

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.

SENATE ENROLLED ACT No. 172

AN ACT to amend the Indiana Code concerning state and local administration.

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

SECTION 1. IC 5-10-8-2.2, AS AMENDED BY P.L.91-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 2.2. (a) As used in this section, "dependent" means a natural child, stepchild, or adopted child of a public safety employee who:

- (1) is less than eighteen (18) years of age;
- (2) is at least eighteen (18) years of age and has a physical or mental disability (using disability guidelines established by the Social Security Administration); or
- (3) is at least eighteen (18) and less than twenty-three (23) years of age and is enrolled in and regularly attending a secondary school or is a full-time student at an accredited college or university.

(b) As used in this section, "public safety employee" means a full-time firefighter, police officer, county police officer, or sheriff.

(c) This section applies only to local unit public employers and their public safety employees.

(d) A local unit public employer may provide programs of group health insurance for its active and retired public safety employees through one (1) of the following methods:

- (1) By purchasing policies of group insurance.

SEA 172 — Concur



(2) By establishing self-insurance programs.

(3) If the local unit public employer is a school corporation, by electing to provide the coverage through a state employee health plan under section 6.7 of this chapter.

A local unit public employer may provide programs of group insurance other than group health insurance for the local unit public employer's active and retired public safety employees by purchasing policies of group insurance and by establishing self-insurance programs. However, the establishment of a self-insurance program is subject to the approval of the unit's fiscal body.

(e) A local unit public employer may pay a part of the cost of group insurance for its active and retired public safety employees. However, a local unit public employer that provides group life insurance for its active and retired public safety employees shall pay a part of the cost of that insurance.

(f) A local unit public employer may not cancel an insurance contract under this section during the policy term of the contract.

(g) After June 30, 1989, a local unit public employer that provides a group health insurance program for its active public safety employees shall also provide a group health insurance program to the following persons:

(1) Retired public safety employees.

(2) Public safety employees who are receiving disability benefits under IC 36-8-6, IC 36-8-7, IC 36-8-7.5, IC 36-8-8, or IC 36-8-10.

(3) Surviving spouses and dependents of public safety employees who die while in active service or after retirement.

(h) A public safety employee who is retired or has a disability and is eligible for group health insurance coverage under subsection (g)(1) or (g)(2):

(1) may elect to have the person's spouse, dependents, or spouse and dependents covered under the group health insurance program at the time the person retires or becomes disabled;

(2) must file a written request for insurance coverage with the employer within ninety (90) days after the person retires or begins receiving disability benefits; and

(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 to pay any part of the person's premiums).

(i) Except as provided in **IC 5-10-18**, IC 36-8-6-9.7(f), IC 36-8-6-10.1(h), IC 36-8-7-12.3(g), IC 36-8-7-12.4(j), IC 36-8-7.5-13.7(h), IC 36-8-7.5-14.1(i), IC 36-8-8-13.9(d),



IC 36-8-8-14.1(h), and IC 36-8-10-16.5 for a surviving spouse or dependent of a public safety employee who dies in the line of duty, a surviving spouse or dependent who is eligible for group health insurance under subsection (g)(3):

- (1) may elect to continue coverage under the group health insurance program after the death of the public safety employee;
- (2) must file a written request for insurance coverage with the employer within ninety (90) days after the death of the public safety employee; and
- (3) must pay the amount that the public safety employee would have been required to pay under this section for coverage selected by the surviving spouse or dependent (however, the employer may elect to pay any part of the surviving spouse's or dependents' premiums).

(j) The eligibility for group health insurance under this section for a public safety employee who is retired or has a disability ends on the earlier of the following:

- (1) When the public safety employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.
- (2) When the employer terminates the health insurance program for active public safety employees.

(k) A surviving spouse's eligibility for group health insurance under this section ends on the earliest of the following:

- (1) When the surviving spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.
- (2) When the unit providing the insurance terminates the health insurance program for active public safety employees.
- (3) The date of the surviving spouse's remarriage.
- (4) When health insurance becomes available to the surviving spouse through employment.

(l) A dependent's eligibility for group health insurance under this section ends on the earliest of the following:

- (1) When the dependent becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.
- (2) When the unit providing the insurance terminates the health insurance program for active public safety employees.
- (3) When the dependent no longer meets the criteria set forth in subsection (a).
- (4) When health insurance becomes available to the dependent through employment.

(m) A public safety employee who is on leave without pay is entitled to participate for ninety (90) days in any group health insurance



program maintained by the local unit public employer for active public safety employees if the public safety employee pays an amount equal to the total of the employer's and the employee's premiums for the insurance. However, the employer may pay all or part of the employer's premium for the insurance.

