).~~

14 SECTION 34. IC 34-30-2-11 IS REPEALED [EFFECTIVE JULY
 15 1, 2016]. ~~Sec. 11. IC 5-2-2-14(b) (Concerning the state for violations
 16 of the law enforcement academy building commission law).~~

17 SECTION 35. IC 34-30-2-39.1 IS ADDED TO THE INDIANA
 18 CODE AS A NEW SECTION TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2016]: **Sec. 39.1. IC 10-22-4-15(b)**
 20 **(Concerning the state for violations of the law enforcement
 21 academy building commission law).**

22 SECTION 36. IC 34-30-2-39.2 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2016]: **Sec. 39.2. IC 10-22-12-2 (Concerning
 25 a good faith report of cause for revoking a law enforcement
 26 officer's diploma, certificate, badge, or other document showing
 27 compliance with training requirements).**

28 SECTION 37. IC 35-37-4-5 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) In a prosecution
 30 for a crime or a proceeding to enforce an ordinance or a statute defining
 31 an infraction, the court may not grant a motion to exclude evidence on
 32 the grounds that the search or seizure by which the evidence was
 33 obtained was unlawful if the evidence was obtained by a law
 34 enforcement officer in good faith.

35 (b) For purposes of this section, evidence is obtained by a law
 36 enforcement officer in good faith if:

37 (1) it is obtained pursuant to:

38 (A) a search warrant that was properly issued upon a
 39 determination of probable cause by a neutral and detached
 40 magistrate, that is free from obvious defects other than
 41 nondeliberate errors made in its preparation, and that was
 42 reasonably believed by the law enforcement officer to be valid;



- 1 or
- 2 (B) a state statute, judicial precedent, or court rule that is later
- 3 declared unconstitutional or otherwise invalidated; and
- 4 (2) the law enforcement officer, at the time ~~he~~ **the law**
- 5 **enforcement officer** obtains the evidence, has satisfied
- 6 applicable minimum basic training requirements established by
- 7 rules adopted by the ~~law enforcement training board under~~
- 8 ~~IC 5-2-1-9.~~ **peace officer standards and training commission**
- 9 **under IC 10-22-6.**
- 10 (c) This section does not affect the right of a person to bring a civil
- 11 action against a law enforcement officer or a governmental entity to
- 12 recover damages for the violation of ~~his~~ **the person's** rights by an
- 13 unlawful search and seizure.
- 14 SECTION 38. IC 35-44.2-3-3, AS ADDED BY P.L.126-2012,
- 15 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2016]: Sec. 3. A member or person employed by the law
- 17 enforcement academy building commission who has a conflict of
- 18 interest with respect to an action by the commission is subject to
- 19 criminal prosecution under ~~IC 5-2-2-11.~~ **IC 10-22-4-13.**
- 20 SECTION 39. IC 35-47-2-3, AS AMENDED BY P.L.158-2013,
- 21 SECTION 574, IS AMENDED TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) A person desiring a license
- 23 to carry a handgun shall apply:
- 24 (1) to the chief of police or corresponding law enforcement officer
- 25 of the municipality in which the applicant resides;
- 26 (2) if that municipality has no such officer, or if the applicant does
- 27 not reside in a municipality, to the sheriff of the county in which
- 28 the applicant resides after the applicant has obtained an
- 29 application form prescribed by the superintendent; or
- 30 (3) if the applicant is a resident of another state and has a regular
- 31 place of business or employment in Indiana, to the sheriff of the
- 32 county in which the applicant has a regular place of business or
- 33 employment.
- 34 The superintendent and local law enforcement agencies shall allow an
- 35 applicant desiring to obtain or renew a license to carry a handgun to
- 36 submit an application electronically under this chapter if funds are
- 37 available to establish and maintain an electronic application system.
- 38 (b) The law enforcement agency which accepts an application for a
- 39 handgun license shall collect the following application fees:
- 40 (1) From a person applying for a four (4) year handgun license, a
- 41 ten dollar (\$10) application fee, five dollars (\$5) of which shall be
- 42 refunded if the license is not issued.



