

IC 10-12-3

Chapter 3. The State Police Pre-1987 Benefit System

IC 10-12-3-0.2

P.L.146-1987 intended to be codification and restatement of law; no effect on substantive operation of prior law

Sec. 0.2. (a) The:

(1) addition of IC 10-1-1.9 (before its repeal, now codified at IC 10-12-1) and IC 10-1-2.2 (before its repeal, now codified in this chapter);

(2) amendments made to IC 10-1-2-2 (before its repeal, now codified at IC 10-12-2-2); and

(3) repeal of IC 10-1-2-1;

by P.L.146-1987 are intended to be a codification and restatement of applicable or corresponding provisions of IC 10-1-2-1. If P.L.146-1987 repealed and replaced a law in the same form or in a restated form, the substantive operation and effect of that law continue uninterrupted.

(b) The:

(1) addition of IC 10-1-1.9 (before its repeal, now codified at IC 10-12-1) and IC 10-1-2.2 (before its repeal, now codified at in this chapter);

(2) amendments made to IC 10-1-2-2 (before its repeal, now codified at IC 10-12-2-2); and

(3) repeal of IC 10-1-2-1;

by P.L.146-1987, do not affect rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun before July 1, 1987. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced as if P.L.146-1987 had not been enacted.

As added by P.L.220-2011, SEC.236.

IC 10-12-3-1

Application of chapter

Sec. 1. This chapter applies only to an employee beneficiary who:

(1) is hired for the first time before July 1, 1987; and

(2) does not choose coverage by IC 10-12-4 under IC 10-12-4-1.

As added by P.L.2-2003, SEC.3.

IC 10-12-3-2

Limitations on pension trust

Sec. 2. The pension trust for employee beneficiaries covered by this chapter is subject to the limitations specified in this chapter.

As added by P.L.2-2003, SEC.3.

IC 10-12-3-3

Retirement age

Sec. 3. (a) The normal retirement age for a regular police employee of the department may not be later than seventy (70) years of age.

(b) The department may not enforce a mandatory retirement age against its civilian employees.

As added by P.L.2-2003, SEC.3.

IC 10-12-3-4

Deductions from wages

Sec. 4. The monthly deductions from the employee beneficiary's wages for the trust fund may not exceed six percent (6%) of the employee beneficiary's average monthly wages (excluding payments for overtime and determined without regard to any salary reduction agreement established under Section 125 of the Internal Revenue Code).

As added by P.L.2-2003, SEC.3.

IC 10-12-3-5

Right to net amount paid into fund from wages

Sec. 5. If an employee beneficiary ceases to be an eligible employee for any reason, including death, disability, unemployment, or retirement:

- (1) the employee beneficiary;
- (2) the employee beneficiary's beneficiary; or
- (3) the employee beneficiary's estate;

is entitled to receive at least the net amount paid into the trust fund from the wages of the employee beneficiary, either in a lump sum or in monthly installments not less than the basic pension amount.

As added by P.L.2-2003, SEC.3.

IC 10-12-3-6

Old age retirements; right to monthly income; minimum service for full amount

Sec. 6. If an employee beneficiary is retired for old age, the employee beneficiary is entitled to receive a lifelong monthly income as specified in section 7 of this chapter. However, to be entitled to the full amount of the basic pension amount, an employee beneficiary must have completed at least twenty (20) years of service to the department before retirement. Otherwise, the employee beneficiary is entitled to receive a proportionate pension based on the employee beneficiary's years of service to the department.

As added by P.L.2-2003, SEC.3.

IC 10-12-3-7

Basic pension amount; additional benefits

Sec. 7. (a) Benefits provided under this section are subject to IC 10-12-2-3.

(b) The basic monthly pension amount may not exceed by more than twenty dollars (\$20) one-half (1/2) the amount of the employee beneficiary's average monthly wage (excluding payments for overtime and determined without regard to any salary reduction agreement established under Section 125 of the Internal Revenue Code) received during the highest paid consecutive twelve (12)

months before retirement. Salary that exceeds the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service may not be considered when the basic pension amount is computed.

(c) An employee beneficiary in the active service of the department who has completed twenty (20) years of service after July 1, 1937, and who continues after July 1, 1937, in the service of the department is entitled to add to the basic monthly pension amount, at retirement, the following:

- (1) Two percent (2%) of the basic amount for each of the next two (2) full years of service over twenty (20) years.
- (2) Three percent (3%) of the basic amount for each of the next two (2) full years over twenty-two (22) years.
- (3) Four percent (4%) of the basic amount for each of the next two (2) full years over twenty-four (24) years.
- (4) Five percent (5%) of the basic amount for each of the next two (2) full years over twenty-six (26) years.
- (5) Six percent (6%) of the basic amount for each of the next two (2) full years over twenty-eight (28) years.
- (6) Seven percent (7%) of the basic amount for each of the next two (2) full years over thirty (30) years.
- (7) Eight percent (8%) of the basic amount for each of the next two (2) full years over thirty-two (32) years.

However, the total of the additional amount may not exceed seventy percent (70%) of the basic pension amount. These additional benefits are subject to the compulsory retirement age provided by the pension trust.

As added by P.L.2-2003, SEC.3. Amended by P.L.189-2007, SEC.1.