

SENATE BILL No. 346

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8-8-3.

Synopsis: Town marshals in 1977 fund. Provides that if a town establishes a police department or becomes a city, the age requirements and physical and mental examination requirements of the 1977 fund do not prohibit a police officer or marshal employed by the municipality from becoming a member of the 1977 fund.

Effective: July 1, 1999.

Gard

January 8, 1999, read first time and referred to Committee on Pensions and Labor.

C
o
p
y



First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

C
O
P
Y

SENATE BILL No. 346



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 36-8-8-3 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) If a town establishes a board
3 of metropolitan police commissioners, or if a town becomes a city, the
4 municipality shall participate in the 1977 fund. However, if a police
5 officer **or marshal** is a member of the public employees' retirement
6 fund, he may continue as a member of that fund instead of the 1977
7 fund. **Notwithstanding the age requirements and the physical and**
8 **mental examination requirements under IC 36-8-8-7(a)**, a police
9 officer **or marshal** employed by a municipality at the time the
10 municipality enters the 1977 fund under this section shall be a member
11 of the 1977 fund unless the police officer **or marshal** elects to continue
12 as a member of the public employees' retirement fund.

13 (b) If a unit did not establish a 1937 fund for its firefighters, the unit
14 may participate in the public employees' retirement fund or it may
15 participate in the 1977 fund. If a unit established a 1937 fund for its
16 firefighters, the unit is and shall remain a participant in the 1977 fund.

17 (c) A unit that:



1 (1) has not established a pension fund for its firefighters; or
2 (2) is participating in the public employees' retirement fund under
3 subsection (b);
4 may participate in the 1977 fund upon approval by the fiscal body,
5 notwithstanding IC 5-10.3-6-8. A unit that participates in the 1977 fund
6 under this subsection must comply with section 21 of this chapter.
7 However, if a firefighter is a member of the public employees'
8 retirement fund, the firefighter may continue as a member of that fund
9 instead of the 1977 fund.

C
o
p
y

