



ENGROSSED SENATE BILL No. 172

DIGEST OF SB 172 (Updated April 2, 2019 6:23 pm - DI 131)

Citations Affected: IC 5-10; IC 6-1.1; IC 36-1.

Synopsis: Survivor health coverage. Provides that, if the employer of a public safety officer who dies in the line of duty after June 30, 2019, offers health coverage for active employees, the employer shall offer to provide and pay for health coverage under the plan covering active to provide and pay for health coverage under the plan covering active employees for the surviving spouse and each natural child, stepchild, and adopted child of the public safety officer. Provides that health coverage for a surviving child continues: (1) until the child becomes 18 years of age; (2) until the child becomes 23 years of age, under certain circumstances; or (3) during the entire period of the child's physical or mental disability; whichever period is longest. Changes the application date from a death occurring after June 30, 2019, to a death occurring after December 31, 2017. Requires the department of local government finance to establish a state address confidentiality form to be used to restrict access to the home address of certain persons. Adds to the definition of "covered person" the surviving spouse of a covered person if the person is killed in the line of duty. Provides that the state address if the person is killed in the line of duty. Provides that the state address confidentiality form may be used when applying for address confidentiality.

Effective: July 1, 2019.

Crider, Doriot, Stoops, Alting, Houchin, Randolph Lonnie M

(HOUSE SPONSORS — FRYE R, JUDY, SPEEDY)

January 3, 2019, read first time and referred to Committee on Homeland Security and Transportation.

January 29, 2019, reported favorably — Do Pass.

January 31, 2019, read second time, ordered engrossed. Engrossed.

February 4, 2019, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION
March 7, 2019, read first time and referred to Committee on Veterans Affairs and Public

April 4, 2019, amended, reported — Do Pass.



First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

ENGROSSED SENATE BILL No. 172

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:

l	SECTION 1. IC 5-10-8-2.2, AS AMENDED BY P.L.91-2014,
2	SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2019]: Sec. 2.2. (a) As used in this section, "dependent"
4	means a natural child, stepchild, or adopted child of a public safety
5	employee who:
6	(1) is less than eighteen (18) years of age;
7	(2) is at least eighteen (18) years of age and has a physical or
8	mental disability (using disability guidelines established by the
9	Social Security Administration); or
10	(3) is at least eighteen (18) and less than twenty-three (23) years
11	of age and is enrolled in and regularly attending a secondary
12	school or is a full-time student at an accredited college or
13	university.
14	(b) As used in this section, "public safety employee" means a
15	full-time firefighter, police officer, county police officer, or sheriff.
16	(c) This section applies only to local unit public employers and their
17	public safety employees.



1	(d) A local unit public employer may provide programs of group
2	health insurance for its active and retired public safety employees
3	through one (1) of the following methods:
4	(1) By purchasing policies of group insurance.
5	(2) By establishing self-insurance programs.
6	(3) If the local unit public employer is a school corporation, by
7	electing to provide the coverage through a state employee health
8	plan under section 6.7 of this chapter.
9	A local unit public employer may provide programs of group insurance
10	other than group health insurance for the local unit public employer's
11	active and retired public safety employees by purchasing policies of
12	group insurance and by establishing self-insurance programs. However,
13	the establishment of a self-insurance program is subject to the approval
14	of the unit's fiscal body.
15	(e) A local unit public employer may pay a part of the cost of group
16	insurance for its active and retired public safety employees. However,
17	a local unit public employer that provides group life insurance for its
18	active and retired public safety employees shall pay a part of the cost
19	of that insurance.
20	(f) A local unit public employer may not cancel an insurance
21	contract under this section during the policy term of the contract.
22	(g) After June 30, 1989, a local unit public employer that provides
23	a group health insurance program for its active public safety employees
24	shall also provide a group health insurance program to the following
25	persons:
26	(1) Retired public safety employees.
27	(2) Public safety employees who are receiving disability benefits
28	under IC 36-8-6, IC 36-8-7, IC 36-8-7.5, IC 36-8-8, or IC 36-8-10.
29	(3) Surviving spouses and dependents of public safety employees
30	who die while in active service or after retirement.
31	(h) A public safety employee who is retired or has a disability and
32	is eligible for group health insurance coverage under subsection (g)(1)
33	or $(g)(2)$:
34	(1) may elect to have the person's spouse, dependents, or spouse
35	and dependents covered under the group health insurance
36	program at the time the person retires or becomes disabled;
37	(2) must file a written request for insurance coverage with the
38	employer within ninety (90) days after the person retires or begins
39	receiving disability benefits; and
40	(3) must pay an amount equal to the total of the employer's and

