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HOUSE BILL No. 1188

Proposed Changes to introduced printing by AM118801

DIGEST OF PROPOSED AMENDMENT

School police pension matters. Makes changes to the definition of a "school resource officer" for provisions relating to the 1977 police officers' and firefighters' pension and disability fund (1977 fund). Provides that a school police department may participate in the 1977 fund. Establishes requirements for establishing a local board for school police departments. Provides that an appointing authority shall waive the age restriction for a school resource officer for purposes of the 1977 fund if: (1) on the date the individual applies to be appointed and hired, the individual is a veteran who has completed at least 20 years of military service; (2) the individual received or is eligible to receive a discharge from the armed forces of the United States under conditions other than certain specified conditions; and (3) the individual meets all other requirements for appointment and hiring. Provides that a school corporation or charter school that employs a school resource officer must enter into a contract or memorandum of understanding with a local law enforcement agency for the purpose of complying with the reporting and payment requirements for purposes of the 1977 fund. Makes conforming amendments.

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

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

- 1 SECTION 1. IC 10-12-5-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter is
3 intended to be a supplement to IC 10-12-3 **and IC 10-12-4** and does
4 not repeal, impair, or otherwise adversely affect the pension fund or
5 pension benefits provided for in IC 10-12-3 **and IC 10-12-4** for eligible
6 employees of the department.
7 SECTION 2. IC 10-12-5-2 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. To become eligible
9 for any supplemental benefits provided in this chapter, an employee of
10 the department must:

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- (1) be at least fifty-five (55) years of age;
- (2) have completed at least:
 - (A) twenty (20) years of service with the department, ~~or be retired by virtue of becoming fifty-five (55) years of age; if IC 10-12-3 applies to the employee; or~~
 - (B) **twenty-five (25) years of service with the department, if IC 10-12-4 applies to the employee; and**
- (3) be eligible to receive retirement benefits under IC 10-12-3 **or IC 10-12-4.**

SECTION 3. IC 10-12-5-3, AS AMENDED BY P.L.201-2023, SECTION 124, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The pension advisory board that administers the pension under IC 10-12-3 **and IC 10-12-4** shall direct and supervise the supplemental benefits provided in this chapter.

(b) The pension advisory board shall:

- (1) annually provide a schedule showing the number of retirees receiving pension benefits under IC 10-12-3 **and IC 10-12-4;** and
- (2) meet at least one (1) time each year to add to the regular pension benefit or annuity and any previously granted supplemental benefit the amount described in subsection (c), ~~or~~ **(d), (e), or (f).**

(c) This subsection applies only to a retiree **under IC 10-12-3** who is eligible for the first time under section 2 of this chapter to receive a supplemental benefit **and who retires before July 1, 2026.** The supplemental benefit referred to in subsection (b)(2) for a retiree in the first year the retiree is eligible for a supplemental benefit is the sum of:

(1) the difference between:

- (A) the retiree's pension benefit; and
- (B) the pension benefit:

(i) received by an employee retiring in that year from the department with twenty (20) years of active service **whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service; and**

(ii) computed on the day the pension advisory board meets as required under subsection (b)(2); plus

(2) any amount computed under subsection (d) after the date the retiree reaches fifty-five (55) years of age.

(d) This subsection applies to a retiree **under IC 10-12-3** who is eligible under section 2 of this chapter to receive a supplemental



benefit, but whose supplemental benefit is not computed under subsection (c). The supplemental benefit referred to in subsection (b)(2) is equal to the following:

(1) For a supplemental benefit calculated in 2026, either:

(A) if on July 1, 2026, there is no change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service, fifty percent (50%) of the difference between:

- (i) the pension benefits to be received by an employee retiring from the department with twenty (20) years of active service and whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service; and**
- (ii) the pension benefits to be received by an employee retiring from the department with twenty (20) years of active service and whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's fourth year of service; or**

(B) if the condition described in clause (A) does not apply, fifty percent (50%) of the difference between:

- (i) the pension benefits to be received by an employee retiring from the department with twenty (20) years of active service and whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service the day after a change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service; and**
- (ii) the pension benefit received by an employee retiring from the department with twenty (20) years of active service and whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's fourth year of service the day before a change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's fourth year of service.**

