



January 18, 2017

SENATE BILL No. 140

DIGEST OF SB 140 (Updated January 17, 2017 11:46 am - DI 84)

Citations Affected: IC 10-19.

Synopsis: Matching grant fund for local police departments. Establishes the law enforcement emergency response equipment matching grant fund to be administered by the department of homeland security. Allows local law enforcement agencies to apply for matching grants to purchase equipment needed for emergency response situations.

Effective: July 1, 2017.

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January 4, 2017, read first time and referred to Committee on Homeland Security and Transportation.
January 17, 2017, reported favorably — Do Pass; reassigned to Committee on Appropriations.

SB 140—LS 6465/DI 128



January 18, 2017

First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 140

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

1 SECTION 1. IC 10-19-12 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]:

4 **Chapter 12. Law Enforcement Emergency Response Equipment**
5 **Matching Grant Fund**

6 **Sec. 1. As used in this chapter, "agency" means a local law**
7 **enforcement agency.**

8 **Sec. 2. As used in this chapter, "fund" refers to the law**
9 **enforcement emergency response equipment matching grant fund**
10 **established by section 4 of this chapter.**

11 **Sec. 3. (a) As used in this chapter, "law enforcement officer"**
12 **means an appointed officer or employee hired by and on the**
13 **payroll of any of the state's local governmental units, or a public or**
14 **private postsecondary educational institution whose board of**
15 **trustees has established a police department under IC 21-17-5-2 or**
16 **IC 21-39-4-2, who is granted lawful authority to enforce all or**
17 **some of the penal laws of Indiana and who possesses, with respect**

SB 140—LS 6465/DI 128



1 to those laws, the power to effect arrests for offenses committed in
2 the officer's or employee's presence.

3 (b) The following are not considered a "law enforcement
4 officer" for purposes of this chapter:

5 (1) A constable.

6 (2) A special officer whose powers and duties are described in
7 IC 36-8-3-7.

8 (3) A special deputy whose powers and duties are described in
9 IC 36-8-10-10.6.

10 (4) A county police reserve officer who receives compensation
11 for lake patrol duties under IC 36-8-3-20(f)(4).

12 (5) A conservation reserve officer who receives compensation
13 for lake patrol duties under IC 14-9-8-27.

14 (6) An employee of the gaming commission whose powers and
15 duties are described in IC 4-32.2-9.

16 (7) A correctional police officer described in IC 11-8-9.

17 Sec. 4. (a) The law enforcement emergency response equipment
18 matching grant fund is established to provide matching grants to
19 agencies for the purchase of equipment needed in emergency
20 response and high risk situations.

21 (b) The department shall administer the fund.

22 (c) The fund consists of the following:

23 (1) Appropriations made by the general assembly.

24 (2) Interest deposited in the fund under subsection (d).

25 (3) Money deposited in or transferred to the fund from any
26 other source.

27 (d) The treasurer of state shall invest money in the fund not
28 currently needed to meet the obligations of the fund in the same
29 manner as other public funds may be invested. Interest accrued
30 from these investments shall be deposited in the fund.

31 Sec. 5. Money in the fund at the end of a state fiscal year does
32 not revert to the state general fund.

33 Sec. 6. (a) An agency may apply to the department for a grant
34 from the fund to purchase equipment, including but not limited to:

35 (1) trauma kits;

36 (2) ballistic helmets;

37 (3) body armor plating; and

38 (4) less than lethal weapons and ammunition.

39 (b) The application must be:

40 (1) in the form and manner prescribed by the department;
41 and

42 (2) submitted by the date set by the department.



1 (c) An agency's application for a grant from the fund must
2 specify the amount of money that the agency is committing to
3 contribute to the purchase of equipment.

4 Sec. 7. (a) Except as provided in subsection (b), if the
5 department approves a grant to an agency under this chapter, the
6 amount of the grant from the fund must be equal to the amount
7 that the agency commits to contribute to the cost of the desired
8 equipment.

9 (b) If the amount requested for grants from the fund exceeds the
10 amount in the fund, the department shall proportionately reduce
11 the amount of each grant from the fund.

12 (c) The department shall annually distribute grants to agencies
13 by a date determined by the department.

14 Sec. 8. A grant awarded under this chapter must be used to
15 supplement funds available to an agency. An agency may not use
16 a grant to replace funds that the agency would normally spend for
17 equipment, personnel, and training.

18 Sec. 9. In awarding grants under this chapter, the department
19 shall give priority to an agency that employs more than twenty-five
20 (25) law enforcement officers.

21 Sec. 10. The department shall adopt rules under IC 4-22-2 to
22 carry out this chapter, including rules setting the maximum
23 matching amount for each application submitted under section 6
24 of this chapter.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 140, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 140 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 9, Nays 0

