



January 28, 2021

HOUSE BILL No. 1044

DIGEST OF HB 1044 (Updated January 28, 2021 11:06 am - DI 143)

Citations Affected: IC 5-10.

Synopsis: Line of duty death benefit. Adds public safety telecommunicators and integrated public safety commission employees to the public safety personnel eligible for a special death benefit.

Effective: July 1, 2021.

Abbott, Frye R, Bartlett

January 4, 2021, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 28, 2021, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

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January 28, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1044

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 5-10-10-2, AS AMENDED BY P.L.100-2017,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 2. (a) Except as provided in ~~subsection~~
4 **subsections (b), (c), and (d)**, as used in this chapter, "dies in the line
5 of duty" refers to a death that occurs as a direct result of personal injury
6 or illness resulting from any action that the public safety officer, in the
7 public safety officer's capacity as a public safety officer, is obligated or
8 authorized by rule, regulation, condition of employment or service, or
9 law to perform in the course of controlling or reducing crime or
10 enforcing the criminal law. For purposes of a public safety officer who
11 is an employee (as defined in IC 5-10-13-2), the term includes a death
12 presumed incurred in the line of duty under IC 5-10-13.

13 (b) This subsection applies to a public safety officer who is eligible
14 for a special death benefit under section 4.8 or 4.9 of this chapter.
15 "Dies in the line of duty" refers to a death that occurs as a direct result
16 of personal injury or illness caused by an incident, accident, or violence
17 that results from any action that the public safety officer, in the public

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1 safety officer's capacity as a public safety officer:

2 (1) is obligated or authorized by rule, regulation, condition of
3 employment or service, or law to perform; or

4 (2) performs during an emergency run.

5 **(c) This subsection applies to a public safety officer who is a**
6 **public safety telecommunicator. "Dies in the line of duty" refers to**
7 **a death that occurs as a direct result of personal injury or illness**
8 **resulting from any action that the public safety telecommunicator**
9 **is obligated or authorized by rule, regulation, condition of**
10 **employment or service, or law to perform, in their capacity as a**
11 **public safety telecommunicator, including personal injury or**
12 **illness resulting from repeatedly witnessing visually or audibly, or**
13 **both, death or serious bodily injury of individuals or the immediate**
14 **aftermath of death or serious bodily injury of individuals resulting**
15 **from an accident or a violent event.**

16 **(d) This subsection applies to a public safety officer who is an**
17 **employee of the integrated public safety commission. "Dies in the**
18 **line of duty" refers to a death that occurs as a direct result of**
19 **personal injury or illness resulting from any action that the public**
20 **safety officer is obligated or authorized by rule, regulation,**
21 **condition of employment or service, or law to perform in the**
22 **course of responding to public safety events in the public safety**
23 **officer's capacity as a public safety officer.**

24 SECTION 2. IC 5-10-10-3.5 IS ADDED TO THE INDIANA CODE
25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
26 1, 2021]: Sec. 3.5. As used in this chapter, "PSAP" refers to a
27 public safety answering point:

28 (1) that operates on a twenty-four (24) hour basis; and

29 (2) whose primary function is to receive incoming requests for
30 emergency assistance and relay those requests to an
31 appropriate responding public safety agency.

32 SECTION 3. IC 5-10-10-4, AS AMENDED BY P.L.41-2020,
33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2021]: Sec. 4. As used in this chapter, "public safety officer"
35 means any of the following:

36 (1) A state police officer.

37 (2) A county sheriff.

38 (3) A county police officer.

39 (4) A correctional officer.

40 (5) An excise police officer.

41 (6) A county police reserve officer.

42 (7) A city or town police reserve officer.



- 1 (8) A conservation enforcement officer.
 2 (9) A town marshal.
 3 (10) A deputy town marshal.
 4 (11) A probation officer.
 5 (12) A state educational institution police officer appointed under
 6 IC 21-39-4.
 7 (13) A police officer whose employer purchases coverage under
 8 section 4.5 of this chapter.
 9 (14) An emergency medical services provider (as defined in
 10 IC 16-41-10-1) who is:
 11 (A) employed by a political subdivision (as defined in
 12 IC 36-1-2-13); and
 13 (B) not eligible for a special death benefit under IC 36-8-6-20,
 14 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
 15 (15) A firefighter who is employed by the fire department of a
 16 state university.
 17 (16) A firefighter whose employer purchases coverage under
 18 section 4.5 of this chapter.
 19 (17) A member of a consolidated law enforcement department
 20 established under IC 36-3-1-5.1.
 21 (18) A gaming agent of the Indiana gaming commission.
 22 (19) A person who is:
 23 (A) employed by a political subdivision (as defined in
 24 IC 36-1-2-13); and
 25 (B) appointed as a special deputy under IC 36-8-10-10.6.
 26 (20) A school corporation police officer appointed under
 27 IC 20-26-16.
 28 (21) A gaming control officer of the Indiana gaming commission.
 29 (22) An eligible chaplain who meets the requirements of section
 30 4.7 of this chapter.
 31 (23) A community corrections officer.
 32 (24) An eligible emergency medical services provider who meets
 33 the requirements of section 4.8 of this chapter.
 34 (25) An emergency medical services provider whose employer
 35 purchases coverage under section 4.9 of this chapter.
 36 (26) An emergency management worker (as defined in
 37 IC 10-14-3-3), including:
 38 (A) an employee of the Indiana department of homeland
 39 security who is working in an official capacity as an employee
 40 during a disaster or an emergency response; or
 41 (B) an employee of a political subdivision who is employed as:
 42 (i) an emergency management director;



1 (ii) an assistant emergency management director; or
 2 (iii) a deputy emergency management director;
 3 for the political subdivision.
 4 (27) A division fire investigator (as described in IC 22-14-2-8).
 5 (28) A school resource officer (as defined in IC 20-26-18.2-1)
 6 who is not otherwise entitled to a line of duty benefit under:
 7 (A) IC 36-8-6-20;
 8 (B) IC 36-8-7.5-22; or
 9 (C) IC 36-8-8-20;
 10 while acting as a school resource officer.
 11 **(29) A public safety telecommunicator.**
 12 **(30) An employee of the integrated public safety commission.**
 13 SECTION 4. IC 5-10-10-5.3 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2021]: **Sec. 5.3. As used in this chapter, "public safety**
 16 **telecommunicator" means an employee of a local law enforcement**
 17 **agency, local fire protection agency, PSAP, local emergency**
 18 **management agency, or local correctional institution who, as part**
 19 **of the employee's regular duties, answers or dispatches 911**
 20 **emergency calls on behalf of the agency or institution.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1044, 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 1, line 4, after "(b)" insert ",".

Page 1, line 4, after "(b)" delete "and".

Page 1, line 4, after "(c)," insert "**and (d)**".

Page 2, between lines 15 and 16, begin a new paragraph and insert:

"(d) This subsection applies to a public safety officer who is an employee of the integrated public safety commission. "Dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from any action that the public safety officer is obligated or authorized by rule, regulation, condition of employment or service, or law to perform in the course of responding to public safety events in the public safety officer's capacity as a public safety officer."

Page 4, between lines 3 and 4, begin a new line block indented and insert:

"(30) An employee of the integrated public safety commission."

and when so amended that said bill do pass.

(Reference is to HB 1044 as introduced.)

FRYE R

Committee Vote: yeas 13, nays 0.

