



February 18, 2022

ENGROSSED HOUSE BILL No. 1174

DIGEST OF HB 1174 (Updated February 16, 2022 12:28 pm - DI 144)

Citations Affected: IC 5-10; IC 10-10.5.

Synopsis: Special death benefit. Specifies the meaning of a death in the line of duty as it relates to a county coroner. Adds a county coroner to the list of: (1) public safety officers whose relative receives a special death benefit if the officer dies in the line of duty; and (2) employees who may qualify for a presumption of disability or death in the line of duty. Adds a county coroner to the list of designated Indiana first responders.

Effective: July 1, 2022.

VanNatter, Saunders, Bartels, Ellington

(SENATE SPONSOR — MISHLER)

January 6, 2022, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 11, 2022, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

January 20, 2022, amended, reported — Do Pass.

January 24, 2022, read second time, ordered engrossed. Engrossed.

January 25, 2022, read third time, passed. Yeas 91, nays 0.

SENATE ACTION

February 2, 2022, read first time and referred to Committee on Pensions and Labor.

February 17, 2022, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.

EH 1174—LS 6375/DI 148



February 18, 2022

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1174

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 5-10-10-2, AS AMENDED BY P.L.100-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 2. (a) Except as provided in subsection ~~(b)~~; **(b) or**
4 **(c)**, as used in this chapter, "dies in the line of duty" refers to a death
5 that occurs as a direct result of personal injury or illness resulting from
6 any action that the public safety officer, in the public safety officer's
7 capacity as a public safety officer, is obligated or authorized by rule,
8 regulation, condition of employment or service, or law to perform in
9 the course of controlling or reducing crime or enforcing the criminal
10 law. For purposes of a public safety officer who is an employee (as
11 defined in IC 5-10-13-2), the term includes a death presumed incurred
12 in the line of duty under IC 5-10-13.

13 (b) This subsection applies to a public safety officer who is eligible
14 for a special death benefit under section 4.8 or 4.9 of this chapter.
15 "Dies in the line of duty" refers to a death that occurs as a direct result
16 of personal injury or illness caused by an incident, accident, or violence
17 that results from any action that the public safety officer, in the public

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1 safety officer's capacity as a public safety officer:

2 (1) is obligated or authorized by rule, regulation, condition of
3 employment or service, or law to perform; or

4 (2) performs during an emergency run.

5 **(c) This subsection applies to a public safety officer who is:**

6 **(1) a county coroner; and**

7 **(2) eligible for a special death benefit under this chapter.**

8 **"Dies in the line of duty" refers to a death that occurs as a direct**
9 **result of personal injury or illness resulting from any action that**
10 **the public safety officer, in the public safety officer's capacity as a**
11 **public safety officer, is obligated or authorized by rule, regulation,**
12 **condition of employment or service, or law to perform in the**
13 **course of the public safety officer's regular duties.**

14 SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.41-2020,
15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2022]: Sec. 4. As used in this chapter, "public safety officer"
17 means any of the following:

18 (1) A state police officer.

19 (2) A county sheriff.

20 (3) A county police officer.

21 (4) A correctional officer.

22 (5) An excise police officer.

23 (6) A county police reserve officer.

24 (7) A city or town police reserve officer.

25 (8) A conservation enforcement officer.

26 (9) A town marshal.

27 (10) A deputy town marshal.

28 (11) A probation officer.

29 (12) A state educational institution police officer appointed under
30 IC 21-39-4.

31 (13) A police officer whose employer purchases coverage under
32 section 4.5 of this chapter.

33 (14) An emergency medical services provider (as defined in
34 IC 16-41-10-1) who is:

35 (A) employed by a political subdivision (as defined in
36 IC 36-1-2-13); and

37 (B) not eligible for a special death benefit under IC 36-8-6-20,
38 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.

39 (15) A firefighter who is employed by the fire department of a
40 state university.

41 (16) A firefighter whose employer purchases coverage under
42 section 4.5 of this chapter.



