



January 17, 2012

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## HOUSE BILL No. 1123

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DIGEST OF HB 1123 (Updated January 13, 2012 10:37 am - DI 92)

**Citations Affected:** Noncode.

**Synopsis:** Thirteenth checks. Provides for a thirteenth check to certain members of the: (1) Indiana state teachers' retirement fund (TRF); (2) public employees' retirement fund (PERF); (3) state excise police, gaming agent, gaming control officer, and conservation officers' retirement fund (C & E fund); and (4) state police 1987 benefit system.

**Effective:** July 1, 2012.

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**Burton, Neese, Cherry, Smith M**

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January 9, 2012, read first time and referred to Committee on Ways and Means.  
January 17, 2012, amended, reported — Do Pass.

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HB 1123—LS 7045/DI 116+



January 17, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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## HOUSE BILL No. 1123

A BILL FOR AN ACT concerning pensions.

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

- 1 SECTION 1. [EFFECTIVE JULY 1, 2012] (a) As used in this  
2 SECTION, "fund" refers to the Indiana state teachers' retirement  
3 fund established by IC 5-10.4-2-1.  
4 (b) Not later than October 1, 2012, the fund shall pay the  
5 amount determined under subsection (c) to a member of the fund  
6 (or to a survivor or beneficiary of a member) who retired or was  
7 disabled on or before December 1, 2011, and who is entitled to  
8 receive a monthly benefit on July 1, 2012. The amount is not an  
9 increase in the pension portion of the monthly benefit.  
10 (c) The amount paid under this SECTION to a member of the  
11 fund (or to a survivor or beneficiary of a member) who meets the  
12 requirements of subsection (b) is determined as follows:
- | 13 If a Member's Creditable<br>14 Service Is:   | The Amount Is: |
|---|----------------|
| 15 At least 5 years, but less than 10 years<br>16 (only in the case of a member receiving<br>17 disability retirement benefits) | \$150          |
| 18 At least 10 years, but less than 20 years  | \$275          |

HB 1123—LS 7045/DI 116+



- 1           **At least 20 years, but less than 30 years           \$375**  
 2           **At least 30 years           \$450**  
 3           **(d) The creditable service used to determine the amount paid to**  
 4 **a member (or a survivor or beneficiary of a member) under this**  
 5 **SECTION is the creditable service that was used to compute the**  
 6 **member's retirement benefit under IC 5-10.2-4-4, except that**  
 7 **partial years of creditable service may not be used to determine the**  
 8 **amount paid under this SECTION.**  
 9           **(e) If two (2) or more survivors or beneficiaries of a member are**  
 10 **entitled to an amount paid under this SECTION, the amount shall**  
 11 **be allocated to the survivors or beneficiaries in shares using the**  
 12 **same percentages as the percentages determined under**  
 13 **IC 5-10.2-3-7.5 or IC 5-10.4-4-10 to pay the monthly benefit to the**  
 14 **survivors or beneficiaries.**  
 15           **(f) This SECTION expires January 1, 2013.**  
 16           **SECTION 2. [EFFECTIVE JULY 1, 2012] (a) As used in this**  
 17 **SECTION, "fund" refers to the public employees' retirement fund**  
 18 **established by IC 5-10.3-2-1.**  
 19           **(b) Not later than October 1, 2012, the fund shall pay the**  
 20 **amount determined under subsection (c) to a member of the fund**  
 21 **(or to a survivor or beneficiary of a member) who retired or was**  
 22 **disabled on or before December 1, 2011, and who is entitled to**  
 23 **receive a monthly benefit on July 1, 2012. The amount is not an**  
 24 **increase in the pension portion of the monthly benefit.**  
 25           **(c) The amount paid under this SECTION to a member of the**  
 26 **fund (or to a survivor or beneficiary of a member) who meets the**  
 27 **requirements of subsection (b) is determined as follows:**  
 28           **If a Member's Creditable           The Amount Is:**  
 29           **Service Is:**  
 30           **At least 5 years, but less than 10 years           \$150**  
 31           **(only in the case of a member receiving**  
 32 **disability retirement benefits)**  
 33           **At least 10 years, but less than 20 years           \$275**  
 34           **At least 20 years, but less than 30 years           \$375**  
 35           **At least 30 years           \$450**  
 36           **(d) The creditable service used to determine the amount paid to**  
 37 **a member (or a survivor or beneficiary of a member) under this**  
 38 **SECTION is the creditable service that was used to compute the**  
 39 **member's retirement benefit under IC 5-10.2-4-4, except that**  
 40 **partial years of creditable service may not be used to determine the**  
 41 **amount paid under this SECTION.**  
 42           **(e) If two (2) or more survivors or beneficiaries of a member are**



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1 entitled to an amount paid under this SECTION, the amount shall  
 2 be allocated to the survivors or beneficiaries in shares using the  
 3 same percentages as the percentages determined under  
 4 IC 5-10.2-3-7.5 or IC 5-10.3-8-15 to pay the monthly benefit to the  
 5 survivors or beneficiaries.

