



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 80, between lines 44 and 45, begin a new paragraph and insert:
- 2 "SECTION 45. IC 5-10-8-8, AS AMENDED BY P.L.121-2017,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2028]: Sec. 8. (a) This section applies only to the state and
- 5 employees who are not covered by a plan established under section 6
- 6 of this chapter.
- 7 (b) After June 30, 1986, the state shall provide a group health
- 8 insurance plan to each retired employee:
- 9 (1) whose retirement date is:
- 10 (A) after June 29, 1986, for a retired employee who was a
- 11 member of the field examiners' retirement fund;
- 12 (B) after May 31, 1986, for a retired employee who was a
- 13 member of the Indiana state teachers' retirement fund; or
- 14 (C) after June 30, 1986, for a retired employee not covered by
- 15 clause (A) or (B);
- 16 (2) who will have reached fifty-five (55) years of age on or before
- 17 the employee's retirement date but who will not be eligible on that
- 18 date for Medicare coverage as prescribed by 42 U.S.C. 1395 et
- 19 seq.; and
- 20 (3) who:
- 21 (A) for an employee who retires before January 1, 2007, will

- 1 have completed:
- 2 (i) twenty (20) years of creditable employment with a public
- 3 employer on or before the employee's retirement date, ten
- 4 (10) years of which shall have been completed immediately
- 5 preceding the retirement; and
- 6 (ii) at least fifteen (15) years of participation in the
- 7 retirement plan of which the employee is a member on or
- 8 before the employee's retirement date; or
- 9 (B) for an employee who retires after December 31, 2006, will
- 10 have completed fifteen (15) years of creditable employment
- 11 with a public employer on or before the employee's retirement
- 12 date, ten (10) years of which shall have been completed
- 13 immediately preceding the retirement.
- 14 (c) The state shall provide a group health insurance program to each
- 15 retired employee:
- 16 (1) who is a retired judge;
- 17 (2) whose retirement date is after June 30, 1990;
- 18 (3) who is at least sixty-two (62) years of age;
- 19 (4) who is not eligible for Medicare coverage as prescribed by 42
- 20 U.S.C. 1395 et seq.; and
- 21 (5) who has at least eight (8) years of service credit as a
- 22 participant in the Indiana judges' retirement fund, with at least
- 23 eight (8) years of that service credit completed immediately
- 24 preceding the judge's retirement.
- 25 (d) The state shall provide a group health insurance program to each
- 26 retired employee:
- 27 (1) who is a retired participant under the prosecuting attorneys
- 28 **and chief public defenders** retirement fund;
- 29 (2) whose retirement date is after January 1, 1990;
- 30 (3) who is at least sixty-two (62) years of age;
- 31 (4) who is not eligible for Medicare coverage as prescribed by 42
- 32 U.S.C. 1395 et seq.; and
- 33 (5) who has at least ten (10) years of service credit as a participant
- 34 in the prosecuting attorneys **and chief public defenders**
- 35 retirement fund, with at least ten (10) years of that service credit
- 36 completed immediately preceding the participant's retirement.
- 37 (e) The state shall make available a group health insurance program
- 38 to each former member of the general assembly or surviving spouse of
- 39 each former member, if the former member:
- 40 (1) is no longer a member of the general assembly;
- 41 (2) is not eligible for Medicare coverage as prescribed by 42
- 42 U.S.C. 1395 et seq. or, in the case of a surviving spouse, the
- 43 surviving spouse is not eligible for Medicare coverage as
- 44 prescribed by 42 U.S.C. 1395 et seq.; and
- 45 (3) has at least ten (10) years of service credit as a member in the
- 46 general assembly.

1 A former member or surviving spouse of a former member who obtains
 2 insurance under this section is responsible for paying both the
 3 employer and the employee share of the cost of the coverage.

4 (f) The group health insurance program required under subsections
 5 (b) through (e) and subsection (k) must be equal to that offered active
 6 employees. The retired employee may participate in the group health
 7 insurance program if the retired employee pays an amount equal to the
 8 employer's and the employee's premium for the group health insurance
 9 for an active employee and if the retired employee within ninety (90)
 10 days after the employee's retirement date files a written request for
 11 insurance coverage with the employer. Except as provided in
 12 subsection (l), the employer may elect to pay any part of the retired
 13 employee's premium with respect to insurance coverage under this
 14 chapter.

