



March 25, 2015

ENGROSSED HOUSE BILL No. 1080

DIGEST OF HB 1080 (Updated March 24, 2015 10:16 am - DI 103)

Citations Affected: IC 5-10.

Synopsis: EMS provider death benefit. Provides a public safety officer special death benefit to an emergency medical services provider who, after June 30, 2015, dies as a direct result of personal injury or illness resulting from the provider's performance of duties under a contract entered into by the provider's employer to provide emergency medical services for a political subdivision if the provider's employer purchases coverage if the employer purchases coverage for all eligible emergency medical services providers of the employer. Provides that the cost of the coverage is \$100 per year and that an employer may purchase the coverage by making quarterly payments on dates prescribed by the board of trustees of the Indiana public retirement system.

Effective: July 1, 2015.

Macer, Arnold L, Lawson L, Frye R
(SENATE SPONSORS — BOOTS, FORD)

January 6, 2015, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 27, 2015, amended, reported — Do Pass.

January 29, 2015, read second time, ordered engrossed. Engrossed.

February 2, 2015, read third time, passed. Yeas 93, nays 1.

SENATE ACTION

February 24, 2015, read first time and referred to Committee on Homeland Security & Transportation.

March 24, 2015, amended, reported favorably — Do Pass.

EH 1080—LS 6404/DI 102



March 25, 2015

First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1080

A BILL FOR AN ACT to amend the Indiana Code concerning public employee benefits.

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

1 SECTION 1. IC 5-10-10-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. **(a) Except as**
3 **provided in subsection (b)**, as used in this chapter, "dies in the line of
4 duty" refers to a death that occurs as a direct result of personal injury
5 or illness resulting from any action that the public safety officer, in the
6 public safety officer's capacity as a public safety officer, is obligated or
7 authorized by rule, regulation, condition of employment or service, or
8 law to perform in the course of controlling or reducing crime or
9 enforcing the criminal law. For purposes of a public safety officer who
10 is an employee (as defined in IC 5-10-13-2), the term includes a death
11 presumed incurred in the line of duty under IC 5-10-13.

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

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1 **or violence that results from any action that the public safety**
 2 **officer, in the public safety officer's capacity as a public safety**
 3 **officer:**

- 4 **(1) is obligated or authorized by rule, regulation, condition of**
 5 **employment or service, or law to perform; or**
 6 **(2) performs during an emergency run.**

7 SECTION 2. IC 5-10-10-4, AS AMENDED BY P.L.158-2013,
 8 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 4. As used in this chapter, "public safety officer"
 10 means any of the following:

- 11 (1) A state police officer.
 12 (2) A county sheriff.
 13 (3) A county police officer.
 14 (4) A correctional officer.
 15 (5) An excise police officer.
 16 (6) A county police reserve officer.
 17 (7) A city police reserve officer.
 18 (8) A conservation enforcement officer.
 19 (9) A town marshal.
 20 (10) A deputy town marshal.
 21 (11) A probation officer.
 22 (12) A state educational institution police officer appointed under
 23 IC 21-39-4.
 24 (13) A police officer whose employer purchases coverage under
 25 section 4.5 of this chapter.
 26 (14) An emergency medical services provider (as defined in
 27 IC 16-41-10-1) who is:
 28 (A) employed by a political subdivision (as defined in
 29 IC 36-1-2-13); and
 30 (B) not eligible for a special death benefit under IC 36-8-6-20,
 31 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
 32 (15) A firefighter who is employed by the fire department of a
 33 state university.
 34 (16) A firefighter whose employer purchases coverage under
 35 section 4.5 of this chapter.
 36 (17) A member of a consolidated law enforcement department
 37 established under IC 36-3-1-5.1.
 38 (18) A gaming agent of the Indiana gaming commission.
 39 (19) A person who is:
 40 (A) employed by a political subdivision (as defined in
 41 IC 36-1-2-13); and
 42 (B) appointed as a special deputy under IC 36-8-10-10.6.



- 1 (20) A school corporation police officer appointed under
2 IC 20-26-16.
- 3 (21) A gaming control officer of the Indiana gaming commission.
- 4 (22) An eligible chaplain who meets the requirements of section
5 4.7 of this chapter.
- 6 (23) A community corrections officer.
- 7 **(24) An eligible emergency medical services provider who**
8 **meets the requirements of section 4.8 of this chapter.**
- 9 SECTION 3. IC 5-10-10-4.8 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2015]: **Sec. 4.8. (a) As used in this section, "eligible emergency**
12 **medical services provider" means an emergency medical services**
13 **provider who is employed by a person that has contracted with a**
14 **political subdivision to provide emergency medical services for the**
15 **political subdivision.**
- 16 **(b) As used in this section, "emergency medical services" has the**
17 **meaning set forth in IC 16-49-1-5.**
- 18 **(c) As used in this section, "emergency medical services**
19 **provider" has the meaning set forth in IC 16-41-10-1.**
- 20 **(d) As used in this section, "political subdivision" has the**
21 **meaning set forth in IC 36-1-2-13.**
- 22 **(e) If an employer purchases coverage for an eligible emergency**
23 **medical services provider, the eligible emergency medical services**
24 **provider who dies as a direct result of personal injury or illness**
25 **resulting from the eligible emergency medical services provider's**
26 **performance of duties under a contract entered into by the**
27 **emergency medical services provider's employer to provide**
28 **emergency medical services for a political subdivision is eligible for**
29 **a special death benefit from the fund in the same manner as any**
30 **other public safety officer is eligible for a benefit from the fund.**
31 **The cost of the coverage must be one hundred dollars (\$100)**
32 **annually for each eligible emergency medical services provider**
33 **paid by the emergency medical services provider's employer. The**
34 **cost of the coverage shall be paid to the board for deposit into the**
35 **fund.**
- 36 **(f) If an employer elects to provide coverage under this section,**
37 **the employer must purchase coverage for all eligible emergency**
38 **medical services providers of the employer. The board shall allow**
39 **an employer to purchase coverage by making quarterly payments**
40 **on dates prescribed by the board.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, 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 be amended as follows:

Page 3, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 4. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 4.9. (a) If an employer purchases coverage for an eligible emergency medical services provider, the eligible emergency medical services provider is eligible for a special death benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage shall be one hundred dollars (\$100) for each eligible emergency medical services provider annually. The cost of the coverage shall be paid to the board for deposit into the fund.**

(b) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. The board shall allow an employer to purchase coverage by making quarterly payments on dates prescribed by the board."

Page 4, delete lines 1 through 15.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1080 as introduced.)

FRYE R

Committee Vote: yeas 8, nays 0.



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, 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 be AMENDED as follows:

Page 1, line 13, delete "or 4.9".

Page 3, delete lines 9 through 10.

Page 3, line 24, after "(e)" delete "An" and insert "**If an employer purchases coverage for an eligible emergency medical services provider, the**".

Page 3, line 31, after "fund." insert "**The cost of the coverage must be one hundred dollars (\$100) annually for each eligible emergency medical services provider paid by the emergency medical services provider's employer. The cost of the coverage shall be paid to the board for deposit into the fund.**".

Page 3, delete lines 32 through 42, begin a new paragraph and insert:

"(f) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. The board shall allow an employer to purchase coverage by making quarterly payments on dates prescribed by the board."

Delete page 4.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1080 as printed January 27, 2015.)

YODER, Chairperson

Committee Vote: Yeas 9, Nays 0.

