



February 5, 2019

HOUSE BILL No. 1222

DIGEST OF HB 1222 (Updated February 5, 2019 9:57 am - DI 128)

Citations Affected: IC 5-10; IC 36-8.

Synopsis: Public safety officer death benefits. Increases, from \$150,000 to \$250,000, the special death benefit for certain public safety officers, members of the 1925 police pension fund, the 1937 firefighters' pension fund, the 1953 police pension fund, and the 1977 police officers' and firefighters' pension and disability fund who die in the line of duty after June 30, 2019.

Effective: July 1, 2019.

Goodrich, VanNatter, Moseley

January 10, 2019, read first time and referred to Committee on Employment, Labor and Pensions.

February 5, 2019, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

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February 5, 2019

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 BILL No. 1222

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

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

1 SECTION 1. IC 5-10-10-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) Except as
3 provided in subsection (b), a special death benefit of ~~seventy-five~~
4 ~~thousand dollars (\$75,000)~~ for a public safety officer who dies in the
5 line of duty before January 1, 1998; and one hundred fifty thousand
6 dollars (\$150,000) for a public safety officer who dies in the line of
7 duty after ~~December 31, 1997~~, before **July 1, 2019**, and **two hundred**
8 **fifty thousand dollars (\$250,000)** for a public safety officer who
9 **dies in the line of duty after June 30, 2019**, shall be paid in a lump
10 sum from the fund to the following relative of a public safety officer
11 who dies in the line of duty:
12 (1) To the surviving spouse.
13 (2) If there is no surviving spouse, to the surviving children (to be
14 shared equally).
15 (3) If there is no surviving spouse and there are no surviving
16 children, to the parent or parents in equal shares.
17 (b) If the fund would be reduced below two hundred fifty thousand

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1 dollars (\$250,000) by payment in full of all claims that become final in
2 any month, the board shall proceed as follows:

3 (1) The board shall suspend payment of the claims that become
4 final during that month and the following two (2) months.

5 (2) At the end of the suspension period, the board shall pay all
6 suspended claims. If the fund would be exhausted by payment in
7 full of all suspended claims, the amount paid to each claimant
8 shall be prorated.

9 SECTION 2. IC 36-8-6-20, AS AMENDED BY P.L.40-2017,
10 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2019]: Sec. 20. (a) As used in this section, "dies in the line of
12 duty" has the meaning set forth in section 10.1 of this chapter.

13 (b) A special death benefit of ~~seventy-five thousand dollars~~
14 ~~(\$75,000) for a fund member who dies in the line of duty before~~
15 ~~January 1, 1998, and one hundred fifty thousand dollars (\$150,000) for~~
16 ~~a fund member who dies in the line of duty after December 31, 1997,~~
17 **before July 1, 2019, and two hundred fifty thousand dollars**
18 **(\$250,000) for a fund member who dies in the line of duty after**
19 **June 30, 2019,** shall be paid in a lump sum by the Indiana public
20 retirement system from the special death benefit fund established under
21 IC 5-10-9.8 to the following relative of a fund member who dies in the
22 line of duty:

23 (1) To the surviving spouse.

24 (2) If there is no surviving spouse, to the surviving children (to be
25 shared equally).

26 (3) If there is no surviving spouse and there are no surviving
27 children, to the parent or parents in equal shares.

28 (c) The benefit provided by this section is in addition to any other
29 benefits provided under this chapter.

30 SECTION 3. IC 36-8-7-26, AS AMENDED BY P.L.40-2017,
31 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2019]: Sec. 26. (a) As used in this section, "dies in the line of
33 duty" has the meaning set forth in section 12.4 of this chapter.

34 (b) A special death benefit of ~~seventy-five thousand dollars~~
35 ~~(\$75,000) for a fund member who dies in the line of duty before~~
36 ~~January 1, 1998, and one hundred fifty thousand dollars (\$150,000) for~~
37 ~~a fund member who dies in the line of duty after December 31, 1997,~~
38 **before July 1, 2019, and two hundred fifty thousand dollars**
39 **(\$250,000) for a fund member who dies in the line of duty after**
40 **June 30, 2019,** shall be paid in a lump sum by the Indiana public
41 retirement system from the special death benefit fund established under
42 IC 5-10-9.8 to the following relative of a fund member who dies in the