15 (g) Except as provided in subsection (j), a retired employee's
 16 eligibility to continue insurance under this section ends when the
 17 employee becomes eligible for Medicare coverage as prescribed by 42
 18 U.S.C. 1395 et seq., or when the employer terminates the health
 19 insurance program. A retired employee who is eligible for insurance
 20 coverage under this section may elect to have the employee's spouse
 21 covered under the health insurance program at the time the employee
 22 retires. If a retired employee's spouse pays the amount the retired
 23 employee would have been required to pay for coverage selected by the
 24 spouse, the spouse's subsequent eligibility to continue insurance under
 25 this section is not affected by the death of the retired employee. The
 26 surviving spouse's eligibility ends on the earliest of the following:

- 27 (1) When the spouse becomes eligible for Medicare coverage as
- 28 prescribed by 42 U.S.C. 1395 et seq.
- 29 (2) When the employer terminates the health insurance program.
- 30 (3) Two (2) years after the date of the employee's death.
- 31 (4) The date of the spouse's remarriage.

32 (h) This subsection does not apply to an employee who is entitled
 33 to group insurance coverage under IC 20-28-10-2(b). An employee
 34 who is on leave without pay is entitled to participate for ninety (90)
 35 days in any health insurance program maintained by the employer for
 36 active employees if the employee pays an amount equal to the total of
 37 the employer's and the employee's premiums for the insurance.

38 (i) An employer may provide group health insurance for retired
 39 employees or their spouses not covered by this section and may provide
 40 group health insurance that contains provisions more favorable to
 41 retired employees and their spouses than required by this section. A
 42 public employer may provide group health insurance to an employee
 43 who is on leave without pay for a longer period than required by
 44 subsection (h).

45 (j) An employer may elect to permit former employees and their
 46 spouses, including surviving spouses, to continue to participate in a

group health insurance program under this chapter after the former employee (who is otherwise qualified under this chapter to participate in a group insurance program) or spouse has become eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.

(k) The state shall provide a group health insurance program to each retired employee:

(1) who was employed as a teacher in a state institution under:

(A) IC 11-10-5;

(B) IC 12-24-3;

(C) IC 16-33-3;

(D) IC 16-33-4;

(E) IC 20-21-2-1; or

(F) IC 20-22-2-1;

(2) who is at least fifty-five (55) years of age on or before the employee's retirement date;

(3) who is not eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.; and

(4) who:

(A) has at least fifteen (15) years of service credit as a participant in the retirement fund of which the employee is a member on or before the employee's retirement date; or

(B) completes at least ten (10) years of service credit as a participant in the retirement fund of which the employee is a member immediately before the employee's retirement.

(l) The president pro tempore of the senate and the speaker of the house of representatives may not elect to pay any part of the premium for insurance coverage under this chapter for a former member of the general assembly or the spouse of a former member of the general assembly whose last day of service as a member of the general assembly is after July 31, 2007.

(m) This subsection applies to a former member of the general assembly:

(1) whose last day of service as a member of the general assembly was before August 1, 2007;

(2) who, upon ceasing the service described in subdivision (1), obtained group health insurance coverage as a retired employee under this chapter;

(3) whose employer elected under subsection (f) to pay any part of the retired employee premium for the group health insurance coverage; and

(4) who, after December 31, 2016, is elected to any public office through which the former member may obtain coverage under a policy or contract for basic health care services (as defined in IC 27-13-1-4).

The eligibility of the former member, and of any spouse, former spouse, or dependent of the former member, to continue the group

1 health insurance coverage described in subdivision (2) ends, and an
 2 election described in subdivision (3) is void, on the date on which the
 3 former member takes office.

4 SECTION 46. IC 5-10.3-7-1, AS AMENDED BY P.L.92-2019,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2025]: Sec. 1. (a) This section does not apply to:

7 (1) members of the general assembly; or

8 (2) employees covered by section 3 of this chapter.

