

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1170

---

AN ACT to amend the Indiana Code concerning local government.

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

SECTION 1. IC 36-8-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

**Chapter 22.5. Public Safety Agreements**

**Sec. 1. As used in this chapter, "employee organization" means a union or other entity that works in whole or in part for the common interest of employees.**

**Sec. 2. As used in this chapter, "unit" has the meaning set forth in IC 36-1-2-23.**

**Sec. 3. As used in this chapter, "written agreement" means a written agreement that:**

- (1) a unit executes after June 30, 2019, with an employee organization for the unit's fire or police department employees; and**
- (2) includes terms regarding employee:**
  - (A) salary;**
  - (B) wages; and**
  - (C) salary and wage related fringe benefits, including health insurance, disability, retirement benefits, and paid time off.**

**Sec. 4. (a) This section does not apply to a written agreement if:**

- (1) an ordinance or resolution of the unit; or**

HEA 1170 — Concur



**(2) a provision in the written agreement between the unit and employee organization; establishes a procedure for resolution of an impasse in negotiations through mediation, arbitration, or other alternative dispute resolution.**

**(b) If the parties are unable to reach an agreement in the negotiations within one (1) year after the date that the written agreement expires, the matter shall be submitted to nonbinding mediation. The written agreement must specify the following:**

**(1) The manner in which parties select a mediator. The parties may select a mediator through the Federal Mediation and Conciliation Service, or some other organization or method.**

**(2) The manner and extent to which the parties share the costs of the mediation.**

**Sec. 5. Notwithstanding any other law, a written agreement shall include a provision that requires the terms and conditions of the written agreement to continue without any change, including salary, wages, and benefits for any employee, if an impasse in negotiations is reached. The terms and conditions of the written agreement end and no longer bind the parties upon the occurrence of the earlier of the following:**

**(1) The mediation, arbitration, or other alternative dispute resolution process does not result in the parties reaching an agreement in the negotiations.**

**(2) The parties execute a new written agreement.**



---

Speaker of the House of Representatives

---

President of the Senate

---

President Pro Tempore

---

Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**HEA 1170 — Concur**

