

SENATE BILL No. 36

DIGEST OF SB 36 (Updated January 25, 2023 11:29 am - DI 140)

Citations Affected: IC 5-10.

Synopsis: Special death benefit for OIG investigators. Adds an investigator for the inspector general 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.

Effective: July 1, 2023.

Gaskill, Rogers

January 9, 2023, read first time and referred to Committee on Pensions and Labor. January 26, 2023, reported favorably — Do Pass; reassigned to Committee on Appropriations.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE BILL No. 36

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

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

1	SECTION 1. IC 5-10-10-4, AS AMENDED BY P.L.119-2022,
2	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2023]: Sec. 4. As used in this chapter, "public safety officer"
4	means any of the following:
5	(1) A state police officer.
6	(2) A county sheriff.
7	(3) A county police officer.
8	(4) A correctional officer.
9	(5) An excise police officer.
10	(6) A county police reserve officer.
11	(7) A city or town police reserve officer.
12	(8) A conservation enforcement officer.
13	(9) A town marshal.
14	(10) A deputy town marshal.
15	(11) A probation officer.
16	(12) A state educational institution police officer appointed under
17	IC 21-39-4.



(14) An emergency medical services provider (as IC 16-41-10-1) who is: (A) employed by a political subdivision (as IC 36-1-2-13); and (B) not eligible for a special death benefit under IC 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 depart state university. (16) A firefighter whose employer purchases cover section 4.5 of this chapter. (17) A member of a consolidated law enforcement of established under IC 36-3-1-5.1. (18) A gaming agent of the Indiana gaming commissi (19) A person who is: (A) employed by a political subdivision (as IC 36-1-2-13); and (B) appointed as a special deputy under IC 36-8-1 (20) A school corporation police officer appoint IC 20-26-16. (21) A gaming control officer of the Indiana gaming commissi (22) An eligible chaplain who meets the requirements 4.7 of this chapter. (23) A community corrections officer. (24) An eligible emergency medical services provider the requirements of section 4.8 of this chapter. (25) An emergency medical services provider whose purchases coverage under section 4.9 of this chapter. (26) An emergency management worker (as C26) An emergency management worker (as C27) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; for the political subdivision.	1	(13) A police officer whose employer purchases coverage under
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4.7 of this chapter. (23) A community corrections officer. (24) An eligible emergency medical services provider the requirements of section 4.8 of this chapter. (25) An emergency medical services provider whose purchases coverage under section 4.9 of this chapter. (26) An emergency management worker (as of 10 to 10-14-3-3), including: (A) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 desc	22	(21) A gaming control officer of the Indiana gaming commission.
(23) A community corrections officer. (24) An eligible emergency medical services provider the requirements of section 4.8 of this chapter. (25) An emergency medical services provider whose purchases coverage under section 4.9 of this chapter. (26) An emergency management worker (as of the context of the	23	(22) An eligible chaplain who meets the requirements of section
26 (24) An eligible emergency medical services provider 27 the requirements of section 4.8 of this chapter. 28 (25) An emergency medical services provider whose 29 purchases coverage under section 4.9 of this chapter. 30 (26) An emergency management worker (as of 31 IC 10-14-3-3), including: 32 (A) an employee of the Indiana department of 33 security who is working in an official capacity as an 34 during a disaster or an emergency response; or 35 (B) an employee of a political subdivision who is en 36 (i) an emergency management director; 37 (ii) an assistant emergency management director; 38 (iii) a deputy emergency management director; 39 for the political subdivision. 40 (27) A division fire investigator (as described in IC 2 41 (28) A school resource officer (as defined in IC 20-	24	4.7 of this chapter.
the requirements of section 4.8 of this chapter. (25) An emergency medical services provider whose purchases coverage under section 4.9 of this chapter. (26) An emergency management worker (as of IC 10-14-3-3), including: (A) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20-	25	(23) A community corrections officer.
28 (25) An emergency medical services provider whose purchases coverage under section 4.9 of this chapter. 30 (26) An emergency management worker (as of IC 10-14-3-3), including: 32 (A) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or 35 (B) an employee of a political subdivision who is en (i) an emergency management director; 36 (ii) an assistant emergency management director; 37 (iii) an assistant emergency management director; 38 (iii) a deputy emergency management director; 39 for the political subdivision. 40 (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20-	26	(24) An eligible emergency medical services provider who meets
purchases coverage under section 4.9 of this chapter. (26) An emergency management worker (as of IC 10-14-3-3), including: (A) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20-	27	the requirements of section 4.8 of this chapter.
30 (26) An emergency management worker (as of 31 IC 10-14-3-3), including: 32 (A) an employee of the Indiana department of 33 security who is working in an official capacity as ar 34 during a disaster or an emergency response; or 35 (B) an employee of a political subdivision who is en 36 (i) an emergency management director; 37 (ii) an assistant emergency management director; 38 (iii) a deputy emergency management director; 39 for the political subdivision. 40 (27) A division fire investigator (as described in IC 2 41 (28) A school resource officer (as defined in IC 20-	28	(25) An emergency medical services provider whose employer
IC 10-14-3-3), including: (A) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 41 (28) A school resource officer (as defined in IC 20-	29	purchases coverage under section 4.9 of this chapter.
(A) an employee of the Indiana department of security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20-	30	(26) An emergency management worker (as defined in
security who is working in an official capacity as an during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 41 (28) A school resource officer (as defined in IC 20-	31	IC 10-14-3-3), including:
during a disaster or an emergency response; or (B) an employee of a political subdivision who is en (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20-		(A) an employee of the Indiana department of homeland
35 (B) an employee of a political subdivision who is en 36 (i) an emergency management director; 37 (ii) an assistant emergency management director; 38 (iii) a deputy emergency management director; 39 for the political subdivision. 40 (27) A division fire investigator (as described in IC 2 41 (28) A school resource officer (as defined in IC 20-	33	security who is working in an official capacity as an employee
 (i) an emergency management director; (ii) an assistant emergency management director; (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2) (28) A school resource officer (as defined in IC 20- 	34	during a disaster or an emergency response; or
 (ii) an assistant emergency management director. (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20- 	35	(B) an employee of a political subdivision who is employed as:
 (iii) a deputy emergency management director; for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20- 		
for the political subdivision. (27) A division fire investigator (as described in IC 2 (28) A school resource officer (as defined in IC 20-		(ii) an assistant emergency management director; or
40 (27) A division fire investigator (as described in IC 2 41 (28) A school resource officer (as defined in IC 20-		(iii) a deputy emergency management director;
41 (28) A school resource officer (as defined in IC 20-		for the political subdivision.
		(27) A division fire investigator (as described in IC 22-14-2-8).
42 who is not otherwise entitled to a line of duty benefit		(28) A school resource officer (as defined in IC 20-26-18.2-1)
	42	who is not otherwise entitled to a line of duty benefit under:



1	(A) IC 36-8-6-20;
2	(B) IC 36-8-7.5-22; or
3	(C) IC 36-8-8-20;
4	while acting as a school resource officer.
5	(29) A county coroner.
6	(30) A deputy county coroner.
7	(31) An investigator for the inspector general.
8	SECTION 2. IC 5-10-13-2, AS AMENDED BY P.L.178-2022(ts),
9	SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10	JULY 1, 2023]: Sec. 2. As used in this chapter, "employee" means an
11	individual who:
12	(1) is employed full time by the state or a political subdivision of
13	the state as:
14	(A) a member of a fire department (as defined in IC 36-8-1-8);
15	(B) an emergency medical services provider (as defined in
16	IC 16-41-10-1);
17	(C) a member of a police department (as defined in
18	IC 36-8-1-9);
19	(D) a correctional officer (as defined in IC 5-10-10-1.5);
20	(E) a state police officer;
21 22	(F) a county police officer;
22	(G) a county sheriff;
23 24	(H) an excise police officer;
24	(I) a conservation enforcement officer;
25	(J) a town marshal;
26	(K) a deputy town marshal;
27	(L) a department of homeland security fire investigator;
28	(M) a member of a consolidated law enforcement department
29	established under IC 36-3-1-5.1;
30	(N) a county coroner; or
31	(O) a deputy county coroner; or
32	(P) an investigator for the inspector general;
33	(2) in the course of the individual's employment is at high risk for
34	occupational exposure to an exposure risk disease; and
35	(3) is not employed elsewhere in a similar capacity.



COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 36, 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 36 as introduced.)

ROGERS, Chairperson

Committee Vote: Yeas 9, Nays 0