9 (b) As used in this section, "employees of the state" includes:

10 (1) employees of the judicial circuits whose compensation is paid
 11 from state funds;

12 (2) elected and appointed state officers;

13 (3) ~~prosecuting attorneys and deputy prosecuting attorneys of the~~
 14 ~~judicial circuits, whose compensation is paid in whole or in part~~
 15 ~~from state funds; persons described in IC 33-39-7-8(a),~~

16 including participants in the prosecuting attorneys **and chief**
 17 **public defenders** retirement fund established under IC 33-39-7;

18 (4) employees in the classified service;

19 (5) employees of any state department, institution, board,
 20 commission, office, agency, court, or division of state government
 21 receiving state appropriations and having the authority to certify
 22 payrolls from appropriations or from a trust fund held by the
 23 treasurer of state or by any department;

24 (6) employees of any state agency that is a body politic and
 25 corporate;

26 (7) except as provided under IC 5-10.5-7-4, employees of the
 27 board of trustees of the Indiana public retirement system;

28 (8) persons who:

29 (A) are employed by the state;

30 (B) have been classified as federal employees by the United
 31 States Secretary of Agriculture; and

32 (C) are excluded from coverage as federal employees by the
 33 federal Social Security program under 42 U.S.C. 410;

34 (9) the directors and employees of county offices of family and
 35 children; and

36 (10) members and employees of the state lottery commission.

37 (c) An employee of the state or of a participating political
 38 subdivision who:

39 (1) became a full-time employee of the state or of a participating
 40 political subdivision in a covered position; and

41 (2) had not become a member of the fund;

42 before April 1, 1988, shall on April 1, 1988, become a member of the
 43 fund unless the employee is excluded from membership under section
 44 2 of this chapter.

45 (d) Except as otherwise provided, any individual who becomes a
 46 full-time employee of the state or of a participating political

subdivision in a covered position after March 31, 1988, becomes a member of the fund on the date the individual's employment begins unless the individual is excluded from membership under section 2 of this chapter.

(e) An individual:

(1) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;

(2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board to require an employee in the covered position to become a member of the fund; and

(3) who is not excluded from membership under section 2 of this chapter;

becomes a member of the fund on the date the individual's employment begins.

(f) An individual:

(1) who becomes a full-time employee of a political subdivision in a covered position after an ordinance or resolution described in subdivision (2) that is adopted by the political subdivision has been approved by the board;

(2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:

(A) to allow an employee in the covered position to become a member of the fund or a member of the public employees' defined contribution plan at the discretion of the employee; and

(B) to require an employee in a covered position to make an election under IC 5-10.3-12-20.5 in order to become a member of the plan;

(3) who does not make an election under IC 5-10.3-12-20.5 to become a member of the public employees' defined contribution plan; and

(4) who is not excluded from membership under section 2 of this chapter;

becomes a member of the fund on the date the individual's employment begins.

(g) An individual:

(1) who becomes a full-time employee of a political subdivision in a covered position after an ordinance or resolution described in subdivision (2) that is adopted by the political subdivision has been approved by the board;

(2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:

(A) to allow an employee in the covered position to become a

1 member of the fund or the public employees' defined
 2 contribution plan at the discretion of the employee; and
 3 (B) to require an employee to make an election under section
 4 1.1 of this chapter in order to become a member of the fund;
 5 (3) who does make an election under section 1.1 of this chapter to
 6 become a member of the fund; and
 7 (4) who is not excluded from membership under section 2 of this
 8 chapter;
 9 becomes a member of the fund on the date the individual's employment
 10 begins.

11 SECTION 47. IC 5-10.3-7-2, AS AMENDED BY P.L.198-2016,
 12 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2025]: Sec. 2. The following employees may not be members
 14 of the fund:

15 (1) Officials of a political subdivision elected by vote of the
 16 people, unless the governing body specifically provides for the
 17 participation of locally elected officials.

18 (2) Employees occupying positions normally requiring
 19 performance of service of less than six hundred (600) hours
 20 during a year who:

21 (A) were hired before July 1, 1982; or

22 (B) are employed by a participating school corporation.

