



Reprinted
February 24, 2004

**ENGROSSED
HOUSE BILL No. 1306**

DIGEST OF HB 1306 (Updated February 23, 2004 5:38 pm - DI 102)

Citations Affected: IC 5-10.2.

Synopsis: PERF and TRF cost of living adjustment. Provides a 2% cost of living adjustment for members, survivors, and beneficiaries of the public employees' retirement fund after December 31, 2004. Provides a cost of living adjustment for members, survivors, and beneficiaries of the teachers' retirement fund after December 31, 2004.

Effective: July 1, 2004.

**Kromkowski, Cheney, Herrell,
Scholer**

(SENATE SPONSORS — MEEKS R, HUME, CRAYCRAFT, GARD, ZAKAS)

January 15, 2004, read first time and referred to Committee on Labor and Employment.
January 29, 2004, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.
February 2, 2004, amended, reported — Do Pass.
February 4, 2004, read second time, ordered engrossed. Engrossed.
February 5, 2004, read third time, passed. Yeas 91, nays 0.
SENATE ACTION
February 9, 2004, read first time and referred to Committee on Pensions and Labor.
February 12, 2004, reported favorably — Do Pass; reassigned to Committee on Finance.
February 19, 2004, amended, reported favorably — Do Pass.
February 23, 2004, read second time, amended, ordered engrossed.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

ENGROSSED
HOUSE BILL No. 1306

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

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

- 1 SECTION 1. IC 5-10.2-5-36 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2004]: **Sec. 36. (a) The pension portion (plus postretirement
4 increases to the pension portion) provided by employer
5 contributions of the monthly benefit payable after December 31,
6 2004, to a member of the public employees' retirement fund (or to
7 a survivor or beneficiary of a member) who retired or was disabled
8 before January 1, 2004, shall be increased by two percent (2%).**
9 **(b) The monthly amount of the increase described in subsection
10 (a) payable to a member of the public employees' retirement fund
11 (or to a survivor or beneficiary of a member) may not be less than
12 five dollars (\$5).**
13 **(c) The increases specified in this section:**
14 **(1) are based on the date of the member's latest retirement or**
15 **disability;**
16 **(2) do not apply to benefits payable in a lump sum; and**
17 **(3) are in addition to any other increase provided by law.**

EH 1306—LS 6370/DI 102+



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1 SECTION 2. IC 5-10.2-5-37 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2004]: **Sec. 37. (a) The pension portion (plus postretirement
 4 increases to the pension portion) provided by employer
 5 contributions of the monthly benefit payable after December 31,
 6 2004, to a member of the Indiana state teachers' retirement fund
 7 (or to a survivor or beneficiary of a member of the Indiana state
 8 teachers' retirement fund) who retired or was disabled:**
 9 (1) after July 1, 1996, and before July 2, 2002, shall be
 10 increased by one percent (1%);
 11 (2) after July 1, 1978, and before July 2, 1996, shall be
 12 increased by two percent (2%); and
 13 (3) before July 2, 1978, shall be increased by three percent
 14 (3%).
 15 **(b) The increases specified in this section:**
 16 (1) are based upon the date of the member's latest retirement
 17 or disability;
 18 (2) do not apply to benefits payable in a lump sum; and
 19 (3) are in addition to any other increase provided by law.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Labor and Employment, to which was referred House Bill 1306, 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.

LIGGETT, Chair

Committee Vote: yeas 9, nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1306, 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:

Page 2, after line 23, begin a new paragraph and insert:

"SECTION 3. IC 5-10.2-5-37 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: **Sec. 37. (a) The pension portion (plus postretirement increases to the pension portion) provided by employer contributions of the monthly benefit payable after December 31, 2004, to a member of the Indiana state teachers' retirement fund (or to a survivor or beneficiary of a member of the Indiana state teachers' retirement fund) who retired or was disabled:**

- (1) after July 1, 1996, and before July 2, 2002, shall be increased by one percent (1%);
- (2) after July 1, 1978, and before July 2, 1996, shall be increased by one and five-tenths percent (1.5%); and
- (3) before July 2, 1978, shall be increased by two percent (2%).

(b) The increases specified in this section:

- (1) are based upon the date of the member's latest retirement or disability;
- (2) do not apply to benefits payable in a lump sum; and
- (3) are in addition to any other increase provided by law."

and when so amended that said bill do pass.

(Reference is to HB 1306 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 21, nays 0.

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SENATE MOTION

Madam President: I move that Senator Craycraft be added as cosponsor of Engrossed House Bill 1306.

MEEKS R

SENATE MOTION

Madam President: I move that Senator Gard be added as cosponsor of Engrossed House Bill 1306.

MEEKS R

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COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1306, 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 and be reassigned to the Senate Committee on Finance.

(Reference is made to House Bill 1306 as printed February 2, 2004.)

HARRISON, Chairperson

Committee Vote: Yeas 6, Nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Finance, to which was referred House Bill No. 1306, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 6.

Page 2, delete lines 15 through 18.

Page 2, line 19, delete "(c)" and insert "**(b)**".

Page 2, line 35, delete "one and five-tenths percent (1.5%);" and insert "**two percent (2%);**".

Page 2, line 36, delete "two percent" and insert "**three percent (3%).**".

Page 2, delete line 37.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to EHB 1306 as printed February 13, 2004.)

BORST, Chairperson

Committee Vote: Yeas 14, Nays 1.

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SENATE MOTION

Madam President: I move that Senator Zakas be added as cosponsor of Engrossed House Bill 1306.

MEEKS R

SENATE MOTION

Madam President: I move that Engrossed House Bill 1306 be amended to read as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"(b) The monthly amount of the increase described in subsection (a) payable to a member of the public employees' retirement fund (or to a survivor or beneficiary of a member) may not be less than five dollars (\$5)."

Page 1, line 9, delete "(b)" and insert "(c)".

(Reference is to EHB 1306 as printed February 20, 2004.)

LEWIS

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