

# HOUSE BILL No. 1176

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Teacher's retirement fund benefit. Authorizes payment in certain circumstances of the amount resulting from the inclusion of military service credit in the calculation of a member's benefit from the Indiana teachers' retirement fund.

**Effective:** Upon passage.

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**Dvorak**

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January 11, 2007, read first time and referred to Committee on Ways and Means.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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## HOUSE BILL No. 1176



A BILL FOR AN ACT concerning pensions.

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

1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) As used in this  
2 SECTION, "fund" refers to the Indiana state teachers' retirement  
3 fund established by IC 5-10.4-2-1.  
4 (b) Notwithstanding IC 5-10.4-4-8, a member of the Indiana  
5 state teachers' retirement fund who received service credit in the  
6 fund for the member's active military service under the conditions  
7 described in subsection (c) is entitled to receive an amount equal to  
8 the difference between:  
9 (1) the member's monthly retirement benefit calculated with  
10 the military service credit (including any cost of living  
11 adjustments to the benefit); and  
12 (2) the member's monthly retirement benefit calculated  
13 without the military service credit (including any cost of living  
14 adjustments to the benefit);  
15 multiplied by the number of months in the period beginning on the  
16 member's retirement date and ending on the date the member's  
17 monthly retirement benefit was first paid with the inclusion of the  
18 additional service credit.



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**(c) A member is entitled to receive the amount described in subsection (b) if the following conditions are met:**

**(1) The member completed military service before beginning approved college teacher training.**

**(2) The member received an honorable discharge from the military service.**

**(3) After December 31, 1960, and before January 1, 1965, the member received a letter or other notice from the executive director of the fund erroneously stating that the member was eligible to receive service credit in the fund for the member's military service.**

**(4) The member was not otherwise eligible to claim service credit in the fund for the member's military service.**

**(5) The member filed an application with the fund before December 31, 2001, to claim the military service credit, and the military service credit was approved by the fund.**

**(d) A member who is entitled to receive the amount described in subsection (b) may elect to receive the amount in a lump sum payment or in a series of monthly installment payments over a period not to exceed sixty (60) months.**

**(e) This SECTION expires July 1, 2012.**

**SECTION 2. An emergency is declared for this act.**

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