(2) For a supplemental benefit calculated in a year not described in subdivision (1), fifty percent (50%) of the

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1 difference between:

2 ~~(1)~~ **(A)** the pension benefits to be received by an employee
3 retiring from the department:

4 **(i)** with twenty (20) years of active service; **and**

5 **(ii) whose average monthly wage is equal to the**
6 **monthly wage received by a police employee in the**
7 **grade of trooper at the beginning of the trooper's**
8 **sixth year of service;**

9 the day after a change in the monthly wage received by a
10 police employee in the grade of trooper at the beginning of
11 the trooper's ~~fourth~~ **sixth** year of service; and

12 ~~(2)~~ **(B)** the pension benefit received by an employee retiring
13 from the department:

14 **(i)** with twenty (20) years of active service; **and**

15 **(ii) whose average monthly wage is equal to the**
16 **monthly wage received by a police employee in the**
17 **grade of trooper at the beginning of the trooper's**
18 **sixth year of service;**

19 the day before a change in the monthly wage received by a
20 police employee in the grade of trooper at the beginning of
21 the trooper's ~~fourth~~ **sixth** year of service.

22 **(e) This subsection applies to a retiree under IC 10-12-4 who**
23 **is eligible under section 2 of this chapter to receive a supplemental**
24 **benefit and who has not already received a supplemental benefit**
25 **under this subsection. The supplemental benefit referred to in**
26 **subsection (b)(2) is equal to fifty percent (50%) of the difference**
27 **between:**

28 **(1) the retiree's pension benefit; and**

29 **(2) the pension benefit:**

30 **(A) received by an employee retiring in that year from**
31 **the department with twenty-five (25) years of active**
32 **service whose average monthly wage is equal to the**
33 **monthly wage received by a police employee in the**
34 **grade of trooper at the beginning of the trooper's sixth**
35 **year of service; and**

36 **(B) computed on the day the pension advisory board**
37 **meets as required under subsection (b)(2).**

38 **For purposes of this subsection, a retiree that meets the criteria in**
39 **section 2 of this chapter may be eligible for supplemental benefits**
40 **notwithstanding the fact that the retiree received benefits under**
41 **IC 10-12-4 prior to July 1, 2026.**

42 **(f) This subsection applies to a retiree under IC 10-12-4 who**



is eligible under section 2 of this chapter to receive a supplemental benefit, but whose supplemental benefit is not computed under subsection (e). The supplemental benefit referred to in subsection (b)(2) is equal to fifty percent (50%) of the difference between:

(1) the pension benefit to be received by an employee retiring from the department:

(A) with twenty-five (25) years of active service; and

(B) whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service;

the day after a change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service; and

(2) the pension benefit received by an employee retiring from the department:

(A) with twenty-five (25) years of active service; and

(B) whose average monthly wage is equal to the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service;

the day before a change in the monthly wage received by a police employee in the grade of trooper at the beginning of the trooper's sixth year of service.

SECTION 4. IC 10-12-5-4, AS AMENDED BY P.L.1-2009, SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. **This section applies to supplemental benefits paid to employee beneficiaries receiving pension benefits under IC 10-12-3.** As an incentive to all employees of the department, the supplemental pension benefits of this chapter shall be increased by more than the increase provided in section 3(c) or 3(d) of this chapter, at the rate of a five percent (5%) per year increase for each year of active service over twenty (20) years up to thirty (30) years of service, as calculated in section 3(c) or 3(d) of this chapter.

SECTION 5. IC 10-12-5-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. **This section applies to supplemental benefits paid to employee beneficiaries receiving pension benefits under IC 10-12-4.** As an incentive to all employees of the department, the supplemental pension benefits of this chapter shall be increased by more than the increase provided in section 3(e) or 3(f) of this chapter, at the rate of a five percent (5%)



per year increase for each year of active service over twenty-five (25) years up to thirty-five (35) years of service, as calculated in section 3(e) or 3(f) of this chapter.

