

# SENATE BILL No. 38

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** Noncode.

**Synopsis:** Thirteenth check. Provides for a thirteenth check for certain members, participants, or beneficiaries of the: (1) Indiana state teachers' retirement fund; (2) Indiana public employees' retirement fund; (3) state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan; (4) state police pre-1987 benefit system; and (5) state police 1987 benefit system. Provides for a \$50 payment to members of the Indiana state teachers' retirement fund and Indiana public employees' retirement fund, and to participants of the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan.

**Effective:** July 1, 2024.

---

---

## Niezgodski

---

---

January 8, 2024, read first time and referred to Committee on Pensions and Labor.

---

---



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

# SENATE BILL No. 38



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, 2024] (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) As used in this SECTION, "supplemental allowance reserve**  
5 **account" refers to the supplemental allowance reserve account**  
6 **established by IC 5-10.2-2-2(c)(3).**  
7           **(c) Not later than October 1, 2024, the supplemental allowance**  
8 **reserve account shall pay the amount determined under subsection**  
9 **(d) to a member of the fund (or to a survivor or beneficiary of a**  
10 **member) who retired or was disabled on or before December 1,**  
11 **2023, and who is entitled to receive a monthly benefit on July 1,**  
12 **2024. The amount is not an increase in the pension portion of the**  
13 **monthly benefit.**  
14           **(d) The amount paid under subsection (c) to a member of the**  
15 **fund (or to a survivor or beneficiary of a member) who meets the**  
16 **requirements of subsection (c) is determined as follows:**  
17                   **If a Member's Creditable                   The Amount Is:**  
18                           **Service Is:**



1	At least 5 years, but less than 10 years	\$150
2	(only in the case of a member receiving	
3	disability retirement benefits)	
4	At least 10 years, but less than 20 years	\$275
5	At least 20 years, but less than 30 years	\$375
6	At least 30 years	\$450
7	(e) The creditable service used to determine the amount paid to	
8	a member (or to a survivor or beneficiary of a member) under	
9	subsection (c) is the creditable service that was used to compute the	
10	member's retirement benefit under IC 5-10.2-4-4, except that	
11	partial years of creditable service may not be used to determine the	
12	amount paid under subsection (c).	
13	(f) If two (2) or more survivors or beneficiaries of a member are	
14	entitled to an amount paid under subsection (c), the amount shall	
15	be allocated to the survivors or beneficiaries in shares using the	
16	same percentages as the percentages determined under	
17	IC 5-10.2-3-7.5 or IC 5-10.4-4-10 to pay the monthly benefit to the	
18	survivors or beneficiaries.	
19	(g) Not later than October 1, 2024, either the fund or the state	
20	general fund, or both, shall pay fifty dollars (\$50) to a member of	
21	the fund (or to a survivor or beneficiary of a member) who retired	
22	or was disabled on or before December 1, 2023, and who is entitled	
23	to receive a monthly benefit on July 1, 2024.	
24	(h) This SECTION applies notwithstanding IC 5-10.2-12-4(b).	
25	(i) This SECTION expires January 1, 2025.	
26	SECTION 2. [EFFECTIVE JULY 1, 2024] (a) As used in this	
27	SECTION, "fund" refers to the Indiana public employees'	
28	retirement fund established by IC 5-10.3-2-1.	
29	(b) As used in this SECTION, "supplemental allowance reserve	
30	account" refers to the supplemental allowance reserve account	
31	established by IC 5-10.2-2-2(a)(3).	
32	(c) Not later than October 1, 2024, the supplemental allowance	
33	reserve account shall pay the amount determined under subsection	
34	(d) to a member of the fund (or to a survivor or beneficiary of a	
35	member) who retired or was disabled on or before December 1,	
36	2023, and who is entitled to receive a monthly benefit on July 1,	
37	2024. The amount is not an increase in the pension portion of the	
38	monthly benefit.	
39	(d) The amount paid under subsection (c) to a member of the	
40	fund (or to a survivor or beneficiary of a member) who meets the	
41	requirements of subsection (c) is determined as follows:	
42	If a Member's Creditable	The Amount Is:



1	<b>Service Is:</b>	
2	<b>At least 5 years, but less than 10 years</b>	<b>\$150</b>
3	<b>(only in the case of a member receiving</b>	
4	<b>disability retirement benefits)</b>	
5	<b>At least 10 years, but less than 20 years</b>	<b>\$275</b>
6	<b>At least 20 years, but less than 30 years</b>	<b>\$375</b>
7	<b>At least 30 years</b>	<b>\$450</b>
8	<b>(e) The creditable service used to determine the amount paid to</b>	
9	<b>a member (or to a survivor or beneficiary of a member) under</b>	
10	<b>subsection (c) is the creditable service that was used to compute the</b>	
11	<b>member's retirement benefit under IC 5-10.2-4-4, except that</b>	
12	<b>partial years of creditable service may not be used to determine the</b>	
13	<b>amount paid under subsection (c).</b>	
14	<b>(f) If two (2) or more survivors or beneficiaries of a member are</b>	
15	<b>entitled to an amount paid under subsection (c), the amount shall</b>	
16	<b>be allocated to the survivors or beneficiaries in shares using the</b>	
17	<b>same percentages as the percentages determined under</b>	
18	<b>IC 5-10.2-3-7.5 or IC 5-10.3-8-15 to pay the monthly benefit to the</b>	
19	<b>survivors or beneficiaries.</b>	
20	<b>(g) Not later than October 1, 2024, either the fund or the state</b>	
21	<b>general fund, or both, shall pay fifty dollars (\$50) to a member of</b>	
22	<b>the fund (or to a survivor or beneficiary of a member) who retired</b>	
23	<b>or was disabled on or before December 1, 2023, and who is entitled</b>	
24	<b>to receive a monthly benefit on July 1, 2024.</b>	
25	<b>(h) This SECTION applies notwithstanding IC 5-10.2-12-4(b).</b>	
26	<b>(i) This SECTION expires January 1, 2025.</b>	
27	<b>SECTION 3. [EFFECTIVE JULY 1, 2024] (a) As used in this</b>	
28	<b>SECTION, "participant" has the meaning set forth in</b>	
29	<b>IC 5-10-5.5-1.</b>	
30	<b>(b) As used in this SECTION, "plan" refers to the state excise</b>	
31	<b>police, gaming agent, gaming control officer, and conservation</b>	
32	<b>enforcement officers' retirement plan created by IC 5-10-5.5-2.</b>	
33	<b>(c) As used in this SECTION, "supplemental allowance reserve</b>	
34	<b>account" refers to the supplemental allowance reserve account</b>	
35	<b>established by IC 5-10-5.5-4(c).</b>	
36	<b>(d) Not later than October 1, 2024, the supplemental allowance</b>	
37	<b>reserve account shall pay the amount determined under subsection</b>	
38	<b>(e) to a plan participant (or to a survivor or beneficiary of a plan</b>	
39	<b>participant) who retired or was disabled on or before December 1,</b>	
40	<b>2023, and who is entitled to receive a monthly benefit on July 1,</b>	
41	<b>2024. The amount is not an increase in the annual retirement</b>	
42	<b>allowance.</b>	



1 (e) The amount paid under subsection (d) to a plan participant  
 2 (or to a survivor or beneficiary of a plan participant) who meets  
 3 the requirements of subsection (d) is determined as follows:

4 If a Plan Participant's Creditable Service Is: The Amount Is:

5 Service Is:

6 At least 5 years, but less than 10 years \$150

7 (only in the case of a member receiving  
 8 disability retirement benefits)

9 At least 10 years, but less than 20 years \$275

10 At least 20 years, but less than 30 years \$375

11 At least 30 years \$450

12 (f) The creditable service used to determine the amount paid to  
 13 a plan participant (or to a survivor or beneficiary of a plan  
 14 participant) under subsection (d) is the creditable service that was  
 15 used to compute the plan participant's retirement allowance under  
 16 IC 5-10-5.5-10 and IC 5-10-5.5-12, except that partial years of  
 17 creditable service may not be used to determine the amount paid  
 18 under subsection (d).

19 (g) If two (2) or more survivors or beneficiaries of a plan  
 20 participant are entitled to an amount paid under subsection (d), the  
 21 amount shall be allocated to the survivors or beneficiaries in shares  
 22 using the same percentages as the percentages determined under  
 23 IC 5-10-5.5-16 to pay the monthly benefit to the survivors or  
 24 beneficiaries.

25 (h) Not later than October 1, 2024, either the plan or the state  
 26 general fund, or both, shall pay fifty dollars (\$50) to a plan  
 27 participant (or to a survivor or beneficiary of a plan participant)  
 28 who retired or was disabled on or before December 1, 2023, and  
 29 who is entitled to receive a monthly benefit on July 1, 2024.

30 (i) This SECTION applies notwithstanding IC 5-10.2-12-4(b).

31 (j) This SECTION expires January 1, 2025.

32 SECTION 4. [EFFECTIVE JULY 1, 2024] (a) As used in this  
 33 SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.

34 (b) As used in this SECTION, "trust fund" has the meaning set  
 35 forth in IC 10-12-1-11.

36 (c) Not later than October 1, 2024, the trustee shall pay from the  
 37 trust fund to each employee beneficiary of the state police pre-1987  
 38 benefit system covered by IC 10-12-3 who:

39 (1) retired or was disabled before July 2, 2023; and

40 (2) is entitled to receive a monthly benefit as of September 1,  
 41 2024;

42 an amount equal to one percent (1%) of the maximum basic annual



1 pension amount payable to a retired state police employee in the  
2 grade of trooper who has completed twenty (20) years of service as  
3 of July 1, 2024, as calculated under IC 10-12-3-7.

4 (d) The amounts paid under this SECTION are not an increase  
5 in the monthly pension amount of an employee beneficiary.

6 (e) This SECTION applies notwithstanding IC 5-10.2-12-4(b).

7 (f) This SECTION expires January 1, 2025.

8 SECTION 5. [EFFECTIVE JULY 1, 2024] (a) As used in this  
9 SECTION, "trustee" has the meaning set forth in IC 10-12-1-10.

10 (b) As used in this SECTION, "trust fund" has the meaning set  
11 forth in IC 10-12-1-11.

12 (c) Not later than October 1, 2024, the trustee shall pay from the  
13 trust fund to each employee beneficiary of the state police 1987  
14 benefit system covered by IC 10-12-4 who:

15 (1) retired or was disabled after June 30, 1987, and before  
16 July 2, 2023; and

17 (2) is entitled to receive a monthly benefit as of September 1,  
18 2024;

19 an amount equal to one percent (1%) of the maximum basic annual  
20 pension amount payable to a retired state police employee in the  
21 grade of trooper who has completed twenty-five (25) years of  
22 service as of July 1, 2024, as calculated under IC 10-12-4-7.

23 (d) The amount paid under this SECTION is not an increase in  
24 the monthly pension amount of an employee beneficiary.

25 (e) This SECTION applies notwithstanding IC 5-10.2-12-4(b).

26 (f) This SECTION expires January 1, 2025.

