



April 5, 2013

**ENGROSSED
HOUSE BILL No. 1080**

DIGEST OF HB 1080 (Updated April 4, 2013 11:02 am - DI 58)

Citations Affected: Noncode.

Synopsis: Pension thirteenth checks. Provides for a thirteenth check for certain members of the: (1) Indiana state teachers' retirement fund; (2) public employees' retirement fund; (3) state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement fund; and (4) state police 1987 benefits system.

Effective: July 1, 2013.

**Burton, Niezgodski, Cherry, Clere,
Smith M, Morris, Kubacki, Soliday,
Crouch, Richardson, Frizzell,
Steuerwald**

(SENATE SPONSORS — BOOTS, TALLIAN, CHARBONNEAU)

January 7, 2013, read first time and referred to Committee on Employment, Labor and Pensions.

January 15, 2013, reported — Do Pass. Recommitted to Committee on Ways and Means pursuant to Rule 127.

February 7, 2013, reported — Do Pass.

February 11, 2013, read second time, ordered engrossed.

February 12, 2013, engrossed. Read third time, passed. Yeas 88, nays 0.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Pensions and Labor.

March 28, 2013, reported favorably — Do Pass; reassigned to Committee on Appropriations.

April 4, 2013, reported favorably — Do Pass.

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EH 1080—LS 6109/DI 102+



April 5, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1080

A BILL FOR AN ACT concerning pensions.

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

1 SECTION 1. [EFFECTIVE JULY 1, 2013] (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) Not later than October 1, 2013, the fund shall pay the
5 amount determined under subsection (c) to a member of the fund
6 (or to a survivor or beneficiary of a member) who retired or was
7 disabled on or before December 1, 2012, and who is entitled to
8 receive a monthly benefit on July 1, 2013. The amount is not an
9 increase in the pension portion of the monthly benefit.

10 (c) The amount paid under this SECTION to a member of the
11 fund (or to a survivor or beneficiary of a member) who meets the
12 requirements of subsection (b) is determined as follows:

13 If a Member's Creditable The Amount Is:

14 Service Is:

15 At least 5 years, but less than 10 years	\$150
16 (only in the case of a member receiving	
17 disability retirement benefits)	
18 At least 10 years, but less than 20 years	\$275

EH 1080—LS 6109/DI 102+



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1 At least 20 years, but less than 30 years \$375
2 At least 30 years \$450
3 (d) The creditable service used to determine the amount paid to
4 a member (or to a survivor or beneficiary of a member) under this
5 SECTION is the creditable service that was used to compute the
6 member's retirement benefit under IC 5-10.2-4-4, except that
7 partial years of creditable service may not be used to determine the
8 amount paid under this SECTION.
9 (e) If two (2) or more survivors or beneficiaries of a member are
10 entitled to an amount paid under this SECTION, the amount shall
11 be allocated to the survivors or beneficiaries in shares using the
12 same percentages as the percentages determined under
13 IC 5-10.2-3-7.5 or IC 5-10.4-4-10 to pay the monthly benefit to the
14 survivors or beneficiaries.
15 (f) This SECTION expires January 1, 2014.
16 SECTION 2. [EFFECTIVE JULY 1, 2013] (a) As used in this
17 SECTION, "fund" refers to the public employees' retirement fund
18 established by IC 5-10.3-2-1.
19 (b) Not later than October 1, 2013, the fund shall pay the
20 amount determined under subsection (c) to a member of the fund
21 (or to a survivor or beneficiary of a member) who retired or was
22 disabled on or before December 1, 2012, and who is entitled to
23 receive a monthly benefit on July 1, 2013. The amount is not an
24 increase in the pension portion of the monthly benefit.
25 (c) The amount paid under this SECTION to a member of the
26 fund (or to a survivor or beneficiary of a member) who meets the
27 requirements of subsection (b) is determined as follows:
28 If a Member's Creditable The Amount Is:
29 Service Is:
30 At least 5 years, but less than 10 years \$150
31 (only in the case of a member receiving
32 disability retirement benefits)
33 At least 10 years, but less than 20 years \$275
34 At least 20 years, but less than 30 years \$375
35 At least 30 years \$450
36 (d) The creditable service used to determine the amount paid to
37 a member (or to a survivor or beneficiary of a member) under this
38 SECTION is the creditable service that was used to compute the
39 member's retirement benefit under IC 5-10.2-4-4, except that
40 partial years of creditable service may not be used to determine the
41 amount paid under this SECTION.
42 (e) If two (2) or more survivors or beneficiaries of a member are

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1 entitled to an amount paid under this SECTION, the amount shall
 2 be allocated to the survivors or beneficiaries in shares using the
 3 same percentages as the percentages determined under
 4 IC 5-10.2-3-7.5 or IC 5-10.3-8-15 to pay the monthly benefit to the
 5 survivors or beneficiaries.