- 1 (17) A member of a consolidated law enforcement department
 2 established under IC 36-3-1-5.1.
 3 (18) A gaming agent of the Indiana gaming commission.
 4 (19) A person who is:
 5 (A) employed by a political subdivision (as defined in
 6 IC 36-1-2-13); and
 7 (B) appointed as a special deputy under IC 36-8-10-10.6.
 8 (20) A school corporation police officer appointed under
 9 IC 20-26-16.
 10 (21) A gaming control officer of the Indiana gaming commission.
 11 (22) An eligible chaplain who meets the requirements of section
 12 4.7 of this chapter.
 13 (23) A community corrections officer.
 14 (24) An eligible emergency medical services provider who meets
 15 the requirements of section 4.8 of this chapter.
 16 (25) An emergency medical services provider whose employer
 17 purchases coverage under section 4.9 of this chapter.
 18 (26) An emergency management worker (as defined in
 19 IC 10-14-3-3), including:
 20 (A) an employee of the Indiana department of homeland
 21 security who is working in an official capacity as an employee
 22 during a disaster or an emergency response; or
 23 (B) an employee of a political subdivision who is employed as:
 24 (i) an emergency management director;
 25 (ii) an assistant emergency management director; or
 26 (iii) a deputy emergency management director;
 27 for the political subdivision.
 28 (27) A division fire investigator (as described in IC 22-14-2-8).
 29 (28) A school resource officer (as defined in IC 20-26-18.2-1)
 30 who is not otherwise entitled to a line of duty benefit under:
 31 (A) IC 36-8-6-20;
 32 (B) IC 36-8-7.5-22; or
 33 (C) IC 36-8-8-20;
 34 while acting as a school resource officer.
 35 **(29) A county coroner.**
 36 SECTION 3. IC 5-10-13-2, AS AMENDED BY P.L.227-2005,
 37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2022]: Sec. 2. As used in this chapter, "employee" means an
 39 individual who:
 40 (1) is employed full time by the state or a political subdivision of
 41 the state as:
 42 (A) a member of a fire department (as defined in IC 36-8-1-8);



- 1 (B) an emergency medical services provider (as defined in
 2 IC 16-41-10-1);
 3 (C) a member of a police department (as defined in
 4 IC 36-8-1-9);
 5 (D) a correctional officer (as defined in IC 5-10-10-1.5);
 6 (E) a state police officer;
 7 (F) a county police officer;
 8 (G) a county sheriff;
 9 (H) an excise police officer;
 10 (I) a conservation enforcement officer;
 11 (J) a town marshal;
 12 (K) a deputy town marshal; ~~or~~
 13 (L) a member of a consolidated law enforcement department
 14 established under IC 36-3-1-5.1; **or**
 15 **(M) a county coroner;**
 16 (2) in the course of the individual's employment is at high risk for
 17 occupational exposure to an exposure risk disease; and
 18 (3) is not employed elsewhere in a similar capacity.
- 19 SECTION 4. IC 10-10.5-2-1, AS ADDED BY P.L.113-2020,
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2022]: Sec. 1. The state of Indiana designates the following
 22 individuals to be Indiana first responders:
 23 (1) A law enforcement officer.
 24 (2) A firefighter, including a volunteer firefighter.
 25 (3) A corrections officer.
 26 (4) A public safety telecommunicator.
 27 (5) An emergency medical technician, emergency medical
 28 responder, or paramedic.
 29 (6) An individual performing emergency management services
 30 subject to the order or control of, or under a request of, the state
 31 or local government, including a volunteer health practitioner
 32 registered under IC 10-14-3.5.
 33 (7) Any individual serving in an employee or volunteer capacity
 34 for a public safety agency, whose duties include rapid emergency
 35 response.
 36 **(8) A county coroner.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1174, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-10-2, AS AMENDED BY P.L.100-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) Except as provided in subsection ~~(b)~~; **(b) or (c)**, as used in this chapter, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of controlling or reducing crime or enforcing the criminal law. For purposes of a public safety officer who is an employee (as defined in IC 5-10-13-2), the term includes a death presumed incurred in the line of duty under IC 5-10-13.

(b) This subsection applies to a public safety officer who is eligible for a special death benefit under section 4.8 or 4.9 of this chapter. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness caused by an incident, accident, or violence that results from any action that the public safety officer, in the public safety officer's capacity as a public safety officer:

- (1) is obligated or authorized by rule, regulation, condition of employment or service, or law to perform; or
- (2) performs during an emergency run.

