

## **IC 5-10.1-2**

### **Chapter 2. The Federal-State Agreement**

#### **IC 5-10.1-2-1**

##### **Intent**

Sec. 1. Intent. The procedures of this article are established to provide the basic protection of the Social Security Act to public employees and their dependents and survivors on as broad a basis as is permitted by the Social Security Act.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-2**

##### **Authorization**

Sec. 2. Authorization. The state agency with the approval of the governor may enter into a federal-state agreement with the federal administrator to extend the benefits of the Social Security Act to the employees of the state and its political subdivisions.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-3**

##### **Coverage**

Sec. 3. Coverage. (a) The agreement must cover services which are performed by an employee for the state or political subdivision and which are covered by a plan which conforms to the agreement and has been approved by the state agency.

(b) The agreement may not cover services which are covered by the Social Security Act without an agreement or which may not be included in an agreement under the Social Security Act.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-4**

##### **Effective date**

Sec. 4. Effective Date. The agreement or a modification to it must contain an effective date for the coverage of services. The effective date of the agreement may not be earlier than permitted by the Social Security Act or earlier than January 1 of the year in which the agreement is entered into.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-5**

##### **Payment to Secretary of Treasury**

Sec. 5. Payment to the Secretary of Treasury. The state shall pay to the secretary of the treasury, as prescribed under the Social Security Act, contributions equal to the sum of taxes which would be imposed by the Federal Insurance Contributions Act if the act applied to services covered by the agreement.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-6**

##### **Permissible provisions**

Sec. 6. Permissible Provisions. The agreement may contain such provisions concerning coverage, benefits, contributions, effective date, modification and termination of the agreement, administrative, and other appropriate matters as the state agency and federal administrator agree upon.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-7**

##### **Termination of coverage**

Sec. 7. Termination of Coverage. Coverage by the Social Security Act may be terminated by sending a written notice of termination to the federal administrator. The termination is effective if:

- (1) the notice is filed two (2) years before the time of termination; and
- (2) the employees have been covered for five (5) years or more before the date on which the federal administrator receives the notice.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-8**

##### **Rules and regulations**

Sec. 8. Rules and Regulations. The state agency may make and publish such rules and regulations as it finds appropriate for the implementation of this article.

*As added by Acts 1977, P.L.53, SEC.1.*

#### **IC 5-10.1-2-9**

##### **Exclusion of election workers**

Sec. 9. (a) The agreement shall be modified to exclude services performed by an election official or an election worker for calendar year 2007 in which the remuneration paid for such services is less than one thousand three hundred dollars (\$1,300), and for each calendar year after 2007 in which the remuneration paid is less than the adjusted amount, as described in subsection (b), beginning with services performed in the year that this modification was mailed or delivered by other means to the Commissioner of Social Security.

(b) The one thousand three hundred dollar (\$1,300) limit on the excludable amount of remuneration paid in a calendar year for the services specified in this modification will be subject to adjustment for calendar years after 2007 to reflect changes in wages in the economy without any further modification of the agreement, with respect to such services performed during such calendar years, in accordance with Section 218(c)(8)(B) of the Social Security Act.

(c) This exclusion applies to all coverage groups of the state and its political subdivisions currently (as of the date this modification is executed), including under this agreement and to which the agreement is hereafter made applicable.

*As added by P.L.234-2007, SEC.208.*