

HOUSE BILL No. 1207

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-8; IC 5-10-10-4; IC 20-5-2-9.

Synopsis: School corporation police force. Provides that the governing body of a school corporation may establish a school corporation police force that is staffed with police officers who have full police powers and whose survivors are eligible for death benefits. Requires school corporation police officers to have law enforcement academy education and basic training and to participate in local continuing education programs.

Effective: July 1, 2000.

Atterholt

January 10, 2000, read first time and referred to Committee on Education.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1207

A BILL FOR AN ACT to amend the Indiana Code concerning education and law enforcement.

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

1 SECTION 1. IC 5-2-8-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2000]: Sec. 1. (a) ~~As used~~ **The following**
3 **definitions apply** in this section:

4 (1) "Abuse" has the meaning set forth in IC 34-6-2-1.

5 (2) "County law enforcement agency" includes:

6 (A) university police officers appointed under IC 20-12-3.5;

7 **and**

8 (B) **school corporation police officers appointed under**
9 **IC 20-5-2-9.**

10 (b) There is established in each county a county law enforcement
11 continuing education program. The program is funded by amounts
12 appropriated under IC 33-19-8-6.

13 (c) A county law enforcement agency receiving amounts based upon
14 claims for law enforcement continuing education funds under
15 IC 33-19-8-6 or IC 33-19-8-4 shall deposit each fee collected into the
16 county law enforcement continuing education fund.

17 (d) Distribution of money in the county law enforcement continuing



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1 education fund shall be made to a county law enforcement agency
2 without the necessity of first obtaining an appropriation from the
3 county fiscal body.

4 (e) Money in excess of one hundred dollars (\$100) that is
5 unencumbered and remains in a county law enforcement continuing
6 education fund for at least one (1) entire calendar year from the date of
7 its deposit shall, at the end of a county's fiscal year, be deposited by the
8 county auditor in the law enforcement training fund established under
9 IC 5-2-1-13(b).

10 (f) To make a claim under IC 33-19-8-6 a law enforcement agency
11 shall submit to the fiscal body a verified statement of cause numbers
12 for fees collected that are attributable to the law enforcement efforts of
13 that agency.

14 (g) A law enforcement agency shall submit a claim for fees under
15 this section in the same county fiscal year in which the fees are
16 collected under IC 33-19-5.

17 (h) A county law enforcement agency program shall provide to each
18 law enforcement officer employed by the county and may provide to
19 each law enforcement officer employed by a city or town law
20 enforcement agency within the county continuing education concerning
21 the following:

22 (1) Duties of a law enforcement officer in enforcing restraining
23 orders, protective orders, temporary injunctions, and permanent
24 injunctions involving abuse.

25 (2) Guidelines for making felony and misdemeanor arrests in
26 cases involving abuse.

27 (3) Techniques for handling incidents of abuse that:

28 (A) minimize the likelihood of injury to the law enforcement
29 officer; and

30 (B) promote the safety of a victim.

31 (4) Information about the nature and extent of abuse.

32 (5) Information about the legal rights of and remedies available
33 to victims of abuse.

34 (6) How to document and collect evidence in an abuse case.

35 (7) The legal consequences of abuse.

36 (8) The impact on children of law enforcement intervention in
37 abuse cases.

38 (9) Services and facilities available to victims of abuse and
39 abusers.

40 (10) Verification of restraining orders, protective orders,
41 temporary injunctions, and permanent injunctions.

42 (11) Policies concerning arrest or release of suspects in abuse

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- 1 cases.
- 2 (12) Emergency assistance to victims of abuse and criminal
- 3 justice options for victims of abuse.
- 4 (13) Landlord-tenant concerns in abuse cases.
- 5 (14) The taking of an abused child into protective custody.
- 6 (15) Assessment of a situation in which a child may be seriously
- 7 endangered if the child is left in the child's home.
- 8 (16) Assessment of a situation involving an endangered adult (as
- 9 defined in IC 12-10-3-2).
- 10 (17) Response to a sudden, unexpected infant death.
- 11 (i) A county law enforcement agency may enter into an agreement
- 12 with other law enforcement agencies to provide the continuing
- 13 education required by this section and section 2(g) of this chapter.
- 14 SECTION 2. IC 5-2-8-2 IS AMENDED TO READ AS FOLLOWS
- 15 [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) ~~As used~~ **The following**
- 16 **definitions apply** in this section:
- 17 (1) "Abuse" has the meaning set forth in IC 34-6-2-1.
- 18 (2) "City or town law enforcement agency" includes:
- 19 (A) university police officers appointed under IC 20-12-3.5;
- 20 **and**
- 21 (B) **school corporation police officers appointed under**
- 22 **IC 20-5-2-9.**
- 23 (b) There is established in each city and in each town with a city or
- 24 town court a local law enforcement continuing education program. The
- 25 program is funded by amounts appropriated under IC 33-19-8-4 and
- 26 fees collected under IC 9-29-4-2, IC 9-29-11-1, and IC 35-47-2-3.
- 27 (c) A city or town law enforcement agency receiving amounts based
- 28 upon claims for law enforcement continuing education funds under
- 29 IC 33-19-8-4 or IC 33-19-8-6 shall deposit each fee collected into the
- 30 local law enforcement continuing education fund.
- 31 (d) Distribution of money in a local law enforcement continuing
- 32 education fund shall be made to a city or town law enforcement agency
- 33 without the necessity of first obtaining an appropriation from the fiscal
- 34 body of the city or town.
- 35 (e) To make a claim under IC 33-19-8-4 a law enforcement agency
- 36 shall submit to the fiscal body a verified statement of cause numbers
- 37 for fees collected that are attributable to the law enforcement efforts of
- 38 that agency.
- 39 (f) A law enforcement agency shall submit a claim for fees under
- 40 this section in the same local fiscal year in which the fees are collected
- 41 under IC 33-19-5.
- 42 (g) A city or town law enforcement agency shall provide to each law

