



Reprinted  
January 26, 2010

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## SENATE BILL No. 199

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DIGEST OF SB 199 (Updated January 25, 2010 4:44 pm - DI 102)

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

**Synopsis:** State deferred compensation plan. Provides that if an employee does not choose another amount, the state shall, in each pay period during the first year the employee is automatically enrolled in the state's deferred compensation plan (plan), deduct from the employee's compensation the greater of: (1) the maximum amount of any match provided by the state on behalf of the employee to a defined contribution plan; or (2) \$15; and deposit the amount deducted in the employee's account.

**Effective:** July 1, 2010.

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**Walker, Stutzman, Waltz**

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January 5, 2010, read first time and referred to Committee on Pensions and Labor.  
January 14, 2010, reported favorably — Do Pass.  
January 25, 2010, read second time, amended, ordered engrossed.

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SB 199—LS 6888/DI 102+



Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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## SENATE BILL No. 199

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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 5-10-1.1-3.5, AS AMENDED BY P.L.3-2008,  
2 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2010]: Sec. 3.5. (a) This section applies to an individual who  
4 becomes an employee of the state after June 30, 2007.  
5 (b) Unless an employee notifies the state that the employee does not  
6 want to enroll in the deferred compensation plan, on day thirty-one (31)  
7 of the employee's employment:  
8 (1) the employee is automatically enrolled in the deferred  
9 compensation plan; and  
10 (2) the state is authorized to begin deductions as otherwise  
11 allowed under this chapter.  
12 (c) The auditor of state shall provide written notice to an employee  
13 of the provisions of this chapter. The notice provided under this  
14 subsection must:  
15 (1) be provided:  
16 (A) with the employee's first paycheck; and  
17 (B) on paper that is a color that is separate and distinct from

SB 199—LS 6888/DI 102+



1 the color of the employee's paycheck;

2 (2) contain a statement concerning:

3 (A) the purposes of;

4 (B) procedures for notifying the state that the employee does

5 not want to enroll in;

6 (C) the tax consequences of; and

7 (D) the details of the state match for employee contribution to;

8 the deferred compensation plan; and

9 (3) list the telephone number, electronic mail address, and other

10 contact information for the auditor of state, who serves as plan

11 administrator.

12 (d) Notwithstanding IC 22-2-6 **and** except as provided by

13 subsection ~~(c)~~, **(e), during the first year an employee is enrolled**

14 **under subsection (b) in the deferred compensation plan established**

15 **by the state under this chapter**, the state shall deduct **each pay**

16 **period** from an employee's compensation as a contribution to the

17 deferred compensation plan ~~established by the state under this chapter~~

18 an amount equal to **the greater of the following:**

19 (1) The maximum amount of any match provided by the state on

20 behalf of the employee to a defined contribution plan established

21 under section 1.5(a) of this chapter.

22 (2) **Fifteen dollars (\$15).**

23 (e) An employee may contribute to the deferred compensation plan

24 established by the state under this chapter an amount other than the

25 amount described in subsection (d) by affirmatively choosing to

26 contribute:

27 (1) a higher amount;

28 (2) a lower amount; or

29 (3) zero (0).

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COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 199, 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.

(Reference is made to Senate Bill 199 as introduced.)

BOOTS, Chairperson

Committee Vote: Yeas 10, Nays 1.

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SENATE MOTION

Madam President: I move that Senate Bill 199 be amended to read as follows:

Page 2, delete lines 30 through 37.

(Reference is to SB 199 as printed January 15, 2010.)

YOUNG R MICHAEL

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