the employee's premiums for the group health insurance for an

active public safety employee (however, the employer may elect



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1	to pay any part of the person's premiums).
2	(i) Except as provided in IC 5-10-18 , IC 36-8-6-9.7(f),
3	IC 36-8-6-10.1(h), IC 36-8-7-12.3(g), IC 36-8-7-12.4(j),
4	IC 36-8-7.5-13.7(h), IC 36-8-7.5-14.1(i), IC 36-8-8-13.9(d),
5	IC 36-8-14.1(h), and IC 36-8-10-16.5 for a surviving spouse or
6	dependent of a public safety employee who dies in the line of duty, a
7	surviving spouse or dependent who is eligible for group health
8	insurance under subsection $(g)(3)$:
9	(1) may elect to continue coverage under the group health
10	insurance program after the death of the public safety employee;
11	(2) must file a written request for insurance coverage with the
12	•
13	employer within ninety (90) days after the death of the public
13	safety employee; and
15	(3) must pay the amount that the public safety employee would
16	have been required to pay under this section for coverage selected
17	by the surviving spouse or dependent (however, the employer may
	elect to pay any part of the surviving spouse's or dependents'
18	premiums).
19	(j) The eligibility for group health insurance under this section for
20	a public safety employee who is retired or has a disability ends on the
21	earlier of the following:
22	(1) When the public safety employee becomes eligible for
23	Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.
24	(2) When the employer terminates the health insurance program
25	for active public safety employees.
26	(k) A surviving spouse's eligibility for group health insurance under
27	this section ends on the earliest of the following:
28	(1) When the surviving spouse becomes eligible for Medicare
29	coverage as prescribed by 42 U.S.C. 1395 et seq.
30	(2) When the unit providing the insurance terminates the health
31	insurance program for active public safety employees.
32	(3) The date of the surviving spouse's remarriage.
33	(4) When health insurance becomes available to the surviving
34	spouse through employment.
35	(1) A dependent's eligibility for group health insurance under this
36	section ends on the earliest of the following:
37	(1) When the dependent becomes eligible for Medicare coverage
38	as prescribed by 42 U.S.C. 1395 et seq.
39	(2) When the unit providing the insurance terminates the health
40	insurance program for active public safety employees.
41	(3) When the dependent no longer meets the criteria set forth in
42	subsection (a).



1	(4) When health insurance becomes available to the dependent
2	through employment.
3	(m) A public safety employee who is on leave without pay is entitled
4	to participate for ninety (90) days in any group health insurance
5	program maintained by the local unit public employer for active public
6	safety employees if the public safety employee pays an amount equal
7	to the total of the employer's and the employee's premiums for the
8	insurance. However, the employer may pay all or part of the employer's
9	premium for the insurance.
10	(n) A local unit public employer may provide group health
11	insurance for retired public safety employees or their spouses not
12	covered by subsections (g) through (l) and may provide group health
13	insurance that contains provisions more favorable to retired public
14	safety employees and their spouses than required by subsections (g)
15	through (1). A local unit public employer may provide group health
16	insurance to a public safety employee who is on leave without pay for
17	a longer period than required by subsection (m), and may continue to
18	pay all or a part of the employer's premium for the insurance while the
19	employee is on leave without pay.
20	SECTION 2. IC 5-10-18 IS ADDED TO THE INDIANA CODE AS
21	A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
22	1, 2019]:
23	Chapter 18. Public Safety Officer Survivor Health Coverage
24	Sec. 1. As used in this chapter, "dies in the line of duty" has the
25	meaning set forth in IC 5-10-10-2(a).
26	Sec. 2. As used in this chapter, "employer" means any of the
27	following:
28	(1) The state (as defined in IC 4-15-17-3).
29	(2) A state educational institution (as defined in
30	IC 21-7-13-32).
31	(3) A postsecondary educational institution, other than a state
32	educational institution.
33	(4) An operator (as defined in IC 5-23-2-8).
34	(5) A hospital licensed under IC 16-21-2:
35	(A) that is established and operated under IC 16-22-2.
36	IC 16-22-8, or IC 16-23; or
37	(B) that is not:
38	(i) a unit of state or local government; or
39	(ii) owned or operated by a unit of state or local
40	government.
41	(6) A school corporation (as defined in IC 20-43-1-23).
42	(7) An airport authority (as defined in IC 8-22-1-4).



