PROPOSED AMENDMENT
HB 1171 # 4

DIGEST

Firefighter disciplinary process. Establishes minimum rights for a full-time, paid, nonprobationary member of a fire department to be represented in a meeting at which the chief of the fire department (chief) notifies the firefighter: (1) of the firefighter's termination or demotion with cause; or (2) that the chief is recommending the firefighter's termination or demotion with cause to the safety board. Provides that the firefighter's meeting with the chief concerning the firefighter's termination or demotion with cause may not proceed until the firefighter is provided at least 72 hours to obtain the requested representation. Excludes from these provisions: (1) a member of the fire department who holds an upper level policy making position; (2) a member of the fire department who holds a position in the fire department: (A) that is not an upper level policy making position; and (B) to which the member was appointed by the chief; and (3) a fire department with a merit system established under IC 36-8-3.5. Resolves a conflict with HB 1122.

1 Page 1, delete lines 1 through 7.
2 Page 1, line 8, delete "2.5" and insert "2.2".
3 Page 1, line 11, after "Chapter" delete "2.5." and insert "2.2.".
4 Page 1, line 14, delete "a" and insert "any of the following:
5 (1) A".
6 Page 1, between lines 15 and 16, begin a new line block indented
7 and insert:
8 "(2) A member of the fire department who holds a position in
9 the fire department:
10 (A) that is not an upper level policy making position; and
11 (B) to which the member was appointed by the chief.
12 (3) A fire department having a merit system established under
13 IC 36-8-3.5.".
14 Page 1, line 16, after "Sec. 2." insert "(a)".
15 Page 2, between lines 1 and 2, begin a new paragraph and insert:
16 "(b) This chapter does not apply to any interview, interrogation,
17 or other interaction that is part of an investigation of a firefighter's
18 conduct.".
19 Page 2, line 8, delete "in any interaction that concerns any matter
20 that may".
21 Page 2, line 9, delete "result in" and insert "in a meeting at which
the chief of the fire department notifies the firefighter of".

Page 2, line 13, delete "interaction" and insert "meeting".

Page 2, line 21, delete "An interaction" and insert "A meeting".

Page 2, line 22, delete "a reasonable:".

Page 2, delete lines 23 through 24.

Page 2, line 25, delete "to" and insert "at least seventy-two (72) hours to".

Page 2, run in lines 22 through 25.

Page 2, line 26, delete "at any time before".

Page 2, line 27, delete "or during an interaction" and insert "during a meeting".

Page 2, line 27, after "chapter" delete "." and insert ", if the firefighter was not given the seventy-two (72) hour period described in subsection (a).".

Page 2, line 37, delete "IC 36-8-2.5" and insert "IC 36-8-2.2".

Page 2, line 40, delete "IC 36-8-2.5" and insert "IC 36-8-2.2".

Page 2, line 40, delete "interaction or proceeding" and insert "meeting".

Page 2, line 40, after "chapter" insert "at which the chief of the fire department notifies the member that the chief is recommending to the safety board the member's termination or demotion with cause.".

Page 2, delete lines 41 through 42.

Delete pages 3 through 11.

Renumber all SECTIONS consecutively.

(Reference is to HB 1171 as printed January 24, 2017.)