

HOUSE BILL No. 1089

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-23-35.

Synopsis: Public safety officer benefit advisory board. Establishes the public safety officer benefit advisory board (board). Requires the state police department to provide staff support for the board. Requires the board to provide a report to the legislative council and interim study committee on pension management oversight before October 1 of each year.

Effective: Upon passage.

Schaibley

January 8, 2024, read first time and referred to Committee on Veterans Affairs and Public Safety.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1089

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

1 SECTION 1. IC 4-23-35 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]:
4 **Chapter 35. Public Safety Officer Benefit Advisory Board**
5 **Sec. 1. As used in this chapter, "advisory board" refers to the**
6 **public safety officer benefit advisory board established by section**
7 **4 of this chapter.**
8 **Sec. 2. As used in this chapter, "dies in the line of duty" has the**
9 **meaning set forth in IC 5-10-10-2(a).**
10 **Sec. 3. As used in this chapter, "public safety officer" means any**
11 **of the following:**
12 **(1) A state police officer.**
13 **(2) A county sheriff.**
14 **(3) A county police officer.**
15 **(4) A correctional officer (as defined in IC 5-10-10-1.5).**
16 **(5) An excise police officer.**
17 **(6) A county police reserve officer.**



- 1 (7) A city or town police officer.
2 (8) A city or town police reserve officer.
3 (9) A police officer who is employed by an airport authority.
4 (10) A conservation enforcement officer.
5 (11) A town marshal.
6 (12) A deputy town marshal.
7 (13) A probation officer.
8 (14) A state educational institution police officer appointed
9 under IC 21-39-4.
10 (15) A police officer whose employer purchases coverage
11 under IC 5-10-10-4.5.
12 (16) An emergency medical services provider (as defined in
13 IC 16-41-10-1).
14 (17) A firefighter, including a volunteer firefighter.
15 (18) A member of a consolidated law enforcement department
16 established under IC 36-3-1-5.1.
17 (19) A gaming agent of the Indiana gaming commission.
18 (20) A person who is:
19 (A) employed by a political subdivision (as defined in
20 IC 36-1-2-13); and
21 (B) appointed as a special deputy under IC 36-8-10-10.6.
22 (21) A school corporation police officer appointed under
23 IC 20-26-16.
24 (22) A gaming control officer of the Indiana gaming
25 commission.
26 (23) An eligible chaplain who meets the requirements of
27 IC 5-10-10-4.7.
28 (24) A community corrections officer.
29 (25) An emergency management worker (as defined in
30 IC 10-14-3-3), including:
31 (A) an employee of the Indiana department of homeland
32 security who is working in an official capacity as an
33 employee during a disaster or an emergency response; or
34 (B) an employee of a political subdivision who is employed
35 as:
36 (i) an emergency management director;
37 (ii) an assistant emergency management director; or
38 (iii) a deputy emergency management director;
39 for the political subdivision.
40 (26) A division fire investigator (as described in IC 22-14-2-8).
41 (27) A school resource officer (as defined in IC 20-26-18.2-1).
42 (28) A county coroner.



- 1 **(29) A deputy county coroner.**
 2 **Sec. 4. The public safety officer benefit advisory board is**
 3 **established as a continuing board to gather information and**
 4 **provide resources relating to benefits for a public safety officer**
 5 **who dies in the line of duty, including the following benefits:**
 6 **(1) A benefit paid from the special death benefit fund under**
 7 **any of the following statutes:**
 8 **(A) IC 5-10-10-6.**
 9 **(B) IC 10-12-6-2.**
 10 **(C) IC 36-8-6-20.**
 11 **(D) IC 36-8-7-26.**
 12 **(E) IC 36-8-7.5-22.**
 13 **(F) IC 36-8-8-20.**
 14 **(2) Educational costs exemption under IC 21-14-4.**
 15 **(3) Benefits provided to a surviving spouse, child, or parent**
 16 **under any of the following pension or retirement funds:**
 17 **(A) The public employees' retirement fund established**
 18 **under IC 5-10.2 and IC 5-10.3.**
 19 **(B) The state excise police, gaming agent, gaming control**
 20 **officer, and conservation enforcement officers' retirement**
 21 **fund established under IC 5-10-5.5.**
 22 **(C) The state police pension trust established under**
 23 **IC 10-12.**
 24 **(D) The 1937 firefighters' pension fund.**
 25 **(E) The 1925 police pension fund established under**
 26 **IC 36-8-6.**
 27 **(F) The 1953 police pension fund under IC 36-8-7.5.**
 28 **(G) The 1977 police officers' and firefighters' pension and**
 29 **disability fund established under IC 36-8-8.**
 30 **(H) A sheriff's pension trust established under**
 31 **IC 36-8-10-12.**
 32 **(4) Survivor health benefits provided under any of the**
 33 **following statutes:**
 34 **(A) IC 5-10-14.**
 35 **(B) IC 5-10-18.**
 36 **(C) IC 36-8-6-9.7.**
 37 **(D) IC 36-8-6-10.1.**
 38 **(E) IC 36-8-7-12.3.**
 39 **(F) IC 36-8-7-12.4.**
 40 **(G) IC 36-8-7.5-13.7.**
 41 **(H) IC 36-8-7.5-14.1.**
 42 **(I) IC 36-8-8-13.9.**



1 (J) IC 36-8-8-14.1.

