



## **2023 Thomas H. Miller Legislative Conference**

### **Mid-Session Legislative Report**

#### **HB1016: Police and Fire Merit Systems**

**Representative Jim Pressel**

Provides that unless a resolution or ordinance to establish a merit system is rejected not later than July 1, 2024, a merit system is established on January 1, 2025, for eligible: (1) city and town police and fire departments and township fire departments; and (2) fire protection districts and fire protection territories. Provides that the merit system may be dissolved after January 1, 2025. Repeals a provision containing definitions and moves the definitions to another location.

**Current status: Passed the House**

#### **HB1025: Firefighter Discipline**

**Representative Jerry Torr**

Provides that a fire department of a fire protection district or fire protection territory is subject to certain disciplinary and due process requirements.

**Current status: Passed the House**

#### **HB1055: Public Safety Matters**

**Representative Randy Frye**

Provides that a member of a city police or fire department is not subject to residency requirements. Eliminates a provision that provides that a city with a population of less than 7,500 may adopt an ordinance that requires a member of a city police or fire department to reside within the county in which the city is located. Provides that members of the police and fire departments of a town or special service district are not subject to residency requirements but must: (1) have adequate means of transportation into the jurisdiction served by the member's department; and (2) maintain telephone service to communicate with the department.

**Current status: Passed the House**

## **HB1219: PFAS Biomonitoring Pilot Program**

Representative Maureen Bauer

Establishes the PFAS biomonitoring pilot program (pilot program) under the department of homeland security (department) to collect and analyze blood samples of individuals who were previously, or are currently, firefighters: (1) for serum PFAS levels; and (2) to determine whether there may be corresponding health implications associated with elevated serum PFAS levels. Requires the department to consult the department of environmental management and the Indiana department of health regarding the pilot program. Provides that the department shall, to the extent possible, test 1,000 firefighters. Allows the department to work with a third party to administer the pilot program and to store data collected under the pilot program. Requires the department to submit, not later than July 1, 2027, a report summarizing: (1) the results of the pilot program; and (2) recommendations of the department, the department of environmental management, and the Indiana department of health for decreasing serum PFAS levels and exposure to PFAS chemicals; to the governor and the legislative council.

Establishes the PFAS biomonitoring pilot fund.

**Current status: Passed the House**

## **HB1341: PFAS-free Firefighter Gear**

Representative Julie Olthoff

Provides that, after June 30, 2024, an Indiana fire department may not purchase firefighting gear unless it contains a permanently affixed label indicating whether or not the firefighting gear contains PFAS.

**Current status: Passed the House**

## **HB1549: 1977 Pension and Disability Fund**

Representative Chris Judy

Modifies the definition of "salary of a first class patrolman or first class firefighter" for the 1977 police officers' and firefighters' pension and disability fund (fund). Increases the fund's maximum annual cost of living adjustment from 3% to 5%.

**Current status: Still working, it's not dead until the fall of the gavel**

## **HB1578: Covered Persons for Restricted Addresses**

Representative Tim O'Brien

Provides that a regular, paid firefighter and a volunteer firefighter are "covered persons" under the statute that requires local government units that operate a public data base website containing the names and addresses of property owners to restrict disclosure to the general public of the covered person's home address. Removes an obsolete date reference.

**Current status: Passed the House**

## **SB43: Residency of 911 Operators**

Senator Jack Sandlin

Provides that a public safety agency may not establish or maintain residency requirements for a public safety telecommunicator employed by a public safety agency.

**Current status: Passed the Senate**

## **SB78: Distributions of Public Safety Income Tax Revenue**

Senator Rick Niemeyer

Requires that part of a certified distribution allocated to a county (other than Marion County), subject to a qualified township's application, be allocated among the qualified townships in the county. Provides the calculation for the amount of the allocation.

Provides that a qualified township and various fire entities may apply to the county adopting body for a distribution of tax revenue. Provides that the county adopting body shall review an application and shall, before September 1 of a year, adopt a resolution requiring tax revenue to be distributed to a qualified applicant or applicants. Provides that the county adopting body shall provide a copy of the resolution to the county auditor and the department of local government finance

**Current status: Passed the Senate**

## **SB185: 1977 Fund Membership**

Senator Scott Baldwin

(1) Allows an airport authority to participate in the 1977 police officers' and firefighters' pension and disability fund. (2) Increases the maximum age for a firefighter to be appointed to a fire department and become a member of the 1977 fund from 35 years of age to 39 years of age.

**Current status: Passed the Senate**

## **HB1173: Utility Scale Battery Energy Storage Systems**

Representative Jim Pressel

Provides that a person may not: (1) construct a new utility scale battery energy storage system (BESS); or (2) expand the capacity of an existing BESS by more than 10% of the system's existing capacity; without the prior approval of the department of homeland security (department). Sets forth information that must be included in an application to the department for approval of the construction or expansion of a BESS. Provides that a new BESS, or an expansion of an existing BESS, must comply with the: (1) National Fire Protection Association's standard concerning stationary energy storage systems (NFPA 855); and (2) certain specified standards that are incorporated by reference in NFPA 855. In addition, the operator shall provide a copy of the emergency response plan to the fire department that is responsible for providing fire protection in the service area and must provide an annual training. The board for firefighting standards must establish a training program and must be completed annually by all full time firefighters.

**Current status: Passed the House**

## **SB292/HB1008: INPRS Investments**

Senator Travis Holdman/Representative Ethan Manning

These bills deal with how INPRS invests pension money. If passed it will disallow INPRS to invest in banks that do not do business with fossil fuel companies.

