
HOUSE BILL No. 1301

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-3-2-2.1; IC 36-8-3-20.

Synopsis: Disability benefits for volunteers. Provides that a rostered volunteer of a county, municipality, or township, including a police reserve officer, is covered by the provisions of the worker's compensation and occupational disease law. Provides that for purposes of computing compensation under the worker's compensation and occupational disease law, the average weekly wage of a rostered volunteer is: (1) the compensation paid to the specific employee whose job duties the rostered volunteer was performing at the time of the injury, death, or disablement; or (2) the compensation paid to the lowest paid employee of the county, municipality, or township, if the rostered volunteer was not performing job duties in place of a specific employee at the time of the injury, death, or disablement.

Effective: July 1, 2013.

VanDenburgh

January 14, 2013, read first time and referred to Committee on Employment, Labor and Pensions.

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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.

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HOUSE BILL No. 1301



A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

1 SECTION 1. IC 22-3-2-2.1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2.1. (a) As used in this
 3 section, "rostered volunteer" means a volunteer:
 4 (1) whose name has been entered on a roster of volunteers for a
 5 volunteer program operated by a unit; and
 6 (2) who has been approved by the proper authorities of the unit.
 7 The term does not include a volunteer firefighter (as defined in
 8 IC 36-8-12-2) or an inmate assigned to a correctional facility operated
 9 by the state or a unit.
 10 (b) As used in this section, "unit" means a county, a municipality,
 11 or a township.
 12 (c) ~~A rostered volunteer may be covered by the medical treatment~~
 13 **The provisions of the worker's compensation law (IC 22-3-2 through**
 14 **IC 22-3-6) and the worker's occupational disease law (IC 22-3-7) If**
 15 **compensability of an injury is an issue, the administrative procedures**
 16 **of IC 22-3-2 through IC 22-3-7 apply as appropriate. apply to a**
 17 **rostered volunteer.**



1 **(d) For purposes of computing compensation under IC 22-3-2**
 2 **through IC 22-3-7, the average weekly wage of a rostered volunteer**
 3 **is one (1) of the following amounts:**

4 **(1) For a rostered volunteer who at the time of the injury,**
 5 **death, or disablement was performing job duties in place of a**
 6 **specific employee, the compensation paid to the specific**
 7 **employee.**

8 **(2) For a rostered volunteer who at the time of the injury,**
 9 **death, or disablement was not performing job duties in place**
 10 **of a specific employee, the compensation paid to the lowest**
 11 **paid employee of the unit.**

12 ~~(d)~~ **(e) All expenses incurred for premiums of the insurance allowed**
 13 **or other charges or expenses under this section shall be paid out of the**
 14 **unit's general fund in the same manner as other expenses of the unit are**
 15 **paid.**

16 SECTION 2. IC 36-8-3-20 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. (a) This section
 18 applies to counties and towns as well as cities.

19 (b) A unit may provide by ordinance for any number of police
 20 reserve officers.

21 (c) Police reserve officers shall be appointed by the same authority
 22 that appoints regular members of the department.

23 (d) Police reserve officers may be designated by another name
 24 specified by ordinance.

25 (e) Police reserve officers may not be members of the regular police
 26 department but have all of the same police powers as regular members,
 27 except as limited by the rules of the department. Each department may
 28 adopt rules to limit the authority of police reserve officers.

29 (f) To the extent that money is appropriated for a purpose listed in
 30 this subsection, police reserve officers may receive any of the
 31 following:

32 (1) A uniform allowance.

33 (2) Compensation for time lost from other employment because
 34 of court appearances.

35 (3) Insurance for life, accident, and sickness coverage.

36 (4) In the case of county police reserve officers, compensation for
 37 lake patrol duties that the county sheriff assigns and approves for
 38 compensation.

39 (g) Police reserve officers are not eligible to participate in any
 40 pension program provided for regular members of the department.

41 (h) A police reserve officer may not be appointed until ~~he~~ **the**
 42 **officer** has completed the training and probationary period specified by

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- 1 rules of the department.
2 (i) A police reserve officer appointed by the department after June
3 30, 1993, may not:
4 (1) make an arrest;
5 (2) conduct a search or a seizure of a person or property; or
6 (3) carry a firearm;
7 unless the police reserve officer successfully completes a pre-basic
8 course under IC 5-2-1-9(f).
9 (j) ~~A police reserve officer may be covered by The medical
10 treatment and burial expense provisions of the worker's compensation
11 law (IC 22-3-2 through IC 22-3-6) and the worker's occupational
12 diseases law (IC 22-3-7) if compensability of the injury is an issue, the
13 administrative procedures of IC 22-3-2 through IC 22-3-6 and
14 IC 22-3-7 shall be used to determine the issue. apply to a police
15 reserve officer as a rostered volunteer under IC 22-3-2-2.1.~~
16 (k) A police reserve officer carrying out lake patrol duties under this
17 chapter is immune from liability under IC 34-30-12, notwithstanding
18 the payment of compensation to the officer.

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