1 (2) From a person applying for a lifetime handgun license who
2 does not currently possess a valid Indiana handgun license, a fifty
3 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
4 refunded if the license is not issued.

5 (3) From a person applying for a lifetime handgun license who
6 currently possesses a valid Indiana handgun license, a forty dollar
7 (\$40) application fee, thirty dollars (\$30) of which shall be
8 refunded if the license is not issued.

9 Except as provided in subsection (h), the fee shall be deposited into the
10 law enforcement agency's firearms training fund or other appropriate
11 training activities fund and used by the agency to train law enforcement
12 officers in the proper use of firearms or in other law enforcement
13 duties, or to purchase firearms, firearm related equipment, or body
14 armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers
15 employed by the law enforcement agency. The state board of accounts
16 shall establish rules for the proper accounting and expenditure of funds
17 collected under this subsection.

18 (c) The officer to whom the application is made shall ascertain the
19 applicant's name, full address, length of residence in the community,
20 whether the applicant's residence is located within the limits of any city
21 or town, the applicant's occupation, place of business or employment,
22 criminal record, if any, and convictions (minor traffic offenses
23 excepted), age, race, sex, nationality, date of birth, citizenship, height,
24 weight, build, color of hair, color of eyes, scars and marks, whether the
25 applicant has previously held an Indiana license to carry a handgun
26 and, if so, the serial number of the license and year issued, whether the
27 applicant's license has ever been suspended or revoked, and if so, the
28 year and reason for the suspension or revocation, and the applicant's
29 reason for desiring a license. The officer to whom the application is
30 made shall conduct an investigation into the applicant's official records
31 and verify thereby the applicant's character and reputation, and shall in
32 addition verify for accuracy the information contained in the
33 application, and shall forward this information together with the
34 officer's recommendation for approval or disapproval and one (1) set
35 of legible and classifiable fingerprints of the applicant to the
36 superintendent.

37 (d) The superintendent may make whatever further investigation the
38 superintendent deems necessary. Whenever disapproval is
39 recommended, the officer to whom the application is made shall
40 provide the superintendent and the applicant with the officer's complete
41 and specific reasons, in writing, for the recommendation of
42 disapproval.



1 (e) If it appears to the superintendent that the applicant:

- 2 (1) has a proper reason for carrying a handgun;
 3 (2) is of good character and reputation;
 4 (3) is a proper person to be licensed; and
 5 (4) is:

6 (A) a citizen of the United States; or

7 (B) not a citizen of the United States but is allowed to carry a
 8 firearm in the United States under federal law;

9 the superintendent shall issue to the applicant a qualified or an
 10 unlimited license to carry any handgun lawfully possessed by the
 11 applicant. The original license shall be delivered to the licensee. A
 12 copy shall be delivered to the officer to whom the application for
 13 license was made. A copy shall be retained by the superintendent for
 14 at least four (4) years in the case of a four (4) year license. The
 15 superintendent may adopt guidelines to establish a records retention
 16 policy for a lifetime license. A four (4) year license shall be valid for
 17 a period of four (4) years from the date of issue. A lifetime license is
 18 valid for the life of the individual receiving the license. The license of
 19 police officers, sheriffs or their deputies, and law enforcement officers
 20 of the United States government who have been honorably retired by
 21 a lawfully created pension board or its equivalent after twenty (20) or
 22 more years of service shall be valid for the life of these individuals.
 23 However, a lifetime license is automatically revoked if the license
 24 holder does not remain a proper person.

25 (f) At the time a license is issued and delivered to a licensee under
 26 subsection (e), the superintendent shall include with the license
 27 information concerning handgun safety rules that:

28 (1) neither opposes nor supports an individual's right to bear
 29 arms; and

30 (2) is:

31 (A) recommended by a nonprofit educational organization that
 32 is dedicated to providing education on safe handling and use
 33 of firearms;

34 (B) prepared by the state police department; and

35 (C) approved by the superintendent.

