



Reprinted
March 12, 2013

ENGROSSED SENATE BILL No. 324

DIGEST OF SB 324 (Updated March 11, 2013 2:29 pm - DI 102)

Citations Affected: IC 5-10.

Synopsis: State employee death benefit. Increases from \$50,000 to \$100,000 the death benefit for a state employee who dies in the line of duty. Exempts members of the general assembly from the benefit increase. Adds stepchildren to the survivors entitled to receive a death benefit for a state employee who dies of the line of duty. Requires that the children and stepchildren receiving a death benefit be dependent on the state employee who died in the line of duty. Provides that a child or stepchild is dependent on a state employee if the state employee claimed the child or stepchild as a dependent on the federal income tax return filed by the state employee in the year before the year in which the state employee died.

Effective: July 1, 2013.

**Miller Pete, Charbonneau,
Arnold J, Buck, Randolph, Kruse**
(HOUSE SPONSOR — BAIRD)

January 8, 2013, read first time and referred to Committee on Pensions and Labor.
January 17, 2013, reported favorably — Do Pass.
January 24, 2013, read second time, amended, ordered engrossed.
January 25, 2013, engrossed.
January 28, 2013, read third time, passed. Yeas 47, nays 2.

HOUSE ACTION

February 26, 2013, read first time and referred to Committee on Employment, Labor and Pensions.
March 7, 2013, reported — Do Pass.
March 11, 2013, read second time, amended, ordered engrossed.

ES 324—LS 6993/DI 102+



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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 324

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

- 1 SECTION 1. IC 5-10-11-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. **(a) This subsection**
3 **applies to a state employee who:**
4 **(1) is not a member of the general assembly and dies in the**
5 **line of duty before July 1, 2013; or**
6 **(2) is a member of the general assembly and dies in the line of**
7 **duty.**
8 The board shall pay a death benefit of fifty thousand dollars (\$50,000).
9 in a lump sum to the surviving spouse, or if there is no surviving
10 spouse, to the surviving children (to be shared equally) of a state
11 employee who dies in the line of duty
12 **(b) This subsection applies to a state employee who is not a**
13 **member of the general assembly and dies in the line of duty after**
14 **June 30, 2013. The board shall pay a death benefit of one hundred**
15 **thousand dollars (\$100,000).**
16 **(c) The death benefit shall be paid in a lump sum as follows:**
17 **(1) To the surviving spouse.**

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1 **(2) If there is no surviving spouse, to the surviving dependent**
2 **children and stepchildren in equal shares.**
3 **For purposes of this subsection, a child or stepchild is dependent on**
4 **a state employee if the state employee claimed the child or**
5 **stepchild as a dependent on the federal income tax return filed by**
6 **the state employee in the year before the year in which the state**
7 **employee died.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 324, 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 324 as introduced.)

BOOTS, Chairperson

Committee Vote: Yeas 9, Nays 0.

 SENATE MOTION

Madam President: I move that Senate Bill 324 be amended to read as follows:

Page 1, line 12, after "to the surviving" insert "**dependent**".

Page 1, line 12, after "children" insert "**and stepchildren**".

Page 1, after line 13, begin a new line blocked left and insert:

"For purposes of this subsection, a child or stepchild is dependent on a state employee if the state employee claimed the child or stepchild as a dependent on the federal income tax return filed by the state employee in the year before the year in which the state employee died."

(Reference is to SB 324 as printed January 18, 2013.)

BUCK

 COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 324, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

GUTWEIN, Chair

Committee Vote: yeas 9, nays 3.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 324 be amended to read as follows:

Page 1, line 2, after "(a)" insert "**This subsection applies to a state employee who:**

(1) is not a member of the general assembly and dies in the line of duty before July 1, 2013; or

(2) is a member of the general assembly and dies in the line of duty."

Page 1, line 2, beginning with "The" begin a new line blocked left.

Page 1, line 3, delete "of:" and insert "of".

Page 1, line 4, delete "(1)".

Page 1, line 4, after "(\$50,000)" insert ".".

Page 1, line 6, delete "for".

Page 1, line 6, strike "a state employee".

Page 1, line 7, strike "who dies in the line of duty".

Page 1, line 7, delete "before July 1, 2013; and".

Page 1, run in lines 3 through 7.

Page 1, line 8, delete "(2)", begin a new paragraph and insert:

"(b) This subsection applies to a state employee who is not a member of the general assembly and dies in the line of duty after June 30, 2013. The board shall pay a death benefit of".

Page 1, line 8, after "(\$100,000)" insert ".".

Page 1, line 8, delete "for a state".

Page 1, delete line 9.

Page 1, line 10, delete "(b)" and insert "(c)".

(Reference is to ESB 324 as printed March 8, 2013.)

CARBAUGH

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