
HOUSE BILL No. 1216

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-8-10-23.

Synopsis: Cost of living adjustments for sheriffs' retirees. Reduces the age of eligibility for cost of living adjustments to retired or disabled members of a county sheriff's retirement fund from 55 years of age to 52 years of age.

Effective: July 1, 2000.

Dobis, Kuzman

January 10, 2000, read first time and referred to Committee on Local Government.

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Introduced

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.

HOUSE BILL No. 1216

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

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

- 1 SECTION 1. IC 36-8-10-23 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 23. (a) This section
3 applies to a county that adopts the provisions of this section by an
4 ordinance of the county fiscal body.
5 (b) The county fiscal body may provide for:
6 (1) an annual cost of living payment to retired or disabled
7 employee beneficiaries, or both; or
8 (2) an ad hoc cost of living payment to retired or disabled
9 employee beneficiaries, or both. The amount of the ad hoc cost of
10 living payment under this subdivision is not an increase in the
11 base pension benefit calculated under section 12 or 12.1 of this
12 chapter.
13 (c) In the case of an annual cost of living payment granted under
14 subsection (b)(1), the amount of the cost of living payment shall be
15 determined each year by the pension engineers under this subsection.
16 The pension engineers shall determine if there has been an increase in
17 the Consumer Price Index (United States city average) prepared by the

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1 United States Department of Labor by comparing the arithmetic mean
2 of the Consumer Price Index for January, February, and March of the
3 payment year with the same three (3) month period of the preceding
4 year. If there has been an increase, the increase shall be stated as a
5 percentage of the arithmetic mean for the three (3) month period for the
6 year preceding the payment year (the adjustment percentage). The
7 adjustment percentage shall be rounded to the nearest one-tenth of one
8 percent (0.1%) and may not exceed three percent (3%).

9 (d) In the case of a cost of living payment granted under subsection
10 (b)(2), the amount of the cost of living payment shall be determined by
11 the county fiscal body and may be:

12 (1) a percentage increase, not to exceed the percentage
13 determined under subsection (c); or

14 (2) a fixed dollar amount.

15 (e) A payment authorized under this section shall be made to each
16 authorized retired or disabled employee beneficiary and may be made
17 annually, semiannually, quarterly, or monthly.

18 (f) A cost of living payment granted under this section shall be
19 funded by a direct appropriation or by maintaining a fully funded
20 actuarially sound trust fund.

21 (g) A cost of living payment granted under this section is applicable
22 only to retired or disabled employee beneficiaries who are at least
23 ~~fifty-five (55)~~ **fifty-two (52)** years of age.

24 (h) No provision of this section shall be made part of any ordinance
25 or agreement concerning collective bargaining. No provision of this
26 section shall be subject to bargaining under any statute, ordinance, or
27 agreement.

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