36 The superintendent may not deny a license under this section because
 37 the information required under this subsection is unavailable at the
 38 time the superintendent would otherwise issue a license. The state
 39 police department may accept private donations or grants to defray the
 40 cost of printing and mailing the information required under this
 41 subsection.

42 (g) A license to carry a handgun shall not be issued to any person



- 1 who:
- 2 (1) has been convicted of a felony;
- 3 (2) has had a license to carry a handgun suspended, unless the
- 4 person's license has been reinstated;
- 5 (3) is under eighteen (18) years of age;
- 6 (4) is under twenty-three (23) years of age if the person has been
- 7 adjudicated a delinquent child for an act that would be a felony if
- 8 committed by an adult; or
- 9 (5) has been arrested for a Class A or Class B felony for an
- 10 offense committed before July 1, 2014, for a Level 1, Level 2,
- 11 Level 3, or Level 4 felony for an offense committed after June 30,
- 12 2014, or any other felony that was committed while armed with
- 13 a deadly weapon or that involved the use of violence, if a court
- 14 has found probable cause to believe that the person committed the
- 15 offense charged.

16 In the case of an arrest under subdivision (5), a license to carry a

17 handgun may be issued to a person who has been acquitted of the

18 specific offense charged or if the charges for the specific offense are

19 dismissed. The superintendent shall prescribe all forms to be used in

20 connection with the administration of this chapter.

21 (h) If the law enforcement agency that charges a fee under

22 subsection (b) is a city or town law enforcement agency, the fee shall

23 be deposited in the law enforcement continuing education fund

24 established under ~~IC 5-2-8-2~~ **IC 10-22-13-3**.

25 (i) If a person who holds a valid license to carry a handgun issued

26 under this chapter:

- 27 (1) changes the person's name;
- 28 (2) changes the person's address; or
- 29 (3) experiences a change, including an arrest or a conviction, that
- 30 may affect the person's status as a proper person (as defined in
- 31 IC 35-47-1-7) or otherwise disqualify the person from holding a
- 32 license;

33 the person shall, not later than thirty (30) days after the date of a

34 change described under subdivision (3), and not later than sixty (60)

35 days after the date of the change described under subdivision (1) or (2),

36 notify the superintendent, in writing, of the event described under

37 subdivision (3) or, in the case of a change under subdivision (1) or (2),

38 the person's new name or new address.

39 (j) The state police shall indicate on the form for a license to carry

40 a handgun the notification requirements of subsection (i).

41 (k) The state police department shall adopt rules under IC 4-22-2 to

42 implement an electronic application system under subsection (a). Rules



1 adopted under this section must require the superintendent to keep on
 2 file one (1) set of classifiable and legible fingerprints from every
 3 person who has received a license to carry a handgun so that a person
 4 who applies to renew a license will not be required to submit an
 5 additional set of fingerprints.

6 (l) Except as provided in subsection (m), for purposes of
 7 IC 5-14-3-4(a)(1), the following information is confidential, may not
 8 be published, and is not open to public inspection:

9 (1) Information submitted by a person under this section to:

10 (A) obtain; or

11 (B) renew;

12 a license to carry a handgun.

13 (2) Information obtained by a federal, state, or local government
 14 entity in the course of an investigation concerning a person who
 15 applies to:

16 (A) obtain; or

17 (B) renew;

18 a license to carry a handgun issued under this chapter.

19 (3) The name, address, and any other information that may be
 20 used to identify a person who holds a license to carry a handgun
 21 issued under this chapter.

22 (m) Notwithstanding subsection (l):

23 (1) any information concerning an applicant for or a person who
 24 holds a license to carry a handgun issued under this chapter may
 25 be released to a federal, state, or local government entity:

26 (A) for law enforcement purposes; or

27 (B) to determine the validity of a license to carry a handgun;
 28 and

29 (2) general information concerning the issuance of licenses to
 30 carry handguns in Indiana may be released to a person conducting
 31 journalistic or academic research, but only if all personal
 32 information that could disclose the identity of any person who
 33 holds a license to carry a handgun issued under this chapter has
 34 been removed from the general information.