6 (f) This SECTION expires January 1, 2014.

7 SECTION 3. [EFFECTIVE JULY 1, 2013] (a) As used in this
 8 SECTION, "participant" has the meaning set forth in
 9 IC 5-10-5.5-1.

10 (b) As used in this SECTION, "plan" refers to the state excise
 11 police, gaming agent, gaming control officer, and conservation
 12 enforcement officers' retirement plan established by IC 5-10-5.5-2.

13 (c) Not later than October 1, 2013, the board of trustees of the
 14 Indiana public retirement system established by IC 5-10.5-3-1 shall
 15 pay the amount determined under subsection (d) to a plan
 16 participant (or to a survivor or beneficiary of a plan participant)
 17 who retired or was disabled on or before December 1, 2012, and
 18 who is entitled to receive a monthly benefit on July 1, 2013. The
 19 amount is not an increase in the annual retirement allowance.

20 (d) The amount paid under this SECTION to a plan participant
 21 (or to a survivor or beneficiary of a plan participant) who meets
 22 the requirements of subsection (c) is determined as follows:

If a Plan Participant's Creditable Service Is:	The Amount Is:
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At least 5 years, but less than 10 years (only in the case of a member receiving disability retirement benefits)	\$125
At least 10 years, but less than 20 years	\$235
At least 20 years, but less than 30 years	\$325
At least 30 years	\$400

31 (e) The creditable service used to determine the amount paid to
 32 a plan participant (or to a survivor or beneficiary of a plan
 33 participant) under this SECTION is the creditable service that was
 34 used to compute the plan participant's retirement allowance under
 35 IC 5-10-5.5-10 and IC 5-10-5.5-12, except that partial years of
 36 creditable service may not be used to determine the amount paid
 37 under this SECTION.

38 (f) If two (2) or more survivors of a plan participant are entitled
 39 to an amount paid under this SECTION, the amount shall be
 40 allocated to the survivors in shares using the same percentages as
 41 the percentages determined under IC 5-10-5.5-16 to pay the
 42 monthly benefit to the survivors.



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1 **(g) This SECTION expires January 1, 2014.**
2 SECTION 4. [EFFECTIVE JULY 1, 2013] **(a) As used in this**
3 **SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.**
4 **(b) As used in this SECTION, "trust fund" has the meaning set**
5 **forth in IC 10-12-1-11.**
6 **(c) Not later than October 1, 2013, the trustee shall pay from the**
7 **trust fund to each employee beneficiary of the state police 1987**
8 **benefit system covered by IC 10-12-4 who:**
9 **(1) retired or was disabled after June 30, 1987, and before**
10 **July 2, 2012; and**
11 **(2) is entitled to receive a monthly benefit as of September 1,**
12 **2013;**
13 **an amount equal to one percent (1%) of the maximum basic annual**
14 **pension amount payable to a retired state police employee in the**
15 **grade of trooper who has completed twenty-five (25) years of**
16 **service as of July 1, 2013, as calculated under IC 10-12-4-7.**
17 **(d) The amount paid under this SECTION is not an increase in**
18 **the monthly pension amount of an employee beneficiary.**
19 **(e) This SECTION expires January 1, 2014.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1080, 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.

GUTWEIN, Chair

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1080, 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.

BROWN T, Chair

Committee Vote: yeas 15, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred House Bill No. 1080, 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 Appropriations.

(Reference is made to House Bill 1080 as printed February 8, 2013.)

BOOTS, Chairperson

Committee Vote: Yeas 5, Nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred House Bill No. 1080, 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.

(Reference is made to House Bill 1080 as printed February 8, 2013.)

KENLEY, Chairperson

Committee Vote: Yeas 13, Nays 0.

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