

## **IC 5-10-11**

### **Chapter 11. State Employees' Death Benefit**

#### **IC 5-10-11-1**

##### **"Board"**

Sec. 1. As used in this chapter, "board" refers to the board of trustees of the Indiana public retirement system.

*As added by P.L.49-1989, SEC.7. Amended by P.L.35-2012, SEC.26.*

#### **IC 5-10-11-2**

##### **"Dies in the line of duty"**

Sec. 2. As used in this chapter, "dies in the line of duty" refers to a death that occurs as a direct result of personal injury or illness resulting from a state employee's performance of the duties of the employee's job.

*As added by P.L.49-1989, SEC.7.*

#### **IC 5-10-11-3**

##### **"State employee"**

Sec. 3. As used in this chapter, "state employee" means an employee of a state agency, except a state educational institution. "State employee" does not include a public safety officer who receives benefits under IC 5-10-10.

*As added by P.L.49-1989, SEC.7. Amended by P.L.2-2007, SEC.86.*

#### **IC 5-10-11-4**

##### **Establishment of program and fund**

Sec. 4. The state shall establish and operate a death benefit program for the payment of lump sum death benefits to the survivors of a state employee who dies in the line of duty. The state may provide these benefits by purchasing group life insurance or by establishing a program of self-insurance. If the state establishes a program of self-insurance, the state shall establish a fund to be managed by the board and funded by such contributions as considered necessary by the board. The board shall pay benefits out of the fund established by the state under this section.

*As added by P.L.49-1989, SEC.7. Amended by P.L.25-1994, SEC.2.*

#### **IC 5-10-11-5**

##### **Lump sum payment; dependency of children and stepchildren defined**

Sec. 5. (a) The board shall pay a death benefit of:

- (1) fifty thousand dollars (\$50,000) for a state employee who dies in the line of duty before July 1, 2013; and
- (2) one hundred thousand dollars (\$100,000) for a state employee who dies in the line of duty after June 30, 2013.

(b) The death benefit shall be paid in a lump sum as follows:

- (1) To the surviving spouse.

(2) If there is no surviving spouse, to the surviving dependent children and surviving dependent stepchildren in equal shares. For purposes of this subsection, a child or stepchild is dependent on a state employee if the state employee claimed the child or stepchild as a dependent on the federal income tax return filed by the state employee in the year before the year in which the state employee died.

*As added by P.L.49-1989, SEC.7. Amended by P.L.245-2013, SEC.1.*

**IC 5-10-11-6**

**Additional benefit**

Sec. 6. The death benefit provided by this chapter is in addition to any other benefits provided by state or federal law.

*As added by P.L.49-1989, SEC.7.*