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# HOUSE BILL No. 1104

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-10-6.5.

**Synopsis:** State employee leave time. Entitles an employee of a state agency who resigns or retires with at least ten years of creditable service to be paid for a part of the employee's accrued but unused leave time. Requires the payment be made to the employee's designated beneficiary or the employee's estate if the employee dies while employed by the state.

**Effective:** July 1, 2000.

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January 10, 2000, read first time and referred to Committee on Labor and Employment.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

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# HOUSE BILL No. 1104



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 5-10-6.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2000]:
- 4 **Chapter 6.5. Payment for Sick Days**
- 5 **Sec. 1. As used in this chapter, "leave time" includes the total**
- 6 **amount of all the following accrued but unused time credited to an**
- 7 **employee of a state agency:**
- 8 (1) **Vacation time.**
- 9 (2) **Sick time.**
- 10 (3) **Personal time.**
- 11 (4) **Compensatory time.**
- 12 **Sec. 2. As used in this chapter, "state agency" means an**
- 13 **authority, a board, a branch, a commission, a committee, a**
- 14 **department, a division, or another instrumentality of state**
- 15 **government.**
- 16 **Sec. 3. An employee of a state agency who resigns or retires and**
- 17 **has at least ten (10) years of creditable service must be paid for a**



1 part of the employee's leave time equal to the amount determined  
2 in STEP FIVE of the following formula:

3 **STEP ONE:** Determine the amount of the employee's leave  
4 time expressed as hours.

5 **STEP TWO:** Subtract two hundred twenty-five (225) from the  
6 amount determined in STEP ONE. If the result is zero (0) or  
7 less, the result of this STEP is zero (0).

8 **STEP THREE:** Multiply the result of STEP TWO by the  
9 following amount, whichever is applicable to the employee:

10 (A) Twenty hundredths (0.20) if the employee has at least  
11 ten (10) years of creditable service but less than fifteen (15)  
12 years of creditable service.

13 (B) Thirty-five hundredths (0.35) if the employee has at  
14 least fifteen (15) years of creditable service but less than  
15 twenty (20) years of creditable service.

16 (C) Fifty hundredths (0.50) if the employee has at least  
17 twenty (20) years of creditable service.

18 **STEP FOUR:** Add to the amount determined in STEP  
19 THREE the lesser of the following:

20 (A) Two hundred twenty-five (225).

21 (B) The amount determined in STEP ONE.

22 **STEP FIVE:** Multiply the amount determined in STEP FOUR  
23 by the employee's hourly rate of pay on the date the employee  
24 resigned, retired, or died.

25 **Sec. 4.** If an employee dies while employed by a state agency:

26 (1) the employee's designated beneficiary; or

27 (2) the employee's estate, if the employee does not have a  
28 designated beneficiary;

29 shall be paid an amount for the employee's accrued leave time that  
30 the employee would have been paid under section 3 of this chapter  
31 if the employee had resigned effective the day the employee died.

32 **Sec. 5.** The state personnel department may adopt rules under  
33 IC 4-22-2 to implement this chapter.

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