SECTION 6. IC 10-12-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. The supplemental pension benefits provided for in this chapter shall be paid at the same time and along with the regular pension benefits. **First time payments of and increases to supplemental pension benefits shall be paid or commence beginning in July of each year.**[

SECTION 7. IC 36-8-4.7-2, AS ADDED BY P.L.115-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this chapter, "appointing authority" means:

(1) the chief executive officer, board, or other entity of a police department with authority to appoint and hire a member of the police department; or

(2) the chief executive officer, board, or other entity of a fire department with authority to appoint and hire a member of the fire department;

(3) for purposes of a school resource officer who becomes or remains a member of the 1977 fund under IC 36-8-3(f) or IC 36-8-3(g), the governing body of a school corporation or the equivalent for a charter school; or

(4) for purposes of a school police officer, the governing body of a school corporation or the equivalent for a charter school.

SECTION 8. IC 36-8-4.7-5, AS AMENDED BY P.L.238-2025, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Notwithstanding any contrary law, an appointing authority shall waive any age restriction for a person not more than forty (40) years and six (6) months of age that applies to the appointment and hiring of an individual as:

(1) a member of the police department; or

(2) a member of the fire department; or

(3) a school resource officer (as defined in IC 36-8-2.2); if the individual meets the requirements of subsection (b).

(b) An individual who meets all the following requirements is entitled to the waiver described in subsection (a):

(1) On the date the individual applies to be appointed and hired as:

(A) a member of the police department; or

(B) a member of the fire department; or



- 1 (C) a school resource officer (as defined in
 2 IC 36-8-8-2.2);
 3 the individual is a veteran who has completed at least twenty
 4 (20) years of military service.
 5 (2) The individual received or is eligible to receive a discharge
 6 from the armed forces of the United States under conditions
 7 other than conditions set forth in IC 10-17-12-7.5(2).
 8 (3) The individual meets all other requirements for appointment
 9 and hiring as:
 10 (A) a member of the police department; or
 11 (B) a member of the fire department; or
 12 (C) a school resource officer (as defined in
 13 IC 36-8-8-2.2);
 14 including all physical requirements.
 15 (c) An individual who is entitled to the waiver described in
 16 subsection (a) is eligible to become a member of the 1977 fund.
 17 SECTION 9. IC 36-8-8-2.1, AS AMENDED BY P.L.135-2024,
 18 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2026]: Sec. 2.1. (a) As used in this chapter, "local board"
 20 means the following:
 21 (1) For a unit that established a 1925 fund for its police officers,
 22 the local board described in IC 36-8-6-2.
 23 (2) For a unit that established a 1937 fund for its firefighters, the
 24 local board described in IC 36-8-7-3.
 25 (3) For a consolidated city that established a 1953 fund for its
 26 police officers, the local board described in IC 36-8-7.5-2.
 27 (4) For a unit, other than a consolidated city, that did not
 28 establish a 1925 fund for its police officers or a 1937 fund for its
 29 firefighters, the local board described in subsection (b) or (c).
 30 (5) For an airport authority, the board of an airport authority.
 31 (6) For a school resource officer, the local board described in
 32 subdivisions (1) through (4) that manages the fund established
 33 in the unit or the consolidated city in which the:
 34 (A) territory of the school corporation; or
 35 (B) charter school;
 36 is located. However, if more than one (1) local board is
 37 applicable under this subdivision, the governing body of the
 38 school corporation or the equivalent authority for the charter
 39 school that employs or contracts to employ the school resource
 40 officer may choose the applicable local board with respect to the
 41 school resource officer.
 42 (7) For a school corporation police department established



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under IC 20-26-16, a local board designated under section 25 of this chapter.

(b) If a unit did not establish a 1925 fund for its police officers, a local board shall be composed in the same manner described in IC 36-8-6-2(b). However, if there is not a retired member of the department, no one shall be appointed to that position until such time as there is a retired member.

(c) If a unit did not establish a 1937 fund for its firefighters, a local board shall be composed in the same manner described in IC 36-8-7-3(b). However, if there is not a retired member of the department, no one shall be appointed to that position until such time as there is a retired member.

SECTION 10. IC 36-8-2.2, AS ADDED BY P.L.135-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.2. As used in this chapter, "school resource officer" **has the meaning means a law enforcement officer:**

(1) with sworn authority;

(2) who is trained in school based law enforcement and crisis response;

(3) who is assigned by a law enforcement agency to work collaboratively with one (1) or more schools; and

(4) who has satisfied the training requirements set forth in IC 20-26-18.2-1.