23 (3) Independent contractors or officers or employees paid wholly
 24 on a fee basis.

25 (4) Employees who occupy positions that are covered by other
 26 pension or retirement funds or plans, maintained in whole or in
 27 part by appropriations by the state or a political subdivision,
 28 except:

29 (A) the federal Social Security program; and

30 (B) the prosecuting attorneys **and chief public defenders**
 31 retirement fund established by IC 33-39-7-9.

32 (5) Managers or employees of a license branch of the bureau of
 33 motor vehicles commission, except those persons who may be
 34 included as members under IC 9-14-10.

35 (6) Employees, except employees of a participating school
 36 corporation, hired after June 30, 1982, occupying positions
 37 normally requiring performance of service of less than one
 38 thousand (1,000) hours during a year.

39 (7) Persons who:

40 (A) are employed by the state;

41 (B) have been classified as federal employees by the Secretary
 42 of Agriculture of the United States; and

43 (C) are covered by the federal Social Security program as
 44 federal employees under 42 U.S.C. 410.

45 SECTION 48. IC 5-10.5-2-2, AS AMENDED BY P.L.27-2019,
 46 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 2. The system consists of the following public pension or retirement funds:

- (1) The public employees' retirement fund established under IC 5-10.2 and IC 5-10.3.
- (2) The public employees' defined contribution plan established under IC 5-10.3-12.
- (3) The Indiana state teachers' retirement fund established under IC 5-10.2 and IC 5-10.4.
- (4) The teachers' defined contribution plan established under IC 5-10.4-8.
- (5) The Indiana judges' retirement fund established under IC 33-38-6.
- (6) The prosecuting attorneys **and chief public defenders** retirement fund established under IC 33-39-7.
- (7) The state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement fund established under IC 5-10-5.5.
- (8) The 1977 police officers' and firefighters' pension and disability fund established under IC 36-8-8.
- (9) The legislators' retirement system established under IC 2-3.5.
- (10) The pension relief fund established under IC 5-10.3-11.
- (11) The special death benefit fund established under IC 5-10-9.8."

Page 128, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 89. IC 33-37-5-21.2, AS AMENDED BY P.L. 151-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 21.2. (a) This subsection does not apply to the following:

- (1) A criminal proceeding.
- (2) A proceeding to enforce a statute defining an infraction.
- (3) A proceeding for an ordinance violation.

In each action filed in a court described in IC 33-37-1-1 and in each small claims action in a court described in IC 33-34, the clerk shall collect a public defense administration fee of ~~five ten~~ dollars ~~(\$5)~~. **(\$10).**

(b) In each action in which a person is:

- (1) convicted of an offense;
- (2) required to pay a pretrial diversion fee;
- (3) found to have committed an infraction; or
- (4) found to have violated an ordinance;

the clerk shall collect a public defense administration fee of ~~five ten~~ dollars ~~(\$5)~~. **(\$10).**

(c) This section does not apply to a child alleged to be a delinquent child.

SECTION 90. IC 33-39-7-1 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. This chapter applies
2 only to:

- 3 (1) an individual who serves as a prosecuting attorney or chief
- 4 deputy prosecuting attorney on or after January 1, 1990; ~~and~~
- 5 (2) a participant employed in a position described in section
- 6 8(a)(2) or 8(a)(3) of this chapter who serves in the position after
- 7 June 30, 1995; **and**
- 8 **(3) a participant employed in a position described in section**
- 9 **8(a)(4) of this chapter who serves in the position on or after**
- 10 **July 1, 2025.**

11 SECTION 91. IC 33-39-7-3.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2025]: **Sec. 3.5. As used in this chapter,**
14 **"chief public defender" means the chief executive officer of a**
15 **county public defender agency who is:**

- 16 **(1) responsible for the overall management of the agency,**
- 17 **including daily administration, personnel, training, caseload**
- 18 **management, ethics, and quality control; and**
- 19 **(2) paid a salary in accordance with standards adopted by the**
- 20 **commission.**

21 **The term does not include a person who engages in the private**
22 **practice of law.**

23 SECTION 92. IC 33-39-7-3.7 IS ADDED TO THE INDIANA
24 CODE AS A NEW SECTION TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2025]: **Sec. 3.7. As used in this chapter,**
26 **"commission" refers to the Indiana commission on court appointed**
27 **attorneys established by IC 33-40-5-2.**

28 SECTION 93. IC 33-39-7-5 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. As used in this
30 chapter, "fund" refers to the prosecuting attorneys **and chief public**
31 **defenders** retirement fund established by this chapter.