35 (n) A person who knowingly or intentionally violates this section
 36 commits a Class B misdemeanor.

37 SECTION 40. IC 35-47-16-1, AS ADDED BY P.L.147-2014,
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2016]: Sec. 1. A judicial officer:

40 (1) may possess and use a firearm in the same locations that a law
 41 enforcement officer who is authorized to carry a firearm under
 42 ~~IC 5-2-1~~ **IC 10-22** may possess a firearm while the law



1 enforcement officer is engaged in the execution of the law
2 enforcement officer's official duties; and

3 (2) may not be prohibited from possessing a firearm on land or in
4 buildings and other structures owned or leased by:

5 (A) the state or any agency of state government; or

6 (B) a political subdivision (as defined in IC 3-5-2-38).

7 SECTION 41. IC 35-52-5-3 IS REPEALED [EFFECTIVE JULY 1,
8 2016]. ~~Sec. 3. IC 5-2-2-11 defines a crime concerning the law~~
9 ~~enforcement academy building commission.~~

10 SECTION 42. IC 35-52-10-9 IS ADDED TO THE INDIANA
11 CODE AS A NEW SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2016]: **Sec. 9. IC 10-22-4-13 defines a crime**
13 **concerning the law enforcement academy building commission.**

14 SECTION 43. IC 36-5-7-3 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. The marshal serves
16 at the pleasure of the town legislative body. However, before
17 terminating or suspending a marshal who has been employed by the
18 town for more than six (6) months after completing the minimum basic
19 training requirements adopted by the law enforcement training board
20 under IC 5-2-1-9 **(before its repeal) or the peace officer standards**
21 **and training commission under IC 10-22-6**, the legislative body must
22 conduct the disciplinary removal and appeals procedure prescribed by
23 IC 36-8 for city fire and police departments.

24 SECTION 44. IC 36-5-7-6 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) The town
26 legislative body shall by ordinance fix the number of deputy marshals.
27 The town legislative body may by ordinance authorize the marshal to
28 appoint deputy marshals. Deputy marshals have the powers and
29 liabilities of the marshal in executing the orders of the legislative body
30 or enforcing laws.

31 (b) One (1) deputy marshal may be designated as the town humane
32 officer. ~~He~~ **The town humane officer** has the duties prescribed by
33 IC 36-8 for city humane officers.

34 (c) The legislative body shall fix the amount of bond, compensation,
35 and term of service of deputy marshals. The marshal may dismiss a
36 deputy marshal at any time. However, a deputy marshal who has been
37 employed by the town for more than six (6) months after completing
38 the minimum basic training requirements adopted by the law
39 enforcement training board under IC 5-2-1-9 **(before its repeal) or the**
40 **peace officer standards and training commission under IC 10-22-6**
41 may be dismissed only if the procedure prescribed by section 3 of this
42 chapter is followed.



1 SECTION 45. IC 36-8-3-20, AS AMENDED BY P.L.100-2015,
 2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2016]: Sec. 20. (a) This section applies to counties and towns
 4 as well as cities.

5 (b) A unit may provide by ordinance for any number of police
 6 reserve officers.

7 (c) Police reserve officers shall be appointed by the same authority
 8 that appoints regular members of the department.

9 (d) Police reserve officers may be designated by another name
 10 specified by ordinance.

11 (e) Police reserve officers may not be members of the regular police
 12 department but have all of the same police powers as regular members,
 13 except as limited by the rules of the department. Each department may
 14 adopt rules to limit the authority of police reserve officers.

15 (f) To the extent that money is appropriated for a purpose listed in
 16 this subsection, police reserve officers may receive any of the
 17 following:

18 (1) A uniform allowance.

19 (2) Compensation for time lost from other employment because
 20 of court appearances.

