



January 27, 2015

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## HOUSE BILL No. 1080

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DIGEST OF HB 1080 (Updated January 27, 2015 12:45 pm - DI 123)

**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.

**Effective:** July 1, 2015.

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**Macer, Arnold L, Lawson L**

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January 6, 2015, read first time and referred to Committee on Veterans Affairs and Public Safety.  
January 27, 2015, amended, reported — Do Pass.

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HB 1080—LS 6404/DI 102





January 27, 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.

## HOUSE BILL No. 1080

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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 or 4.9 of this**  
14 **chapter. "Dies in the line of duty" refers to a death that occurs as**  
15 **a direct result of personal injury or illness caused by an incident,**

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1 **accident, or violence that results from any action that the public**  
 2 **safety officer, in the public safety officer's capacity as a public**  
 3 **safety 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 **(25) An emergency medical services provider whose employer**  
 10 **purchases coverage under section 4.9 of this chapter.**

11 SECTION 3. IC 5-10-10-4.8 IS ADDED TO THE INDIANA CODE  
 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 13 1, 2015]: **Sec. 4.8. (a) As used in this section, "eligible emergency**  
 14 **medical services provider" means an emergency medical services**  
 15 **provider who is employed by a person that has contracted with a**  
 16 **political subdivision to provide emergency medical services for the**  
 17 **political subdivision.**

18 (b) As used in this section, "emergency medical services" has the  
 19 meaning set forth in IC 16-49-1-5.

20 (c) As used in this section, "emergency medical services  
 21 provider" has the meaning set forth in IC 16-41-10-1.

22 (d) As used in this section, "political subdivision" has the  
 23 meaning set forth in IC 36-1-2-13.

24 (e) An eligible emergency medical services provider who dies as  
 25 a direct result of personal injury or illness resulting from the  
 26 eligible emergency medical services provider's performance of  
 27 duties under a contract entered into by the emergency medical  
 28 services provider's employer to provide emergency medical  
 29 services for a political subdivision is eligible for a special death  
 30 benefit from the fund in the same manner as any other public  
 31 safety officer is eligible for a benefit from the fund.

32 SECTION 4. IC 5-10-10-4.9 IS ADDED TO THE INDIANA CODE  
 33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 34 1, 2015]: **Sec. 4.9. (a) If an employer purchases coverage for an**  
 35 **eligible emergency medical services provider, the eligible**  
 36 **emergency medical services provider is eligible for a special death**  
 37 **benefit from the fund in the same manner that any other public**  
 38 **safety officer is eligible for a special death benefit from the fund.**  
 39 **The cost of the coverage shall be one hundred dollars (\$100) for**  
 40 **each eligible emergency medical services provider annually. The**  
 41 **cost of the coverage shall be paid to the board for deposit into the**  
 42 **fund.**



1           **(b) If an employer elects to provide coverage under this section,**  
2           **the employer must purchase coverage for all eligible emergency**  
3           **medical services providers of the employer. The board shall allow**  
4           **an employer to purchase coverage by making quarterly payments**  
5           **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.