The term does not include a law enforcement officer employed by a school corporation police department established under IC 20-26-16.

SECTION 11. IC 36-8-3, AS AMENDED BY P.L.135-2024, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) If a town establishes a board of metropolitan police commissioners, or if a town becomes a city, the municipality shall participate in the 1977 fund and shall enroll all full-time police officers and firefighters in the 1977 fund. However, if a police officer or former marshal is a member of the public employees' retirement fund, the police officer or former marshal may continue as a member of that fund instead of the 1977 fund. Notwithstanding the age requirements under section 7(a) of this chapter, a police officer or former marshal employed by a municipality at the time the municipality enters the 1977 fund under this section shall be a member of the 1977 fund unless the police officer or former marshal elects to continue as a member of the public employees' retirement fund. A person may become a member of the 1977 fund under this subsection without meeting the age limitation under section 7(a) of this chapter



only if the person satisfies:

(1) any aptitude, physical agility, or physical and mental standards established by a local board under IC 36-8-3.2; and

(2) the minimum standards that are:

(A) adopted by the system board under section 19 of this chapter; and

(B) in effect on the date the person becomes a member of the 1977 fund.

Credit for prior service of a person who becomes a member of the 1977 fund under this subsection shall be determined under section 18 or 18.1 of this chapter. No service credit beyond that allowed under section 18 or 18.1 of this chapter may be recognized under the 1977 fund.

(b) If a unit did not establish a 1937 fund for its firefighters, the unit may participate in the public employees' retirement fund or it may participate in the 1977 fund. If a unit established a 1937 fund for its firefighters, the unit is and shall remain a participant in the 1977 fund.

(c) A unit that:

(1) has not established a pension fund for its firefighters; or

(2) is participating in the public employees' retirement fund under subsection (b);

may participate in the 1977 fund upon approval by the fiscal body, notwithstanding IC 5-10.3-6-8. A unit that participates in the 1977 fund under this subsection must comply with section 21 of this chapter. However, if a police officer or firefighter is a member of the public employees' retirement fund, the police officer or firefighter may continue as a member of that fund instead of the 1977 fund.

(d) If a unit that participates in the 1977 fund provides longevity increases, the amount of the longevity increase provided in a year must be greater than or equal to the amount of the longevity increase provided in the previous year.

(e) An airport authority may participate in the 1977 fund. An airport authority that participates in the 1977 fund under this subsection must comply with section 21 of this chapter. However, if a police officer or firefighter is a member of the public employees' retirement fund, the police officer or firefighter may continue as a member of that fund instead of the 1977 fund.

(f) A school corporation or charter school that:

(1) employs a school resource officer; or

(2) enters into a contract or memorandum of understanding with a local law enforcement agency to employ a school resource officer;

(A) local law enforcement agency;



~~(B) private entity; or~~
~~(C) nonprofit corporation;~~
~~to employ a school resource officer;~~
 may **allow the school resource officer to** participate in the 1977 fund.
 A school corporation or charter school that ~~participates in the 1977~~
~~fund~~ **employs a school resource officer** under this subsection or
 subsection (g) must comply with section 21.5 of this chapter **and must**
enter into a contract or memorandum of understanding with a
local law enforcement agency for the purpose of complying with
the reporting and payment requirements under sections 6 and 6.5
of this chapter. However, if a school resource officer is a member of
 the public employees' retirement fund, the school resource officer may
 continue as a member of that fund instead of the 1977 fund.

(g) A school resource officer hired or rehired after June 30, 2024,
 who is a member of the 1977 fund shall remain in the 1977 fund.

(h) A school corporation or charter school that establishes a
school police department under IC 20-26-16 may participate in the
1977 fund. For purposes of this chapter, the term "police officer"
includes a school police officer who is a member of a school
corporation or charter school police department that participates
in the 1977 fund. Notwithstanding the age requirements under
section 7(a) of this chapter, a school police officer employed by a
school corporation or charter school at the time the school
corporation or charter school enters the 1977 fund under this
section shall be a member of the 1977 fund unless the school
corporation or charter school elects to continue the school police
officer as a member of the public employees' retirement fund. A
school police officer may become a member of the 1977 fund under
this subsection without meeting the age limitation under section
7(a) of this chapter only if the school police officer satisfies:

(1) any aptitude, physical agility, or physical and mental
standards established by a local board under IC 36-8-3.2;
and

(2) the minimum standards that are:

(A) adopted by the system board under section 19 of this
chapter; and

(B) in effect on the date the school police officer becomes
a member of the 1977 fund.