6 (f) This SECTION expires January 1, 2013.

7 SECTION 3. [EFFECTIVE JULY 1, 2012] (a) As used in this  
 8 SECTION, "participant" has the meaning set forth in  
 9 IC 5-10-5.5-1.

10 (b) As used in this SECTION, "plan" refers to the state excise  
 11 police, gaming agent, gaming control officer, and conservation  
 12 enforcement officers' retirement plan established by IC 5-10-5.5-2.

13 (c) Not later than October 1, 2012, the board of trustees of the  
 14 Indiana retirement system established by IC 5-10.5-3-1 shall pay  
 15 the amount determined under subsection (d) to a plan participant  
 16 (or to a survivor or beneficiary of a plan participant) who retired  
 17 or was disabled on or before December 1, 2011, and who is entitled  
 18 to receive a monthly benefit on July 1, 2012. The amount is not an  
 19 increase in the annual retirement allowance.

20 (d) The amount paid under this SECTION to a plan participant  
 21 (or to a survivor or beneficiary of a plan participant) who meets  
 22 the requirements of subsection (c) is determined as follows:

| 23 If a Plan Participant's Creditable<br>24 Service Is: | The Amount Is: |
|---|----------------|
|---|----------------|

|   |       |
|---|-------|
| 25 At least 5 years, but less than 10 years | \$125 |
|---|-------|

26 (only in the case of a plan participant receiving  
 27 disability retirement benefits)

|  |       |
|--|-------|
| 28 At least 10 years, but less than 20 years | \$235 |
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| 29 At least 20 years, but less than 30 years | \$325 |
|--|-------|

|                      |       |
|----------------------|-------|
| 30 At least 30 years | \$400 |
|----------------------|-------|

31 (e) The creditable service used to determine the amount paid to  
 32 a plan participant (or a survivor or beneficiary of a plan  
 33 participant) under this SECTION is the creditable service that was  
 34 used to compute the plan participant's retirement allowance under  
 35 IC 5-10-5.5-10 and IC 5-10-5.5-12, except that partial years of  
 36 creditable service may not be used to determine the amount paid  
 37 under this SECTION.

38 (f) If two (2) or more survivors of a plan participant are entitled  
 39 to an amount paid under this SECTION, the amount shall be  
 40 allocated to the survivors in shares using the same percentages as  
 41 the percentages determined under IC 5-10-5.5-16 to pay the  
 42 monthly benefit to the survivors.



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1           **(g) This SECTION expires January 1, 2013.**  
2           SECTION 4. [EFFECTIVE JULY 1, 2012] **(a) As used in this**  
3           **SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.**  
4           **(b) As used in this SECTION, "trust fund" has the meaning set**  
5           **forth in IC 10-12-1-11.**  
6           **(c) Not later than October 1, 2012, the trustee shall pay from the**  
7           **trust fund to each employee beneficiary of the state police 1987**  
8           **benefit system covered by IC 10-12-4 who:**  
9               **(1) retired or was disabled after June 30, 1987, and before**  
10              **July 2, 2011; and**  
11              **(2) is entitled to receive a monthly benefit as of September 1,**  
12              **2012;**  
13           **an amount equal to one percent (1%) of the maximum basic annual**  
14           **pension amount payable to a retired state police employee in the**  
15           **grade of trooper who has completed twenty-five (25) years of**  
16           **service as of July 1, 2012, as calculated under IC 10-12-4-7.**  
17           **(d) The amount paid under this SECTION is not an increase in**  
18           **the monthly pension amount of an employee beneficiary.**  
19           **(e) This SECTION expires January 1, 2013.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1123, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, after line 1, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2012] **(a) As used in this SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.**

**(b) As used in this SECTION, "trust fund" has the meaning set forth in IC 10-12-1-11.**

**(c) Not later than October 1, 2012, the trustee shall pay from the trust fund to each employee beneficiary of the state police 1987 benefit system covered by IC 10-12-4 who:**

**(1) retired or was disabled after June 30, 1987, and before July 2, 2011; and**

**(2) is entitled to receive a monthly benefit as of September 1, 2012;**

**an amount equal to one percent (1%) of the maximum basic annual pension amount payable to a retired state police employee in the grade of trooper who has completed twenty-five (25) years of service as of July 1, 2012, as calculated under IC 10-12-4-7.**

**(d) The amount paid under this SECTION is not an increase in the monthly pension amount of an employee beneficiary.**

**(e) This SECTION expires January 1, 2013."**

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1123 as introduced.)

ESPICH, Chair

Committee Vote: yeas 18, nays 0.

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