32 SECTION 94. IC 33-39-7-7 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. As used in this
34 chapter, "salary" means the salary paid to a participant by the state **and**
35 **by a county or counties,** determined without regard to any salary
36 reduction agreement established under Section 125 of the Internal
37 Revenue Code. The term does not include ~~an amount paid to a~~
38 ~~participant~~ **any additional salary provided** by a county or counties
39 **under IC 36-2-5-14 or IC 36-3-6-3(c).**

40 SECTION 95. IC 33-39-7-8, AS AMENDED BY P.L.57-2014,
41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2025]: Sec. 8. (a) As used in this chapter, "services" means
43 the sum of all periods in which a person is employed as:

- 44 (1) a prosecuting attorney or chief deputy prosecuting attorney;
- 45 (2) any other deputy prosecuting attorney who is:
- 46 (A) appointed under IC 33-39-6-2; and

- (B) paid by the state from the state general fund; ~~or~~
 (3) the executive director or the assistant executive director of the
 prosecuting attorneys council of Indiana; ~~or~~
(4) a chief public defender.

If an individual is elected or appointed to a position described in subdivisions (1) through (3) and serves one (1) or more terms or part of a term, then retires from office or otherwise separates from service, but at a later period or periods is appointed or elected and serves in a position described in subdivisions (1) through (3), the individual shall pay into the fund during all the periods that the individual serves in that position, except as otherwise provided in this chapter, whether the periods are connected or disconnected. **In addition, the term includes any period of service, after December 31, 2013, in the public employees' retirement fund (IC 5-10.2 and IC 5-10.3) credited to a person described in subdivision (4) while serving in a position described in subdivision (4).**

(b) A senior prosecuting attorney appointed under IC 33-39-10-1 is not required to pay into the fund during any period of service as a senior prosecuting attorney.

SECTION 96. IC 33-39-7-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. The prosecuting attorneys **and chief public defenders** retirement fund is established. The fund consists of the following:

- (1) Each participant's contributions to the fund.
- (2) All gifts, grants, devises, and bequests in money, property, or other form made to the fund.
- (3) All interest on investments or on deposits of the funds.
- (4) A contribution or payment to the fund made in a manner provided by the general assembly.

SECTION 97. IC 33-39-7-12, AS AMENDED BY P.L.9-2024, SECTION 521, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 12. (a) Except as otherwise provided in this section, each participant shall make contributions to the fund as follows:

- (1) A participant described in section 8(a)(1) of this chapter shall make contributions of six percent (6%) of each payment of salary received for services after December 31, 1989.
- (2) A participant described in section 8(a)(2) or 8(a)(3) of this chapter shall make contributions of six percent (6%) of each payment of salary received for services after June 30, 1994.
- (3) A participant described in section 8(a)(4) of this chapter shall make contributions to the fund of six percent (6%) of each payment of salary received for services on or after July 1, 2025.**

(b) Except as provided in subsection (c), a participant's contributions shall be deducted from the participant's monthly salary

by the state comptroller and credited to the fund.

(c) The commission shall pay the contributions for a participant described in section 8(a)(4) of this chapter.

~~(b)~~ **(d)** The state may pay the contributions for a participant described in section 8(a)(1) through 8(a)(3) of this chapter. The state may elect to pay the contribution for the participant as a pickup under Section 414(h) of the Internal Revenue Code.

~~(c)~~ **(e)** After a participant has contributed to the fund as provided in subsection (a) for twenty-two (22) years, the participant is not required to make additional contributions to the fund.