2 (K) IC 36-8-10-16.5.

3 (5) Any other benefits identified by the advisory board.

4 Sec. 5. (a) The advisory board consists of the following
5 members:

6 (1) The superintendent of the state police department or the
7 superintendent's designee.

8 (2) The director of the department of natural resources or the
9 director's designee.

10 (3) The commissioner of the department of correction or the
11 commissioner's designee.

12 (4) One (1) county sheriff, appointed by the governor.

13 (5) One (1) chief of police, appointed by the governor.

14 (6) One (1) fire chief, appointed by the governor.

15 (7) One (1) paramedic or emergency medical technician,
16 appointed by the governor.

17 (b) The superintendent of the state police department or the
18 superintendent's designee shall serve as chairperson of the
19 advisory board.

20 (c) The following apply to a member appointed under subsection
21 (a)(4) through (a)(7):

22 (1) Except as provided in subsection (d), a member serves a
23 four (4) year term.

24 (2) A member serves at the pleasure of the governor.

25 (3) A member may be reappointed to successive terms.

26 (4) A member serves until the member's successor is
27 appointed and qualified.

28 (5) A vacancy must be filled by appointment of the governor.
29 An individual appointed to fill a vacancy serves for the
30 unexpired term of the individual's predecessor.

31 (d) A member appointed under subsection (a)(4) or (a)(6) serves
32 an initial term that expires December 31, 2025. A member
33 appointed under subsection (a)(5) or (a)(7) serves an initial term
34 that expires December 31, 2027.

35 Sec. 6. (a) The advisory board shall meet at least one (1) time
36 per calendar year at the call of the chairperson.

37 (b) A majority of the members of the advisory board constitutes
38 a quorum.

39 Sec. 7. The state police department shall provide staff support
40 and meeting space to the advisory board.

41 Sec. 8. (a) Each member of the advisory board who is not a state
42 employee is entitled to the minimum salary per diem provided by



1 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
 2 for mileage and traveling expenses, as provided under IC 4-13-1-4,
 3 and other expenses actually incurred in connection with the
 4 member's duties as provided in the state policies and procedures
 5 established by the Indiana department of administration and
 6 approved by the budget agency.

7 (b) Each member of the advisory board who is a state employee
 8 is entitled to reimbursement for traveling expenses as provided
 9 under IC 4-13-1-4 and other expenses actually incurred in
 10 connection with the member's duties as provided in the state
 11 policies and procedures established by the Indiana department of
 12 administration and approved by the budget agency.

13 **Sec. 9. The advisory board shall do the following:**

14 (1) **Compile information concerning:**

15 (A) the benefits described in section 4 of this chapter,
 16 including information on eligibility requirements and the
 17 application process for the benefits; and

18 (B) any private entities that:

19 (i) provide benefits for a public safety officer who dies in
 20 the line of duty; or

21 (ii) assist a surviving spouse, child, or parent in obtaining
 22 benefits.

23 (2) **Make the following information available on the state
 24 police department's website:**

25 (A) The information compiled under subdivision (1).

26 (B) The contact information of at least one (1) individual
 27 who is available to assist individuals in accessing the
 28 information and services provided by the advisory board.

29 (3) **Advise and assist a surviving spouse, child, or parent of a
 30 public safety officer who dies in the line of duty with
 31 identifying and obtaining benefits.**

32 (4) **Provide training to an employer of a public safety officer
 33 on:**

34 (A) available benefits for a public safety officer who dies in
 35 the line of duty and the process for obtaining the benefits;
 36 and

37 (B) the implementation of a policy to encourage a public
 38 safety officer to update beneficiary information on:

39 (i) an annual basis; and

40 (ii) the occurrence of marriage, divorce, birth of a child,
 41 adoption of a child, or death of a family member.

42 (5) **Make recommendations to:**



- 1 **(A) the general assembly concerning any modifications or**
2 **amendments to the benefits described in section 4 of this**
3 **chapter; and**
4 **(B) the general assembly or an appropriate agency**
5 **concerning whether:**
6 **(i) the name of a public safety officer who died in the line**
7 **of duty should be added to an existing monument or**
8 **memorial; or**
9 **(ii) a new monument or memorial should be established**
10 **to memorialize public safety officers who die in the line**
11 **of duty.**
12 **Sec. 10. (a) Before October 1 of each year, the advisory board**
13 **shall submit a report setting forth the recommendations made**
14 **under section 9(5) of this chapter to the:**
15 **(1) legislative council; and**
16 **(2) interim study committee on pension management**
17 **oversight.**
18 **(b) A report described in this section must be in an electronic**
19 **format under IC 5-14-6.**
20 **SECTION 2. An emergency is declared for this act.**