**Current status: Still in Committees**

## **HB1207: 911 Fees**

Representative Mike Karickhoff

Authorizes the statewide 911 board to increase the following fees one time in the period beginning after April 30, 2023, and ending before July 1, 2026: (1) The enhanced prepaid wireless charge. (2) The statewide 911 fee. (Current law allows the board to adopt one time increases to each fee in the period that began after April 1, 2020, and ends before July 1, 2023.)

**Current status: Passed the House**

## **HB1198: Serious Communicable Diseases**

Representative Wendy McNamara

Removes certain sentencing enhancements for battery and malicious mischief that relate to human immunodeficiency virus (HIV). Repeals certain offenses concerning the donation, sale, or transfer of blood or semen that contains HIV. Defines "responding safety officer" and makes battery by body waste a Level 5 felony if committed against a responding safety officer and certain other circumstances apply. Makes it a Level 6 felony for a person with a serious communicable disease who is not in compliance with a treatment plan to engage in a high risk activity with another person and not inform the other person of the disease. Makes conforming amendments.

**Current status: Passed the House**

## **HB1032: Credit Time Assignments**

Representative Randy Frye

Provides that a person who is imprisoned for a crime or imprisoned awaiting trial or sentencing for a crime that resulted in death or serious bodily injury to a public safety official, for a crime committed after June 30, 2023, is initially assigned to Class D and may not be assigned or reassigned to any other credit.

**Current status: Still in Committee**

## **HB1136: Mental Health Care for First Responders**

Representative Carolyn Jackson

Establishes the Indiana first responder's mental health wellness fund and program. Provides that the division of mental health and addiction of the office of the secretary of family and social services shall administer the program and fund. Provides that a first responder who meets certain requirements may apply to the division for: (1) costs associated with the first responder's active participation in a mental health treatment plan as determined by a psychologist or physician treating the first responder; and (2) compensation if the first responder is unable to work. Establishes requirements for obtaining compensation.

**Current status: No Committee Hearing Yet**

## **HB1321: Police Officer Training**

Representative Victoria Garcia-Willburn

Requires the law enforcement training board to establish minimum standards for basic training and annual in-service training that address the mental health and wellness of law enforcement officers. Requires the executive training program to include training in mental health and wellness and suicide prevention of law enforcement officers.

**Current status: Committee Hearing Scheduled**

## **SB316: Computer-Aided Emergency Dispatch Systems**

Senator Kyle Walker

Provides that the statewide 911 board (board) may conduct a feasibility study on potential ways in which the computer aided dispatch (CAD) systems used by public safety answering points (PSAPs) in Indiana could be made interoperable to facilitate the standard dispatch of EMS resources based on using the EMS resource that represents the closest and most appropriate EMS resource to respond to an emergency. Provides that the board may submit a report on the study to the following not later than July 1, 2024: (1) The executive director of the legislative services agency to distribute to members of the general assembly. (2) The department of homeland security. (3) The integrated public safety commission. (4) The Indiana department of health. Sets forth information that may be included in the report.

**Current status: Passed Senate**

## **HB1583: Health Plans and Ambulance Service Providers**

Representative Bob Heaton

Amends the law requiring a health plan operator to fairly negotiate rates and terms with any ambulance service provider willing to become a participating provider with respect to the operator's health plan. Provides that, if negotiations between an ambulance service provider and a health plan operator that occur after June 30, 2022, do not result in the ambulance service provider becoming a participating provider with respect to the health plan, each party, beginning May 1, 2023, is required to provide to the department of insurance (department) a written notice: (1)reporting the unsuccessful conclusion of the negotiations; and (2)stating the points that were discussed in the negotiations but on which agreement was not reached. Requires the department, not later than May 1, 2024, to submit to the legislative council and the interim study committee on public health, behavioral health, and human services a report summarizing the written notices that the department has received from ambulance service providers and health plan operators.

**Current status: Passed the House**

## **SB169: Grants for Ambulance Purchase**

Senator Jean Leising

Establishes the rural community ambulance grant pilot program and fund. Provides that the program and fund are administered by the emergency medical services commission (commission). Provides that the commission shall award grants on a competitive basis. Makes an appropriation.

**Current status: Passed Committee, sent to Appropriations Committee**

## **HB1001: Budget Bill**

Representative Jeff Thompson

Includes money for PFAS blood testing (HB1219), money for IDHS to use for central and district training, money for DOH grants for recruitment and training of EMT's and paramedics.

**Current status: In Ways and Means Committee**

## **HB1059: Emergency Medical Services Providers**

Representative Karen Engleman

Amends the definition of "emergency medical services provider" for the offense of battery to include a staff member in the emergency department of a hospital.

**Current status: No Committee Hearing Yet**

## **SB138: Study of Deferred Retirement Option Plan (DROP)**

Senator Jack Sandlin

Urges the legislative council to assign to the pension management oversight study committee during the 2023 interim the task of studying whether to extend the maximum time frame to remain in the deferred retirement option plan from three years to five years for a member of the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan, 1925 fund, 1937 fund, 1953 fund, or 1977 fund.

**Current status: Will go to Summer Study Hearing**

## **SB175: 1977 Pension and Disability Fund**

Senator Kyle Walker

Urges the legislative council to assign certain topics concerning the 1977 police officers' and firefighters' pension and disability fund to an appropriate interim study committee for study during the 2023 interim. To review, (1) minimum age and years to retire. (2) Increase the monthly benefit. (3) Consider vesting to Ten (10) years of service.

**Current status: Will go to Summer Study Hearing**

## **SB406: Public Safety Employees**

Senator Dan Dernulc

Modifies the computation of the monthly benefit amount for a member of the 1977 police officers' and firefighters' pension and disability fund who retires or receives actuarially reduced benefits after June 30, 2023. Retire at the top three (3) years.

**Current status: Will go to Summer Study Hearing**