1	(8) A local unit public employer located in a county containing
2	a consolidated city.
3	Sec. 3. As used in this chapter, "public safety officer" means any
4	of the following:
5	(1) An excise police officer.
6	(2) A conservation enforcement officer.
7	(3) A gaming agent or a gaming control officer of the Indiana
8	gaming commission (established by IC 4-33-3-1).
9	(4) A state educational institution police officer appointed
10	under IC 21-39-4.
11	(5) A police officer who is employed by a postsecondary
12	educational institution, other than a state educational
13	institution, located in Indiana that appoints a police officer
14	under IC 21-17-5.
15	(6) A firefighter who is employed by the fire department of a
16	state university.
17	(7) A firefighter who is employed by a postsecondary
18	educational institution, other than a state educational
19	institution, located in Indiana that:
20	(A) maintains a fire department;
21	(B) employs firefighters for the fire department; and
22	(C) is accredited by the North Central Association.
23	(8) A firefighter who is employed by an operator that enters
24	into an operating agreement under IC 5-23 for the operation
25	of a public use airport that:
26	(A) maintains a fire department; and
27	(B) employs firefighters for the fire department.
28	(9) A school corporation police officer appointed under
29	IC 20-26-16.
30	(10) A hospital police officer appointed under IC 16-18-4.
31	(11) A police officer employed under IC 8-22-3-34 by:
32	(A) a local airport authority; or
33	(B) an operator that enters into an operating agreement
34	under IC 5-23 for the operation of a public use airport.
35	(12) A park ranger who:
36	(A) completed at least the number of weeks of training at
37	the Indiana law enforcement academy or a comparable
38	law enforcement academy in another state that were
39	required at the time the park ranger attended the Indiana
40	law enforcement academy or the law enforcement academy
41	in another state;
42	(B) graduated from the Indiana law enforcement academy



1	or a comparable law enforcement academy in another
2	state; and
3	(C) is employed by a local unit public employer located in
4	a county containing a consolidated city.
5	Sec. 4. (a) If an employer of a public safety officer who dies in
6	the line of duty after December 31, 2017, offers health coverage for
7	active employees, the employer shall offer to provide and pay for
8	health coverage under the health coverage plan provided for active
9	employees for the surviving spouse and each natural child,
10	stepchild, and adopted child of the public safety officer.
11	(b) The health coverage for a surviving natural child, stepchild,
12	or adopted child of the public safety officer provided under
13	subsection (a) continues:
14	(1) until the child becomes eighteen (18) years of age;
15	(2) until the child becomes twenty-three (23) years of age, if
16	the child is:
17	(A) enrolled in and regularly attending a secondary school;
18	or
19	(B) a full-time student at an accredited college or
20	university; or
21	(3) during the entire period of the child's physical or mental
22	disability;
23	whichever period is longest.
24	(c) If the employer of a public safety officer who dies in the line
25	of duty after December 31, 2017, offers health coverage to active
26	employees, the health coverage that the employer provides to a
27	surviving spouse and each natural child, stepchild, and adopted
28	child of the public safety officer under subsection (a) must be equal
29	to that offered to active employees.
30	(d) The employer's offer to provide and pay for health coverage
31	under subsection (a) must remain open as long as the employer
32	continues to offer health coverage for active employees, and:
33	(1) the surviving spouse is eligible for the health coverage
34	under subsection (a); or
35	(2) a natural child, a stepchild, or an adopted child of the
36	public safety officer is eligible for the health coverage under
37	subsections (a) and (b).
38	SECTION 3. IC 6-1.1-31-1, AS AMENDED BY P.L.146-2008,
39	SECTION 269, IS AMENDED TO READ AS FOLLOWS
40	[EFFECTIVE JULY 1, 2019]: Sec. 1. (a) The department of local
41	government finance shall do the following:

(1) Prescribe the property tax forms and returns which taxpayers



1	are to complete and on which the taxpayers' assessments will be
2	based.
3	(2) Prescribe the forms to be used to give taxpayers notice of
4	assessment actions.
5	(3) Adopt rules concerning the assessment of tangible property.
6	(4) Develop specifications that prescribe state requirements for
7	computer software and hardware to be used by counties for
8	assessment purposes. The specifications developed under this
9	subdivision apply only to computer software and hardware
10	systems purchased for assessment purposes after July 1, 1993.
11	The specifications, including specifications in a rule or other
12	standard adopted under IC 6-1.1-31.5, must provide for:
13	(A) maintenance of data in a form that formats the information
14	in the file with the standard data, field, and record coding
15	jointly required and approved by the department of local
16	government finance and the legislative services agency;
17	(B) data export and transmission that is compatible with the
18	data export and transmission requirements in a standard format
19	prescribed by the office of technology established by
20	IC 4-13.1-2-1 and jointly approved by the department of local
21	government finance and legislative services agency; and
22	(C) maintenance of data in a manner that ensures prompt and
23	accurate transfer of data to the department of local government
24	finance and the legislative services agency, as jointly approved
25	by the department of local government finance and legislative
26	services agency.
27	(5) Adopt rules establishing criteria for the revocation of a
28	certification under IC 6-1.1-35.5-6.
29	(6) Prescribe the state address confidentiality form to be used
30	by a covered person (as defined in IC 36-1-8.5-2) under
31	IC 36-1-8.5 to restrict access to the person's address
32	maintained in a public property data base.
33	(b) The department of local government finance may adopt rules
34	that are related to property taxation or the duties or the procedures of
35	the department.
36	(c) Rules of the state board of tax commissioners are for all
37	purposes rules of the department of local government finance and the
38	Indiana board until the department and the Indiana board adopt rules
39	to repeal or supersede the rules of the state board of tax commissioners.
40	SECTION 4. IC 36-1-8.5-2, AS AMENDED BY P.L.191-2015,
41	SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2019]: Sec. 2. As used in this chapter, "covered person"



1	means:
2	(1) a judge;
3	(2) a law enforcement officer;
4	(3) a victim of domestic violence; or
5	(4) a public official; or
6	(5) the surviving spouse of a person described in subdivision
7	(2), if the person was killed in the line of duty.
8	SECTION 5. IC 36-1-8.5-5.5 IS ADDED TO THE INDIANA
9	CODE AS A NEW SECTION TO READ AS FOLLOWS
0	[EFFECTIVE JULY 1, 2019]: Sec. 5.5. As used in this chapter, "state
1	address confidentiality form" means the form prescribed by the
2	department of local government finance under IC 6-1.1-31-1(a)(6).
3	SECTION 6. IC 36-1-8.5-7, AS AMENDED BY P.L.191-2015,
4	SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5	JULY 1, 2019]: Sec. 7. (a) A covered person who wants to restrict
6	access to the covered person's home address by means of a public
7	property data base web site must submit a written request state
8	address confidentiality form to the unit that operates the public
9	property data base web site. However, the unit may accept a written
20	request from a covered person as an alternative to the state
1.0	address confidentiality form.
	(b) A unit that operates a public property data base web site, directly
22	or through a third party, shall establish a process to prevent a member
.3 24	
. 41	of the general public from gaining access to the home address of a
2.5	covered person by means of the public property data base web site.
26	(c) In establishing a process under subsection (b), a unit shall do all
27	of the following:
28	(1) Determine the forms of the written request to restrict and
.9	allow public access.
0	(2) Specify any information or verification required by the unit to
1	process the written request.
2	(3) (1) Determine which person or department of the unit will
3	receive and process the request.
4	(4) (2) Provide a method under which a covered person is notified
5	of the procedure to be used to restrict or allow disclosure of the
66	home address of the covered person under this chapter.
7	(d) A unit may charge a covered person a reasonable fee to make a
8	written request under this section.
9	SECTION 7. IC 36-1-8.5-9, AS AMENDED BY P.L.191-2015,
-0	SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
-1	JULY 1, 2019]: Sec. 9. (a) This section applies to a covered person
-2	who has submitted a written request applied for address



confidentiality	under	section	7(a`) of this	chapter.
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 (b) A unit shall restrict access to the home address of a covered person until the covered person submits a written request to the unit to allow public access to the person's home address on the public property data base web site. The unit shall take reasonable steps to verify the authenticity of the written request, including requiring the covered person to provide appropriate identification.

SECTION 8. IC 36-1-8.5-11, AS ADDED BY P.L.106-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,2019]: Sec. 11. A **state address confidentiality form,** written request, notification of name change, or any other information submitted to the unit by a covered person under this chapter is confidential under IC 5-14-3-4(a).