- 1 line of duty:
 2 (1) To the surviving spouse.
 3 (2) If there is no surviving spouse, to the surviving children (to be
 4 shared equally).
 5 (3) If there is no surviving spouse and there are no surviving
 6 children, to the parent or parents in equal shares.
 7 (c) The benefit provided by this section is in addition to any other
 8 benefits provided under this chapter.
 9 SECTION 4. IC 36-8-7.5-22, AS AMENDED BY P.L.40-2017,
 10 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2019]: Sec. 22. (a) As used in this section, "dies in the line of
 12 duty" has the meaning set forth in section 14.1 of this chapter.
 13 (b) A special death benefit of ~~seventy-five thousand dollars~~
 14 ~~(\$75,000)~~ for a fund member who dies in the line of duty before
 15 ~~January 1, 1998,~~ and one hundred fifty thousand dollars (\$150,000) for
 16 a fund member who dies in the line of duty after ~~December 31, 1997,~~
 17 **before July 1, 2019, and two hundred fifty thousand dollars**
 18 **(\$250,000) for a fund member who dies in the line of duty after**
 19 **June 30, 2019,** shall be paid in a lump sum by the Indiana public
 20 retirement system from the special death benefit fund established under
 21 IC 5-10-9.8 to the following relative of a fund member who dies in the
 22 line of duty:
 23 (1) To the surviving spouse.
 24 (2) If there is no surviving spouse, to the surviving children (to be
 25 shared equally).
 26 (3) If there is no surviving spouse and there are no surviving
 27 children, to the parent or parents in equal shares.
 28 (c) The benefit provided by this section is in addition to any other
 29 benefits provided under this chapter.
 30 SECTION 5. IC 36-8-8-20, AS AMENDED BY P.L.40-2017,
 31 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2019]: Sec. 20. (a) As used in this section, "dies in the line of
 33 duty" has the meaning set forth in section 14.1 of this chapter.
 34 (b) Benefits paid under this section are subject to section 2.5 of this
 35 chapter.
 36 (c) A special death benefit of ~~seventy-five thousand dollars~~
 37 ~~(\$75,000)~~ for a fund member who dies in the line of duty before
 38 ~~January 1, 1998,~~ and one hundred fifty thousand dollars (\$150,000) for
 39 a fund member who dies in the line of duty after ~~December 31, 1997,~~
 40 **before July 1, 2019, and two hundred fifty thousand dollars**
 41 **(\$250,000) for a fund member who dies in the line of duty after**
 42 **June 30, 2019,** shall be paid in a lump sum by the Indiana public



1 retirement system from the special death benefit fund established under
2 IC 5-10-9.8 to the following relative of a fund member who dies in the
3 line of duty:
4 (1) To the surviving spouse.
5 (2) If there is no surviving spouse, to the surviving children (to be
6 shared equally).
7 (3) If there is no surviving spouse and there are no surviving
8 children, to the parent or parents in equal shares.
9 (d) The benefit provided by this section is in addition to any other
10 benefits provided under this chapter.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1222, 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 5-10-10-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 6. (a) Except as provided in subsection (b), a special death benefit of ~~seventy-five thousand dollars (\$75,000)~~ for a public safety officer who dies in the line of duty before ~~January 1, 1998~~, and one hundred fifty thousand dollars (\$150,000) for a public safety officer who dies in the line of duty after ~~December 31, 1997~~, **before July 1, 2019, and two hundred fifty thousand dollars (\$250,000) for a public safety officer who dies in the line of duty after June 30, 2019**, shall be paid in a lump sum from the fund to the following relative of a public safety officer who dies in the line of duty:

- (1) To the surviving spouse.
- (2) If there is no surviving spouse, to the surviving children (to be shared equally).
- (3) If there is no surviving spouse and there are no surviving children, to the parent or parents in equal shares.

(b) If the fund would be reduced below two hundred fifty thousand dollars (\$250,000) by payment in full of all claims that become final in any month, the board shall proceed as follows:

- (1) The board shall suspend payment of the claims that become final during that month and the following two (2) months.
- (2) At the end of the suspension period, the board shall pay all suspended claims. If the fund would be exhausted by payment in full of all suspended claims, the amount paid to each claimant shall be prorated."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1222 as introduced.)

VANNATTER

Committee Vote: yeas 12, nays 0.

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