21 (3) Insurance for life, accident, and sickness coverage.

22 (4) In the case of county police reserve officers, compensation for
 23 lake patrol duties that the county sheriff assigns and approves for
 24 compensation.

25 (g) Police reserve officers are not eligible to participate in any
 26 pension program provided for regular members of the department.

27 (h) A police reserve officer may not be appointed until the officer
 28 has completed the training and probationary period specified by rules
 29 of the department.

30 (i) A police reserve officer appointed by the department after June
 31 30, 1993, may not:

32 (1) make an arrest;

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

34 (3) carry a firearm;

35 unless the police reserve officer successfully completes a pre-basic
 36 course under IC 5-2-1-9(f) **(before its repeal) or IC 10-22-6-3.**

37 (j) A police reserve officer may be covered by the medical treatment
 38 and burial expense provisions of the worker's compensation law
 39 (IC 22-3-2 through IC 22-3-6) and the worker's occupational diseases
 40 law (IC 22-3-7). If compensability of the injury is an issue, the
 41 administrative procedures of IC 22-3-2 through IC 22-3-6 and
 42 IC 22-3-7 shall be used to determine the issue.



1 (k) A police reserve officer carrying out lake patrol duties under this
 2 chapter is immune from liability under IC 34-30-12, notwithstanding
 3 the payment of compensation to the officer.

4 (l) After June 30, 2015, a police reserve officer who has
 5 satisfactorily completed pre-basic training and has been appointed to
 6 a law enforcement department or agency on either a full-time or
 7 part-time basis is not eligible for continued employment unless the
 8 police reserve officer satisfactorily completes the mandatory inservice
 9 training requirements established by rules adopted by the law
 10 enforcement training board (created by IC 5-2-1-3) **(before its repeal)**
 11 **or the peace officer standards and training commission created**
 12 **under IC 10-22-3.** Inservice training must include training in
 13 interacting with persons with mental illness, addictive disorders,
 14 intellectual disabilities, autism, developmental disabilities, and
 15 Alzheimer's disease or related senile dementia, to be provided by
 16 persons approved by the secretary of family and social services and the
 17 board. The inservice training must also concern human and sexual
 18 trafficking and high risk missing persons (as defined in IC 5-2-17-1).
 19 The board may approve courses offered by other public or private
 20 training entities, including postsecondary educational institutions, as
 21 necessary in order to ensure the availability of an adequate number of
 22 inservice training programs. The board may waive a police reserve
 23 officer's inservice training requirements if the board determines that the
 24 police reserve officer's reason for lacking the required amount of
 25 inservice training hours is due to either of the following:

- 26 (1) An emergency situation.
 27 (2) The unavailability of courses.

28 SECTION 46. IC 36-8-3.2-3.5 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3.5. (a) The appointing
 30 authority shall adopt standards for police officers establishing a
 31 physical agility test that:

- 32 (1) does not discriminate on the basis of sex;
 33 (2) reflects the essential functions of the job; and
 34 (3) at a minimum includes testing the following:
 35 (A) Muscular strength.
 36 (B) Muscular endurance.
 37 (C) Cardiovascular endurance.
 38 (D) Musculoskeletal flexibility.

39 (b) The appointing authority may also adopt standards for police
 40 officers establishing a general aptitude test.

41 (c) The standards required by this section must be presented to the
 42 ~~law enforcement training board established under IC 5-2-1-3~~ **peace**



1 **officer standards and training commission created under**
 2 **IC 10-22-3** for review.

3 SECTION 47. IC 36-8-3.2-7 IS ADDED TO THE INDIANA CODE
 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 5 1, 2016]: **Sec. 7. An appointing authority may require a police**
 6 **officer trainee approved by the appointing authority to complete**
 7 **a pre-basic course or basic training program required under**
 8 **IC 10-22 provided by any entity authorized to conduct the training**
 9 **under IC 10-22-6.**

10 SECTION 48. IC 36-8-4-6.5 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6.5. (a) This section
 12 applies to the appointment of a police chief or deputy police chief in all
 13 cities.

