

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 7439**

**BILL NUMBER: HB 1665**

**NOTE PREPARED: Jan 12, 2009**

**BILL AMENDED:**

**SUBJECT:** First Responder Powers to Arrest.

**FIRST AUTHOR:** Rep. Herrell

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill authorizes a law enforcement officer who is responding to an incident involving a suspected weapon of mass destruction to hold an individual in isolation if the officer has reason to believe that the individual has been infected with or exposed to a dangerous communicable disease as the result of exposure to the suspected weapon of mass destruction and that the individual may cause the infection of an uninfected individual if the individual is not restricted in the individual's ability to come into contact with others.

The bill requires a law enforcement officer to obtain approval from the chief law enforcement officer of the law enforcement agency before holding a person in isolation, and requires a law enforcement official who holds a person in isolation to notify a public health authority.

It provides that an individual may be held in isolation until: (1) a public health authority or person approved by a public health department has decontaminated the individual or determined that the individual has been decontaminated; (2) a public health authority or person approved by a public health department has determined that the individual has not been infected or exposed, or does not pose a danger to others; (3) a court orders another disposition of the individual; (4) a public health authority orders another disposition of the individual; or (5) 24 hours elapse; whichever occurs first.

**Effective Date:** July 1, 2009.

**Explanation of State Expenditures:** This bill may increase the workload and expenditures of law enforcement to hold individuals who are considered either infected with or exposed to dangerous communicable diseases in isolation. The amount of time that an individual can be held can be influenced by

the actions and response by either a local court or public health authority, or amount of time that elapses. Time of detention and any associated expenditures will vary depending on the actions of public health authorities, law enforcement, or the courts.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** See *Explanation of State Expenditures*, above.

**Explanation of Local Revenues:**

**State Agencies Affected:** Indiana State Police.

**Local Agencies Affected:** Local law enforcement.

**Information Sources:**

**Fiscal Analyst:** Bill Brumbach, 232-9559.