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 172, 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 to SB 172 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 7, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 172, 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 6, line 6, delete "June 30, 2019," and insert "**December 31, 2017,**".

Page 6, line 25, delete "June 30, 2019," and insert "**December 31, 2017,**".

Page 6, after line 37, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-31-1, AS AMENDED BY P.L.146-2008, SECTION 269, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 1. (a) The department of local government finance shall do the following:

- (1) Prescribe the property tax forms and returns which taxpayers are to complete and on which the taxpayers' assessments will be based
- (2) Prescribe the forms to be used to give taxpayers notice of assessment actions.
- (3) Adopt rules concerning the assessment of tangible property.
- (4) Develop specifications that prescribe state requirements for computer software and hardware to be used by counties for assessment purposes. The specifications developed under this subdivision apply only to computer software and hardware systems purchased for assessment purposes after July 1, 1993. The specifications, including specifications in a rule or other standard adopted under IC 6-1.1-31.5, must provide for:
 - (A) maintenance of data in a form that formats the information



in the file with the standard data, field, and record coding jointly required and approved by the department of local government finance and the legislative services agency;

- (B) data export and transmission that is compatible with the data export and transmission requirements in a standard format prescribed by the office of technology established by IC 4-13.1-2-1 and jointly approved by the department of local government finance and legislative services agency; and
- (C) maintenance of data in a manner that ensures prompt and accurate transfer of data to the department of local government finance and the legislative services agency, as jointly approved by the department of local government **finance** and legislative services agency.
- (5) Adopt rules establishing criteria for the revocation of a certification under IC 6-1.1-35.5-6.
- (6) Prescribe the state address confidentiality form to be used by a covered person (as defined in IC 36-1-8.5-2) under IC 36-1-8.5 to restrict access to the person's address maintained in a public property data base.
- (b) The department of local government finance may adopt rules that are related to property taxation or the duties or the procedures of the department.
- (c) Rules of the state board of tax commissioners are for all purposes rules of the department of local government finance and the Indiana board until the department and the Indiana board adopt rules to repeal or supersede the rules of the state board of tax commissioners.

SECTION 4. IC 36-1-8.5-2, AS AMENDED BY P.L.191-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2. As used in this chapter, "covered person" means:

- (1) a judge;
- (2) a law enforcement officer;
- (3) a victim of domestic violence; or
- (4) a public official; or
- (5) the surviving spouse of a person described in subdivision
- (2), if the person was killed in the line of duty.

SECTION 5. IC 36-1-8.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: **Sec. 5.5. As used in this chapter, "state address confidentiality form" means the form prescribed by the department of local government finance under IC 6-1.1-31-1(a)(6).**

SECTION 6. IC 36-1-8.5-7, AS AMENDED BY P.L.191-2015,



SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) A covered person who wants to restrict access to the covered person's home address by means of a public property data base web site must submit a written request state address confidentiality form to the unit that operates the public property data base web site. However, the unit may accept a written request from a covered person as an alternative to the state address confidentiality form.

- (b) A unit that operates a public property data base web site, directly or through a third party, shall establish a process to prevent a member of the general public from gaining access to the home address of a covered person by means of the public property data base web site.
- (c) In establishing a process under subsection (b), a unit shall do all of the following:
 - (1) Determine the forms of the written request to restrict and allow public access.
 - (2) Specify any information or verification required by the unit to process the written request.
 - (3) (1) Determine which person or department of the unit will receive and process the request.
 - (4) (2) Provide a method under which a covered person is notified of the procedure to be used to restrict or allow disclosure of the home address of the covered person under this chapter.
- (d) A unit may charge a covered person a reasonable fee to make a written request under this section.

SECTION 7. IC 36-1-8.5-9, AS AMENDED BY P.L.191-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 9. (a) This section applies to a covered person who has submitted a written request applied for address confidentiality under section 7(a) of this chapter.

(b) A unit shall restrict access to the home address of a covered person until the covered person submits a written request to the unit to allow public access to the person's home address on the public property data base web site. The unit shall take reasonable steps to verify the authenticity of the written request, including requiring the covered person to provide appropriate identification.

SECTION 8. IC 36-1-8.5-11, AS ADDED BY P.L.106-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 11. A **state address confidentiality form,** written request, notification of name change, or any other information



submitted to the unit by a covered person under this chapter is confidential under IC 5-14-3-4(a).".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 172 as printed January 30, 2019.)

FRYE R

Committee Vote: yeas 12, nays 0.

