



January 27, 2023

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## SENATE BILL No. 36

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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.

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## Gaskill, Rogers

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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.

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SB 36—LS 6373/DI 144





January 27, 2023

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.

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- 1 (13) A police officer whose employer purchases coverage under  
2 section 4.5 of this chapter.
- 3 (14) An emergency medical services provider (as defined in  
4 IC 16-41-10-1) who is:
- 5 (A) employed by a political subdivision (as defined in  
6 IC 36-1-2-13); and
- 7 (B) not eligible for a special death benefit under IC 36-8-6-20,  
8 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
- 9 (15) A firefighter who is employed by the fire department of a  
10 state university.
- 11 (16) A firefighter whose employer purchases coverage under  
12 section 4.5 of this chapter.
- 13 (17) A member of a consolidated law enforcement department  
14 established under IC 36-3-1-5.1.
- 15 (18) A gaming agent of the Indiana gaming commission.
- 16 (19) A person who is:
- 17 (A) employed by a political subdivision (as defined in  
18 IC 36-1-2-13); and
- 19 (B) appointed as a special deputy under IC 36-8-10-10.6.
- 20 (20) A school corporation police officer appointed under  
21 IC 20-26-16.
- 22 (21) A gaming control officer of the Indiana gaming commission.
- 23 (22) An eligible chaplain who meets the requirements of section  
24 4.7 of this chapter.
- 25 (23) A community corrections officer.
- 26 (24) An eligible emergency medical services provider who meets  
27 the requirements of section 4.8 of this chapter.
- 28 (25) An emergency medical services provider whose employer  
29 purchases coverage under section 4.9 of this chapter.
- 30 (26) An emergency management worker (as defined in  
31 IC 10-14-3-3), including:
- 32 (A) an employee of the Indiana department of homeland  
33 security who is working in an official capacity as an employee  
34 during a disaster or an emergency response; or
- 35 (B) an employee of a political subdivision who is employed 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 (27) A division fire investigator (as described in IC 22-14-2-8).
- 41 (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 (F) a county police officer;  
 22 (G) a county sheriff;  
 23 (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

