



Reprinted
February 8, 2000

HOUSE BILL No. 1104

DIGEST OF HB 1104 (Updated February 7, 2000 7:26 PM - DI 58)

Citations Affected: IC 4-15; IC 5-10.

Synopsis: State employee leave time. Provides that if a state employee with at least ten years of creditable service dies while employed by a state agency, payment of a part of the employee's accrued but unused leave may be paid to the employee's designated beneficiary or the employee's estate. Adds the legislative and judicial branches of state government and a state elected official's office to the definition of state agency for purposes of the cafeteria plan benefits for certain unused vacation, sick, or personal days. Provides that a state employee may transfer sick, personal, compensatory, and vacation leave to a leave of absence bank within the employee's division for use by any other employee within that same division.

Effective: July 1, 2000.

Tincher, Young M

January 10, 2000, read first time and referred to Committee on Labor and Employment.
January 25, 2000, amended, reported — Do Pass; referred to Committee on Ways and Means, pursuant to Rule 127.
January 27, 2000, amended, reported — Do Pass.
February 1, 2000, read second time, amended, ordered engrossed.
February 2, 2000, engrossed.
February 7, 2000, read third time, recommitted to Committee of One, amended; passed.
Yeas 81, nays 14.

HB 1104—LS 6753/DI 75+



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February 8, 2000

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1104

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

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

1 SECTION 1. IC 4-15-2-29 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 29. (a) The rules shall
3 provide for the hours of work, holidays, attendance regulation and
4 leaves of absence in the various classes of positions in the classified
5 service. They shall contain provisions for annual, sick, and special
6 leaves of absence with or without pay or with reduced pay, and may
7 allow special extended leaves for employees disabled through injury or
8 illness arising out of their employment, and the accumulation of annual
9 and sick leaves.

10 (b) **An employee may transfer sick, personal, compensatory, and**
11 **vacation leaves of absence to a leave of absence bank within the**
12 **employee's division of the service for use by any other employee**
13 **within the same division of the service. No fee or compensation of**
14 **any kind may be associated with a transfer under this subsection.**
15 **The rules shall provide the method for this transfer.**

16 SECTION 2. IC 5-10-12-2, AS ADDED BY P.L.195-1999,
17 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

HB 1104—LS 6753/DI 75+



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1 JULY 1, 2000]: Sec. 2. As used in this chapter, "state agency" means
2 an authority, board, branch, commission, committee, department,
3 division, or other instrumentality of state government, but does not
4 include ~~(1)~~ a state educational institution (as defined in
5 IC 20-12-0.5-1).
6 ~~(2) a state elected official's office; and~~
7 ~~(3) the legislative and judicial branches of state government;~~
8 SECTION 3. IC 5-10-12-7 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
10 1, 2000]: **Sec. 7. If an employee dies while employed by a state**
11 **agency:**
12 **(1) the employee's designated beneficiary; or**
13 **(2) the employee's estate, if the employee does not have a**
14 **designated beneficiary;**
15 **shall be paid an amount that would have been deposited under**
16 **section 5 of this chapter if the employee had retired effective the**
17 **day the employee died.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1104, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be referred to Committee on Ways pursuant to Rule 127.

(Reference is to HB 1104 as introduced.)

LIGGETT, Chair

Committee Vote: yeas 9, nays 1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1104, 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:

Delete the committee report of the Committee on Labor and Employment adopted January 25, 2000.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1104 as introduced and as amended by the committee report of the Committee on Labor and Employment adopted January 25, 2000.)

BAUER, Chair

Committee Vote: yeas 20, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1104 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-15-2-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 29. (a) The rules shall provide for the hours of work, holidays, attendance regulation and leaves of absence in the various classes of positions in the classified service. They shall contain provisions for annual, sick, and special leaves of absence with or without pay or with reduced pay, and may allow special extended leaves for employees disabled through injury or illness arising out of their employment, and the accumulation of annual and sick leaves.

(b) An employee may transfer sick, personal, compensatory and vacation leaves of absence to any other employee. No fee or compensation of any kind shall be associated with this transfer. The rules shall provide the method for this transfer."

Re-number all SECTIONS consecutively.

(Reference is to HB 1104 as printed January 28, 2000.)

YOUNG M

HOUSE MOTION

Mr. Speaker: I move that House Bill 1104 be amended to read as follows:

Page 1, line 6, delete ":".

Page 1, line 7, strike "(1)".

Page 1, delete line 8.

Page 1, line 9, strike "(2) a state elected official's office."

(Reference is to HB 1104 as printed January 28, 2000.)

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1104 be recommitted to a Committee of One, its author, with specific instructions to amend as follows:

Page 1, line 10, after "compensatory" insert ",".

Page 1, line 11, delete "any other employee" and insert "**a leave of absence bank within the employee's division of the service for use by any other employee within the same division of the service.**".

Page 1, line 12, delete "shall" and insert "**may**".

Page 1, line 12, delete "this transfer" and insert "**a transfer under this subsection**".

(Reference is to HB 1104 as reprinted February 2, 2000.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred House Bill 1104, begs leave to report that said bill has been amended as directed.

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