(c) This subsection applies to a public safety officer who is:

- (1) a county coroner; and**
- (2) eligible for a special death benefit under this chapter.**

"Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of the public safety officer's regular duties.

SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.41-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 4. As used in this chapter, "public safety officer" means any of the following:

- (1) A state police officer.

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- (2) A county sheriff.
- (3) A county police officer.
- (4) A correctional officer.
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city or town police reserve officer.
- (8) A conservation enforcement officer.
- (9) A town marshal.
- (10) A deputy town marshal.
- (11) A probation officer.
- (12) A state educational institution police officer appointed under IC 21-39-4.
- (13) A police officer whose employer purchases coverage under section 4.5 of this chapter.
- (14) An emergency medical services provider (as defined in IC 16-41-10-1) who is:
 - (A) employed by a political subdivision (as defined in IC 36-1-2-13); and
 - (B) not eligible for a special death benefit under IC 36-8-6-20, IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
- (15) A firefighter who is employed by the fire department of a state university.
- (16) A firefighter whose employer purchases coverage under section 4.5 of this chapter.
- (17) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.
- (18) A gaming agent of the Indiana gaming commission.
- (19) A person who is:
 - (A) employed by a political subdivision (as defined in IC 36-1-2-13); and
 - (B) appointed as a special deputy under IC 36-8-10-10.6.
- (20) A school corporation police officer appointed under IC 20-26-16.
- (21) A gaming control officer of the Indiana gaming commission.
- (22) An eligible chaplain who meets the requirements of section 4.7 of this chapter.
- (23) A community corrections officer.
- (24) An eligible emergency medical services provider who meets the requirements of section 4.8 of this chapter.
- (25) An emergency medical services provider whose employer purchases coverage under section 4.9 of this chapter.
- (26) An emergency management worker (as defined in



IC 10-14-3-3), including:

(A) an employee of the Indiana department of homeland security who is working in an official capacity as an employee during a disaster or an emergency response; or

(B) an employee of a political subdivision who is employed as:

(i) an emergency management director;

(ii) an assistant emergency management director; or

(iii) a deputy emergency management director;

for the political subdivision.

(27) A division fire investigator (as described in IC 22-14-2-8).

(28) A school resource officer (as defined in IC 20-26-18.2-1) who is not otherwise entitled to a line of duty benefit under:

(A) IC 36-8-6-20;

(B) IC 36-8-7.5-22; or

(C) IC 36-8-8-20;

while acting as a school resource officer.

(29) A county coroner.

SECTION 3. IC 5-10-13-2, AS AMENDED BY P.L.227-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. As used in this chapter, "employee" means an individual who:

(1) is employed full time by the state or a political subdivision of the state as:

(A) a member of a fire department (as defined in IC 36-8-1-8);

(B) an emergency medical services provider (as defined in IC 16-41-10-1);

(C) a member of a police department (as defined in IC 36-8-1-9);

(D) a correctional officer (as defined in IC 5-10-10-1.5);

(E) a state police officer;

(F) a county police officer;

(G) a county sheriff;

(H) an excise police officer;

(I) a conservation enforcement officer;

(J) a town marshal;

(K) a deputy town marshal; ~~or~~

(L) a member of a consolidated law enforcement department established under IC 36-3-1-5.1; **or**

(M) a county coroner;

(2) in the course of the individual's employment is at high risk for occupational exposure to an exposure risk disease; and

(3) is not employed elsewhere in a similar capacity."



Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.

(Reference is to HB 1174 as introduced.)

FRYE R

Committee Vote: yeas 10, nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1174, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.

Page 4, delete lines 1 through 18.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1174 as printed January 11, 2022.)

BROWN T

Committee Vote: yeas 20, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1174, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-10-2, AS AMENDED BY P.L.100-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. (a) Except as provided in subsection ~~(b)~~; **(b)** or **(c)**, as used in this chapter, "dies in the line of duty" refers to a death

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that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of controlling or reducing crime or enforcing the criminal law. For purposes of a public safety officer who is an employee (as defined in IC 5-10-13-2), the term includes a death presumed incurred in the line of duty under IC 5-10-13.

