

**AMENDMENT ONE TO THE  
STATE OF INDIANA DEFERRED  
COMPENSATION PLAN**

WHEREAS, the State of Indiana Deferred Compensation Plan ("Plan") was most recently amended and restated effective January 1, 2011;

WHEREAS, the Administrator has reserved the right to amend the Plan in certain respects pursuant to Article XVII of the Plan, including to ensure compliance with applicable legal requirements; and

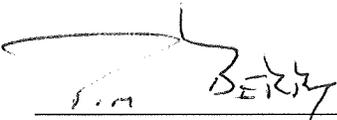
WHEREAS, the Administrator has been advised by legal counsel that it is necessary or appropriate to the administration of the Plan to amend the Plan to allow participants to elect to apply distributions on a tax-favored basis toward the payment of certain health insurance costs.

NOW, THEREFORE, the Plan is hereby amended by adding a new Section 9.13 to the Plan, effective September 1, 2012, to provide, in its entirety, as follows.

**9.13 Eligible Retired Public Safety Officer Distribution Deduction Election.** For distributions in each taxable year beginning after December 31, 2011, an "Eligible Retired Public Safety Officer" may elect, in accordance with rules, policies and procedures as may be adopted by the Administrator and applied on a uniform and non-discriminatory basis, to have the Plan (i) deduct an amount from the distribution which the Eligible Retired Public Safety Officer otherwise would receive (and include in income) and (ii) pay such deducted amounts directly to the provider of an accident or health insurance plan or qualified long-term care insurance contract. The amount deducted (and paid to the provider) may not exceed the lesser of \$3,000 or the amount the Participant paid for such taxable year for qualified healthcare premiums, and which otherwise complies with Code Section 402(l). For purposes of this section: (i) an "Eligible Retired Public Safety Officer" is an individual who, by reason of disability or attainment of normal retirement age, has experienced a Severance from Employment as a Public Safety Officer with the Employer, (ii) a "Public Safety Officer" has the same meaning as in Section 1204(9)(A) of the Omnibus Crime Control and Safe Streets Act of 1968, and (iii) the term "qualified health insurance premiums" means premiums for coverage for the Eligible Retired Public Safety Officer, his spouse and dependents, by an accident or health plan or a qualified long-term care insurance contract (as defined in Code Section 7702B(b)).

IN WITNESS WHEREOF, the undersigned have executed this Amendment One on the dates indicated:

11/8/12  
Date

  
Tim Berry, Auditor of State,  
as Administrator of the Plan