



February 18, 2020

ENGROSSED
SENATE BILL No. 258

DIGEST OF SB 258 (Updated February 18, 2020 12:10 pm - DI 135)

Citations Affected: IC 27-7; IC 36-8.

Synopsis: Firefighter safety. Requires the board of firefighting personnel standards and education to establish best practices to improve safety and health outcomes for firefighters. Provides that the worker's compensation rating bureau of Indiana may provide a premium or rate discount towards worker's compensation insurance to political subdivisions and volunteer fire departments that implement best practices. Provides that the board of trustees of the Indiana public retirement system may provide a discount to a payment required for the 1977 police officers' and firefighters' pension and disability fund to political subdivisions that implement best practices. Establishes the best practices fund for the purpose of providing matching grants to political subdivisions and volunteer fire departments to purchase equipment and other gear to implement best practices.

Effective: July 1, 2020.

Koch, Crider, Tomes,
Randolph Lonnie M

(HOUSE SPONSORS — FRYE R, BARTELS, KLINKER)

January 9, 2020, read first time and referred to Committee on Homeland Security and Transportation.

January 28, 2020, reported favorably — Do Pass.

January 30, 2020, read second time, ordered engrossed. Engrossed.

February 3, 2020, read third time, passed. Yeas 47, nays 0.

HOUSE ACTION

February 10, 2020, read first time and referred to Committee on Veterans Affairs and Public Safety.

February 18, 2020, reported — Do Pass.

ES 258—LS 6675/DI 132



February 18, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 258

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

- 1 SECTION 1. IC 27-7-2-4.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2020]: **Sec. 4.5. The bureau may recommend a premium or rate
4 discount for a municipal corporation purchasing or procuring
5 worker's compensation insurance under IC 22-3-2-2(c) or a
6 volunteer fire department purchasing worker's compensation
7 insurance under IC 36-8-12-10 that has implemented the best
8 practices established under IC 36-8-10.5-11.**
- 9 SECTION 2. IC 36-8-8-6, AS AMENDED BY P.L.35-2012,
10 SECTION 118, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Each employer shall annually
12 on March 31, June 30, September 30, and December 31, for the
13 calendar quarters ending on those dates, or an alternate date established
14 by the rules of the system board, pay into the 1977 fund an amount
15 determined by the system board:
16 (1) for administration expenses; and
17 (2) sufficient to maintain level cost funding during the period of

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- 1 employment on an actuarial basis for members hired after April
2 30, 1977.
- 3 (b) After December 31, 2011, each employer shall submit the
4 payments required by subsection (a) by electronic funds transfer.
- 5 (c) If an employer fails to make the payments required by subsection
6 (a) or fails to send the fund members' contributions required by section
7 8(a) of this chapter, the amount payable, on request of the system
8 board, may be withheld by the auditor of state from money payable to
9 the employer and transferred to the fund. In the alternative, the amount
10 payable may be recovered in the circuit or superior court of the county
11 in which the employer is located, in an action by the state on the
12 relation of the system board, prosecuted by the attorney general.
- 13 **(d) The system board may offer a discount to a payment under**
14 **subsection (a) to an employer that has implemented the best**
15 **practices established under IC 36-8-10.5-11.**
- 16 SECTION 3. IC 36-8-10.5-11 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2020]: **Sec. 11. (a) The education board must**
19 **establish best practices to improve safety and health outcomes for**
20 **full-time firefighters and volunteer firefighters not later than July**
21 **1, 2021.**
- 22 **(b) The best practices must include:**
- 23 **(1) a proactive health and safety risk management system**
24 **consisting of a joint employer and employee governance**
25 **structure to oversee a continuous process of identification,**
26 **evaluation, monitoring and controlling, and reporting safety**
27 **and health hazards in the workplace;**
- 28 **(2) ways to reduce firefighter risk of exposure to carcinogens;**
29 **and**
- 30 **(3) ways to prevent or reduce the risk of injuries and illness**
31 **with particular focus on causes of compensable worker's**
32 **compensation or disability claims.**
- 33 **(c) The education board shall:**
- 34 **(1) review programs established by political subdivisions and**
35 **volunteer fire departments implementing best practices under**
36 **this section; and**
- 37 **(2) either:**
- 38 **(A) provide the board of trustees of the Indiana public**
39 **retirement system established by IC 5-10.5-3-1 with a list**
40 **of political subdivisions that have implemented best**
41 **practices under this section for consideration in a discount**
42 **to a payment under IC 36-8-8-6; or**



1 **(B) provide a political subdivision or volunteer fire**
 2 **department with a letter for submission to an insurance**
 3 **company for consideration in a premium or rate discount**
 4 **toward the purchase or procurement of worker's**
 5 **compensation insurance under IC 22-3-2-2 that states that**
 6 **the political subdivision or volunteer fire department has**
 7 **implemented best practices under this section.**

8 SECTION 4. IC 36-8-10.5-12 IS ADDED TO THE INDIANA
 9 CODE AS A NEW SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) The best practices fund is**
 11 **established for the purpose of providing matching grants to**
 12 **political subdivisions and volunteer fire departments to purchase**
 13 **equipment and other gear to implement best practices established**
 14 **under section 11 of this chapter.**

15 **(b) The fund shall be administered by the education board.**

16 **(c) The fund consists of:**

17 **(1) appropriations from the general assembly; and**

18 **(2) amounts deposited from any other public or private**
 19 **source.**

20 **(d) The expenses of administering the fund shall be paid from**
 21 **money in the fund.**

22 **(e) The treasurer of state shall invest the money in the fund not**
 23 **currently needed to meet obligations of the fund in the same**
 24 **manner as other public money may be invested. Interest that**
 25 **accrues from these investments shall be deposited in the fund.**

26 **(f) Money in the fund at the end of the state fiscal year does not**
 27 **revert to the state general fund.**

28 **(g) The education board shall adopt rules under IC 4-22-2 to**
 29 **implement this section.**



COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill No. 258, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 258 as introduced.)

CRIDER, Chairperson

Committee Vote: Yeas 8, Nays 0

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 258 as printed January 29, 2020.)

FRYE R

Committee Vote: Yeas 11, Nays 0