(b) This subsection applies to a public safety officer who is eligible for a special death benefit under section 4.8 or 4.9 of this chapter. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness caused by an incident, accident, or violence that results from any action that the public safety officer, in the public safety officer's capacity as a public safety officer:

- (1) is obligated or authorized by rule, regulation, condition of employment or service, or law to perform; or
- (2) performs during an emergency run.

(c) This subsection applies to a public safety officer who is:

- (1) a county coroner; and**
- (2) eligible for a special death benefit under this chapter.**

"Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer, in the public safety officer's capacity as a public safety officer, is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of the public safety officer's regular duties.

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- (1) A state police officer.
- (2) A county sheriff.
- (3) A county police officer.
- (4) A correctional officer.
- (5) An excise police officer.
- (6) A county police reserve officer.
- (7) A city or town police reserve officer.
- (8) A conservation enforcement officer.
- (9) A town marshal.
- (10) A deputy town marshal.
- (11) A probation officer.
- (12) A state educational institution police officer appointed under



IC 21-39-4.

(13) A police officer whose employer purchases coverage under section 4.5 of this chapter.

(14) An emergency medical services provider (as defined in IC 16-41-10-1) who is:

(A) employed by a political subdivision (as defined in IC 36-1-2-13); and

(B) not eligible for a special death benefit under IC 36-8-6-20, IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.

(15) A firefighter who is employed by the fire department of a state university.

(16) A firefighter whose employer purchases coverage under section 4.5 of this chapter.

(17) A member of a consolidated law enforcement department established under IC 36-3-1-5.1.

(18) A gaming agent of the Indiana gaming commission.

(19) A person who is:

(A) employed by a political subdivision (as defined in IC 36-1-2-13); and

(B) appointed as a special deputy under IC 36-8-10-10.6.

(20) A school corporation police officer appointed under IC 20-26-16.

(21) A gaming control officer of the Indiana gaming commission.

(22) An eligible chaplain who meets the requirements of section 4.7 of this chapter.

(23) A community corrections officer.

(24) An eligible emergency medical services provider who meets the requirements of section 4.8 of this chapter.

(25) An emergency medical services provider whose employer purchases coverage under section 4.9 of this chapter.

(26) An emergency management worker (as defined in IC 10-14-3-3), including:

(A) an employee of the Indiana department of homeland security who is working in an official capacity as an employee during a disaster or an emergency response; or

(B) an employee of a political subdivision who is employed as:

(i) an emergency management director;

(ii) an assistant emergency management director; or

(iii) a deputy emergency management director;

for the political subdivision.

(27) A division fire investigator (as described in IC 22-14-2-8).

(28) A school resource officer (as defined in IC 20-26-18.2-1)



who is not otherwise entitled to a line of duty benefit under:

- (A) IC 36-8-6-20;
- (B) IC 36-8-7.5-22; or
- (C) IC 36-8-8-20;

while acting as a school resource officer.

(29) A county coroner.

SECTION 3. IC 5-10-13-2, AS AMENDED BY P.L.227-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 2. As used in this chapter, "employee" means an individual who:

(1) is employed full time by the state or a political subdivision of the state as:

- (A) a member of a fire department (as defined in IC 36-8-1-8);
- (B) an emergency medical services provider (as defined in IC 16-41-10-1);
- (C) a member of a police department (as defined in IC 36-8-1-9);
- (D) a correctional officer (as defined in IC 5-10-10-1.5);
- (E) a state police officer;
- (F) a county police officer;
- (G) a county sheriff;
- (H) an excise police officer;
- (I) a conservation enforcement officer;
- (J) a town marshal;
- (K) a deputy town marshal; ~~or~~
- (L) a member of a consolidated law enforcement department established under IC 36-3-1-5.1; **or**

(M) a county coroner;

- (2) in the course of the individual's employment is at high risk for occupational exposure to an exposure risk disease; and
- (3) is not employed elsewhere in a similar capacity."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to HB 1174 as printed January 20, 2022.)

BOOTS, Chairperson

Committee Vote: Yeas 10, Nays 0.

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