14 (b) An applicant must meet the following requirements:

- 15 (1) Have five (5) years of service as a police officer with a
- 16 full-time, paid police department or agency.
- 17 (2) Be a citizen of the United States.
- 18 (3) Be a high school graduate or equivalent.
- 19 (4) Be at least twenty-one (21) years of age.
- 20 (5) Be free of mental illness.
- 21 (6) Be physically fit.
- 22 (7) Have successfully completed the minimum basic training
- 23 requirements established by the law enforcement training board
- 24 under IC 5-2-1 **(before its repeal) or the peace officers**
- 25 **standards and training commission under IC 10-22**, or have
- 26 continuous service with the same department to which the
- 27 applicant was appointed as a law enforcement officer before July
- 28 6, 1972.

29 (c) In addition to the requirements of subsection (b), an applicant for
 30 appointment as police chief or deputy police chief must have at least
 31 five (5) years of continuous service with the police department of that
 32 city immediately before the appointment. This requirement may be
 33 waived by the city executive.

34 SECTION 49. IC 36-8-10-10.6, AS AMENDED BY P.L.114-2012,
 35 SECTION 149, IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2016]: Sec. 10.6. (a) The sheriff may appoint
 37 as a special deputy any person who is employed by a governmental
 38 entity as defined in IC 35-31.5-2-144 or private employer, the nature
 39 of which employment necessitates that the person have the powers of
 40 a law enforcement officer. During the term of the special deputy's
 41 appointment and while the special deputy is fulfilling the specific
 42 responsibilities for which the appointment is made, a special deputy



1 has the powers, privileges, and duties of a county police officer under
 2 this chapter, subject to any written limitations and specific
 3 requirements imposed by the sheriff and signed by the special deputy.
 4 A special deputy is subject to the direction of the sheriff and shall obey
 5 the rules and orders of the department. A special deputy may be
 6 removed by the sheriff at any time, without notice and without
 7 assigning any cause.

8 (b) The sheriff shall fix the prerequisites of training, education, and
 9 experience for special deputies, subject to the minimum requirements
 10 prescribed by this subsection. Applicants must:

- 11 (1) be twenty-one (21) years of age or older;
- 12 (2) never have been convicted of a felony, or a misdemeanor
 13 involving moral turpitude;
- 14 (3) be of good moral character; and
- 15 (4) have sufficient training to insure the proper performance of
 16 their authorized duties.

17 (c) Except as provided in subsection (d), a special deputy shall wear
 18 a uniform the design and color of which is easily distinguishable from
 19 the uniforms of the Indiana state police, the regular county police force,
 20 and all municipal police and fire forces located in the county.

21 (d) The sheriff may permit a special deputy to wear the uniform of
 22 the regular county police force if the special deputy:

- 23 (1) has successfully completed the minimum basic training
 24 requirements under IC 5-2-1 (**before its repeal**) or **IC 10-22**;
- 25 (2) is periodically assigned by the sheriff to duties of a regular
 26 county police officer; and
- 27 (3) is an employee of the department.

28 The sheriff may revoke permission for the special deputy to wear the
 29 uniform of the regular county police force at any time without cause or
 30 notice.

31 (e) The sheriff may also appoint one (1) legal deputy, who must be
 32 a member of the Indiana bar. The legal deputy does not have police
 33 powers. The legal deputy may continue to practice law. However,
 34 neither the legal deputy nor any attorney in partnership with the legal
 35 deputy may represent a defendant in a criminal case.

36 (f) The sheriff, for the purpose of guarding prisoners in the county
 37 jail:

- 38 (1) in counties not having a consolidated city, may appoint special
 39 deputies to serve as county jail guards; and
- 40 (2) in counties having a consolidated city, shall appoint only
 41 special deputies to serve as county jail guards.

42 This subsection does not affect the rights or liabilities accrued by any



1 county police officer assigned to guard the jail before August 31, 1982.