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1 enforcement officer employed by the city or town law enforcement
2 agency continuing education concerning the following:

3 (1) Duties of a law enforcement officer in enforcing restraining
4 orders, protective orders, temporary injunctions, and permanent
5 injunctions involving abuse.

6 (2) Guidelines for making felony and misdemeanor arrests in
7 cases involving abuse.

8 (3) Techniques for handling incidents of abuse that:

9 (A) minimize the likelihood of injury to the law enforcement
10 officer; and

11 (B) promote the safety of a victim.

12 (4) Information about the nature and extent of abuse.

13 (5) Information about the legal rights of and remedies available
14 to victims of abuse.

15 (6) How to document and collect evidence in an abuse case.

16 (7) The legal consequences of abuse.

17 (8) The impact on children of law enforcement intervention in
18 abuse cases.

19 (9) Services and facilities available to victims of abuse and
20 abusers.

21 (10) Verification of restraining orders, protective orders,
22 temporary injunctions, and permanent injunctions.

23 (11) Policies concerning arrest or release of suspects in abuse
24 cases.

25 (12) Emergency assistance to victims of abuse and criminal
26 justice options for victims of abuse.

27 (13) Landlord-tenant concerns in abuse cases.

28 (14) The taking of an abused child into protective custody.

29 (15) Assessment of a situation in which the child may be seriously
30 endangered if the child is left in the child's home.

31 (16) Assessment of a situation involving an endangered adult (as
32 defined in IC 12-10-3-2).

33 (17) Response to a sudden, unexpected infant death.

34 (h) A city or town law enforcement agency may enter into an
35 agreement with other county, city, or town law enforcement agencies
36 to provide the continuing education required by this section and section
37 1(h) of this chapter.

38 SECTION 3. IC 5-10-10-4 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. As used in this
40 chapter, "public safety officer" means a state police officer, county
41 sheriff, county police officer, correctional officer, excise police officer,
42 county police reserve officer, city police reserve officer, conservation

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1 enforcement officer, town marshal, deputy town marshal, or state
 2 university police officer appointed under IC 20-12-3.5, or school
 3 corporation police officer appointed under IC 20-5-2-9.

4 SECTION 4. IC 20-5-2-9 IS ADDED TO THE INDIANA CODE
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2000]: **Sec. 9. (a) The governing body of a school corporation
 7 may establish a school corporation police force and do the
 8 following for the school corporation police force:**

9 (1) **Appoint school corporation police officers.**

10 (2) **Prescribe the duties and direct the conduct of school
 11 corporation police officers.**

12 (3) **Prescribe distinctive uniforms.**

13 (4) **Provide emergency vehicles.**

14 (b) **To be eligible for appointment as a school corporation police
 15 officer, an individual must successfully complete at least the
 16 minimum basic training and educational requirements adopted by
 17 the law enforcement training board under IC 5-2-1-9 as necessary
 18 for employment as a law enforcement officer.**

19 (c) **A school corporation police officer appointed under this
 20 section:**

21 (1) **is a law enforcement officer (as defined in IC 5-2-1-2(1));**

22 (2) **must take an appropriate oath of office in a form and
 23 manner prescribed by the governing body;**

24 (3) **serves at the governing body's pleasure;**

25 (4) **performs the duties that the governing body assigns; and**

26 (5) **has full police powers to enforce all the penal laws of the
 27 state of Indiana and possesses, with respect to those laws, the
 28 power to effect arrests for offenses committed in the school
 29 corporation police officer's presence.**

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