

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7103

BILL NUMBER: HB 1342

NOTE PREPARED: Jan 9, 2006

BILL AMENDED:

SUBJECT: Public Safety Issues.

FIRST AUTHOR: Rep. Crouch

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: The bill provides that a full-time, fully paid firefighter of a fire department, fire protection district, or fire protection territory:

- (1) within annexed territory;
- (2) consolidated into the Indianapolis Fire Department;
- (3) of a municipality that merges with another municipality; or
- (4) of a political subdivision that enters into an interlocal agreement with another political subdivision regarding the provision of fire services;

is entitled to be employed as a full-time, fully paid firefighter of the annexing municipality, Indianapolis Fire Department, merged municipality, or political subdivision subject to the interlocal agreement at not less than the same salary and with equivalent health benefits.

It requires that the firefighter receive full credit under the pension plan for prior service with the firefighter's former department. It also provides that firefighters in areas subject to annexation, merger, consolidation, or interlocal agreements remain members of the pension plan offered by the firefighters' former department.

The bill provides that a town manager may not serve on a body that hears disciplinary charges against a member of the town fire department.

It requires a town to pay for the care of a full-time, paid firefighter who suffers an injury or contracts an illness during the performance of the firefighter's duty. The bill also provides that a safety board or county sheriff may not investigate or prefer a charge against a police officer or firefighter more than three years after the conduct that is the basis of the investigation or charge occurs.

Effective Date: July 1, 2006.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: *Annexation, Consolidation, and Interlocal Agreement Provisions:* The fiscal impact of this bill will vary among municipalities depending on the number of firefighters who would qualify under these provisions per interlocal agreement, annexation, or merger, their compensation, and their pension benefits.

Disciplinary Hearings: The bill provides that a town manager may not serve as a member of any body that hears disciplinary charges against the a member of a fire department. This provision should have no fiscal impact.

Payment for Care of Injured Firefighters: The bill also provides that a town must pay for the care of a full-time, paid firefighter who suffers an injury or contracts an illness during the performance of the firefighter's duty. The bill specifies that the town must pay for medical and surgical care; medicines and laboratory, curative, and palliative agents and means; X-ray, diagnostic, and therapeutic service, including services during the recovery period; and hospital and special nursing care if the physician or surgeon in charge considers the care necessary for proper recovery. Expenditures must be paid from the town general fund.

Only three towns (Fishers, Speedway, and Westfield) are known to have full-time, paid firefighters that would qualify under the proposal. The three towns employ 180 firefighters. Fishers maintains a staff of 110. Speedway has a staff of 32. Westfield maintains a staff of 38. None of the towns currently pay for the care of a firefighter who is injured in the line of duty. The bill would require such payment.

For 2004, Speedway had one firefighter injured in the line of duty (a severe sprain) which required the firefighter to be off for six days. Worker's compensation (a private insurance company) paid approximately \$6,000 in compensation. Medical costs basically amounted to a visit to a doctor and were negligible. However, the fiscal impact of future expenses will depend on the number and nature of injuries or illnesses suffered by firefighters during the performance of their duties.

Explanation of Local Revenues: *Payment for Care of Injured Firefighters:* A town that has paid for the care of a firefighter may seek reimbursement of the amount paid against any third party against whom the firefighter has a cause of action for an injury or an illness caused by the third party. This provision may allow the town to recuperate expenses. The specific impact is indeterminable and will depend on future qualifying injuries or illnesses sustained by a firefighter and the legal action taken.

State Agencies Affected:

Local Agencies Affected: Municipalities, townships, political subdivisions.

Information Sources:

Fiscal Analyst: Karen Firestone, 317-234-2106.