

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1237 be amended to read as follows:

- 1 Page 2, between lines 20 and 21, begin a new paragraph and insert:
- 2 "SECTION 5. IC 9-13-2-110.7 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2007]: **Sec. 110.7. "Municipality" has the**
- 5 **meaning set forth in IC 36-1-2-11."**
- 6 Page 3, after line 17, begin a new paragraph and insert:
- 7 "SECTION 9. IC 9-19-10-4.5 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2007]: **Sec. 4.5. A police officer employed by:**
- 10 **(1) the state;**
- 11 **(2) a municipality; or**
- 12 **(3) a county;**
- 13 **may not receive overtime compensation under the federal Fair**
- 14 **Labor Standards Act, as amended (29 U.S.C. 201 et seq.) that is**
- 15 **paid for in whole or in part from state or federal funds for**
- 16 **participating in a program or an activity under IC 9-27-2-4(a)(1),**
- 17 **a program, a service, or an activity under IC 9-27-2-4(a)(3), or an**
- 18 **activity under IC 9-27-2-4(a)(5) that includes a traffic stop for the**
- 19 **purpose of determining compliance with this chapter.**
- 20 SECTION 10. IC 9-27-2-4, AS AMENDED BY P.L.210-2005,
- 21 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2007]: Sec. 4. **(a)** The office shall do the following to carry
- 23 out this chapter:

- 1 (1) Develop, plan, and conduct programs and activities designed  
 2 to prevent and reduce traffic accidents and to facilitate the control  
 3 of traffic on Indiana streets and highways.
- 4 (2) Advise, recommend, and consult with state departments,  
 5 divisions, boards, commissions, and agencies concerning traffic  
 6 safety, accident prevention, and traffic facilitation programs and  
 7 activities and coordinate these programs and activities on an  
 8 effective statewide basis.
- 9 (3) Organize and conduct, in cooperation with state departments  
 10 and agencies, programs, services, and activities designed to aid  
 11 political subdivisions in the control of traffic and prevention of  
 12 traffic accidents.
- 13 (4) Develop informational, educational, and promotional material  
 14 on traffic control and traffic accident prevention, disseminate the  
 15 material through all possible means of public information, and  
 16 serve as a clearinghouse for information and publicity on traffic  
 17 control and accident prevention programs and activities of state  
 18 departments and agencies. These activities must include materials  
 19 and information designed to make senior citizens aware of the  
 20 effect of age on driving ability.
- 21 (5) Cooperate with public and private agencies interested in  
 22 traffic control and traffic accident prevention in the development  
 23 and conduct of public informational and educational activities  
 24 designed to promote traffic safety or to support the official traffic  
 25 safety program of Indiana.
- 26 (6) Study and determine the merits of proposals affecting traffic  
 27 control, traffic safety, or traffic accident prevention activities in  
 28 Indiana and recommend to the governor and the general assembly  
 29 the measures that will serve to further control and reduce traffic  
 30 accidents.
- 31 (7) Study proposed revisions and amendments to the motor  
 32 vehicle laws and all other laws concerning traffic safety and make  
 33 recommendations relative to those laws to the governor and  
 34 general assembly.
- 35 (8) Develop and conduct a program of effective alcohol and drug  
 36 countermeasures to protect and conserve life and property on  
 37 Indiana streets and highways.
- 38 (9) Administer the operation lifesaver program referred to in  
 39 section 12 of this chapter to promote and coordinate public  
 40 education concerning railroad grade crossing safety.
- 41 **(b) The office may not conduct:**
- 42 **(1) a program or an activity under subsection (a)(1);**  
 43 **(2) a program, a service, or an activity under subsection**  
 44 **(a)(3); or**  
 45 **(3) an activity under subsection (a)(5);**  
 46 **that includes a traffic stop for the purpose of determining**

1 **compliance with IC 9-19-10 for which a police officer participating**  
 2 **in the program, activity, or service receives overtime compensation**  
 3 **under the Federal Fair Labor Standards Act, as amended (29**  
 4 **U.S.C. 201 et seq.) would be paid for in whole or in part from state**  
 5 **or federal funds.**

6 SECTION 11. IC 9-27-2-9 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) The office, with  
 8 the approval of the governor, may accept on behalf of the state a gift or  
 9 grant of money for a purpose specified in this chapter.

10 (b) A gift or grant under this chapter shall be held by the treasurer  
 11 of state in a special fund and expended in accordance with the terms of  
 12 the gift or grant upon proper warrant or voucher drawn by the office.

13 **(c) A grant of federal money accepted under subsection (a) may**  
 14 **not be used by the office for overtime compensation under the**  
 15 **Federal Fair Labor Standards Act, as amended (29 U.S.C. 201 et**  
 16 **seq.) for a police officer participating in:**

17 (1) a program or an activity under section 3(a)(1) of this  
 18 chapter;

19 (2) a program, a service, or an activity under section 3(a)(3)  
 20 of this chapter; or

21 (3) an activity under section 3(a)(5) of this chapter;  
 22 **of this chapter that includes a traffic stop for the purpose of**  
 23 **determining compliance with IC 9-19-10."**

24 Renumber all SECTIONS consecutively.

(Reference is to HB 1237 as printed February 9, 2007.)

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Representative Torr