~~(d)~~ **(f)** After December 31, 2011, the state comptroller shall submit the contributions paid by or on behalf of a participant under this section by electronic funds transfer in accordance with section 12.5 of this chapter.

SECTION 98. IC 33-39-7-16, AS AMENDED BY P.L.27-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) This section does not apply to a participant who becomes permanently disabled, as described in section 17 of this chapter.

(b) A participant who:

(1) applies for a retirement benefit; and

(2) is at least:

(A) sixty-five (65) years of age; or

(B) fifty-five (55) years of age and the participant's age in years plus the participant's years of service is at least eighty-five (85);

is entitled to an annual retirement benefit as calculated in subsection (c).

(c) Except as provided in subsections (d), (e), and (f), the amount of the annual retirement benefit to which a participant described in subsection (b) is entitled equals the product of:

(1) the highest annual salary that was paid to the participant before separation from service; multiplied by

(2) the percentage prescribed in the following table:

Participant's Years of Service	Percentage
Less than 8	0
8	24%
9	27%
10	30%
11	33%
12	50%
13	51%
14	52%
15	53%
16	54%

1	17	55%
2	18	56%
3	19	57%
4	20	58%
5	21	59%
6	22 or more	60%

7 If a participant has a partial year of service in addition to at least eight
8 (8) full years of service, an additional percentage is calculated under
9 this subsection by prorating between the applicable percentages, based
10 on the number of months in the partial year of service.

11 (d) Except as provided in subsections (e) and (f), and section
12 19(c)(2)(B) of this chapter, a participant who:

13 (1) applies for a retirement benefit; and
14 (2) is not described in subsection (b);
15 is entitled to receive a reduced annual retirement benefit that equals the
16 benefit that would be payable if the participant were sixty-five (65)
17 years of age reduced by one-fourth percent (0.25%) for each month that
18 the participant's age at retirement precedes the participant's sixty-fifth
19 birthday.

20 (e) Except as provided in subsection (f), benefits payable to a
21 participant under this section are reduced by the pension, if any, that:

22 (1) the participant is receiving from the public employees'
23 retirement fund, if the participant is receiving a pension from the
24 public employees' retirement fund on the date of the participant's
25 retirement from the prosecuting attorneys **and chief public**
26 **defenders** retirement fund; or

27 (2) would be payable to the participant from the public employees'
28 retirement fund if the participant had retired from the public
29 employees' retirement fund on the date of the participant's
30 retirement from the prosecuting attorneys **and chief public**
31 **defenders** retirement fund, if the participant is not receiving a
32 pension from the public employees' retirement fund on the date of
33 the participant's retirement from the prosecuting attorneys **and**
34 **chief public defenders** retirement fund.

35 Benefits payable to a participant under this section are not reduced by
36 annuity payments made to the participant from the public employees'
37 retirement fund or by postretirement increases to the pension, if any,
38 that the participant is receiving from the public employees' retirement
39 fund. A participant to whom subdivision (2) applies is entitled to a
40 recalculation of the benefits payable to the participant under this
41 section after the participant has begun receiving a pension from the
42 public employees' retirement fund based on the actual amount of the
43 pension that the participant is receiving from the public employees'
44 retirement fund.

45 (f) This subsection applies to a participant who is a member of the
46 public employees' defined contribution plan established by

1 IC 5-10.3-12-18. Benefits payable to a participant under this section are
2 reduced by the pension portion of the retirement benefit, if any, that
3 would be payable to the participant from the public employees'
4 retirement fund if the participant:

5 (1) had not made an election under IC 5-10.3-12-20 to become a
6 member of the public employees' defined contribution plan; and

7 (2) had retired from the public employees' retirement fund on the
8 date of the participant's retirement from the prosecuting attorneys
9 **and chief public defenders** retirement fund.

10 (g) If benefits payable from the public employees' retirement fund
11 exceed the benefits payable from the prosecuting attorneys **and chief**
12 **public defenders** retirement fund, the participant is entitled at
13 retirement to withdraw from the prosecuting attorneys **and chief public**
14 **defenders** retirement fund the total sum contributed plus interest at a
15 rate specified by rule by the board."

16 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 17, 2025.)

Representative Zimmerman