(n) A local unit public employer may provide group health insurance for retired public safety employees or their spouses not covered by subsections (g) through (l) and may provide group health insurance that contains provisions more favorable to retired public safety employees and their spouses than required by subsections (g) through (l). A local unit public employer may provide group health insurance to a public safety employee who is on leave without pay for a longer period than required by subsection (m), and may continue to pay all or a part of the employer's premium for the insurance while the employee is on leave without pay.

SECTION 2. IC 5-10-18 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]:

Chapter 18. Public Safety Officer Survivor Health Coverage

Sec. 1. As used in this chapter, "dies in the line of duty" has the meaning set forth in IC 5-10-10-2(a).

Sec. 2. As used in this chapter, "employer" means any of the following:

- (1) The state (as defined in IC 4-15-17-3).
- (2) A state educational institution (as defined in IC 21-7-13-32).
- (3) A postsecondary educational institution, other than a state educational institution.
- (4) An operator (as defined in IC 5-23-2-8).
- (5) A hospital licensed under IC 16-21-2:
 - (A) that is established and operated under IC 16-22-2, IC 16-22-8, or IC 16-23; or
 - (B) that is not:
 - (i) a unit of state or local government; or
 - (ii) owned or operated by a unit of state or local government.
- (6) A school corporation (as defined in IC 20-43-1-23).
- (7) An airport authority (as defined in IC 8-22-1-4).
- (8) A local unit public employer located in a county containing a consolidated city.

Sec. 3. As used in this chapter, "public safety officer" means any of the following:



- (1) An excise police officer.**
- (2) A conservation enforcement officer.**
- (3) A gaming agent or a gaming control officer of the Indiana gaming commission (established by IC 4-33-3-1).**
- (4) A state educational institution police officer appointed under IC 21-39-4.**
- (5) A police officer who is employed by a postsecondary educational institution, other than a state educational institution, located in Indiana that appoints a police officer under IC 21-17-5.**
- (6) A firefighter who is employed by the fire department of a state university.**
- (7) A firefighter who is employed by a postsecondary educational institution, other than a state educational institution, located in Indiana that:**
 - (A) maintains a fire department;**
 - (B) employs firefighters for the fire department; and**
 - (C) is accredited by the North Central Association.**
- (8) A firefighter who is employed by an operator that enters into an operating agreement under IC 5-23 for the operation of a public use airport that:**
 - (A) maintains a fire department; and**
 - (B) employs firefighters for the fire department.**
- (9) A school corporation police officer appointed under IC 20-26-16.**
- (10) A hospital police officer appointed under IC 16-18-4.**
- (11) A police officer employed under IC 8-22-3-34 by:**
 - (A) a local airport authority; or**
 - (B) an operator that enters into an operating agreement under IC 5-23 for the operation of a public use airport.**
- (12) A park ranger who:**
 - (A) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;**
 - (B) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and**
 - (C) is employed by a local unit public employer located in a county containing a consolidated city.**



Sec. 4. (a) If an employer of a public safety officer who dies in the line of duty after December 31, 2017, offers health coverage for active employees, the employer shall offer to provide and pay for health coverage under the health coverage plan provided for active employees for the surviving spouse and each natural child, stepchild, and adopted child of the public safety officer.

(b) The health coverage for a surviving natural child, stepchild, or adopted child of the public safety officer provided under subsection (a) continues:

- (1) until the child becomes eighteen (18) years of age;**
- (2) until the child becomes twenty-three (23) years of age, if the child is:**
 - (A) enrolled in and regularly attending a secondary school;**
 - or**
 - (B) a full-time student at an accredited college or university; or**
- (3) during the entire period of the child's physical or mental disability;**

whichever period is longest.

(c) If the employer of a public safety officer who dies in the line of duty after December 31, 2017, offers health coverage to active employees, the health coverage that the employer provides to a surviving spouse and each natural child, stepchild, and adopted child of the public safety officer under subsection (a) must be equal to that offered to active employees.

(d) The employer's offer to provide and pay for health coverage under subsection (a) must remain open as long as the employer continues to offer health coverage for active employees, and:

- (1) the surviving spouse is eligible for the health coverage under subsection (a); or**
- (2) a natural child, a stepchild, or an adopted child of the public safety officer is eligible for the health coverage under subsections (a) and (b).**

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.**

SEA 172 — Concur



(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~~

SEA 172 — Concur



(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

SEA 172 — Concur



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).



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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