Credit for prior service of a school police officer who becomes a
member of the 1977 fund under this subsection shall be determined
under section 18 or 18.1 of this chapter. No service credit beyond
that allowed under section 18 or 18.1 of this chapter may be



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recognized under the 1977 fund.

SECTION 12. IC 36-8-8-7, AS AMENDED BY P.L.102-2023, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to IC 36-8-4.7 and except as provided in subsections (d), (e), (f), (g), (h), (k), (l), and (m), a police officer or a firefighter who:

- (1) is less than forty (40) years of age; and
- (2) passes the baseline statewide physical and mental examinations required under section 19 of this chapter;

shall be a member of the 1977 fund and is not a member of the 1925 fund, the 1937 fund, or the 1953 fund.

(b) A police officer or firefighter with service before May 1, 1977, who is hired or rehired after April 30, 1977, may receive credit under this chapter for service as a police officer or firefighter prior to entry into the 1977 fund if the employer who rehires the police officer or firefighter chooses to contribute to the 1977 fund the amount necessary to amortize the police officer's or firefighter's prior service liability over a period of not more than thirty (30) years, the amount and the period to be determined by the system board. If the employer chooses to make the contributions, the police officer or firefighter is entitled to receive credit for the police officer's or firefighter's prior years of service without making contributions to the 1977 fund for that prior service. In no event may a police officer or firefighter receive credit for prior years of service if the police officer or firefighter is receiving a benefit or is entitled to receive a benefit in the future from any other public pension plan with respect to the prior years of service.

(c) Except as provided in section 18 of this chapter, a police officer or firefighter is entitled to credit for all years of service after April 30, 1977, with the police or fire department of an employer covered by this chapter.

(d) A police officer or firefighter with twenty (20) years of service does not become a member of the 1977 fund and is not covered by this chapter, if the police officer or firefighter:

- (1) was hired before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981); and
- (3) is rehired after April 30, 1977, by the same employer.

(e) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

- (1) was hired before May 1, 1977;
- (2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both



of which were repealed September 1, 1981);

(3) was rehired after April 30, 1977, but before February 1, 1979; and

(4) was made, before February 1, 1979, a member of a 1925, 1937, or 1953 fund.

(f) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

(1) was hired by the police or fire department of a unit before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);

(3) is rehired by the police or fire department of another unit after December 31, 1981; and

(4) is made, by the fiscal body of the other unit after December 31, 1981, a member of a 1925, 1937, or 1953 fund of the other unit.

If the police officer or firefighter is made a member of a 1925, 1937, or 1953 fund, the police officer or firefighter is entitled to receive credit for all the police officer's or firefighter's years of service, including years before January 1, 1982.

(g) As used in this subsection, "emergency medical services" and "emergency medical technician" have the meanings set forth in IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:

(1) is employed by a unit that is participating in the 1977 fund;

(2) was employed as an emergency medical technician by a political subdivision wholly or partially within the department's jurisdiction;

(3) was a member of the public employees' retirement fund during the employment described in subdivision (2); and

(4) ceased employment with the political subdivision and was hired by the unit's fire department due to the reorganization of emergency medical services within the department's jurisdiction;

shall participate in the 1977 fund. A firefighter who participates in the 1977 fund under this subsection is subject to sections 18 and 21 of this chapter.

(h) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the individual was appointed as:

(1) a fire chief under a waiver under IC 36-8-4-6(c); or

(2) a police chief under a waiver under IC 36-8-4-6.5(c);

unless the executive of the unit requests that the 1977 fund accept the



individual in the 1977 fund and the individual previously was a member of the 1977 fund.

(i) A police matron hired or rehired after April 30, 1977, and before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996, is a member of the 1977 fund.

(j) A park ranger who:

(1) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;

(2) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and

(3) is employed by the parks department of a city having a population of more than one hundred ten thousand (110,000) and less than one hundred fifty thousand (150,000);

is a member of the fund.

(k) Notwithstanding any other provision of this chapter, a police officer or firefighter:

(1) who is a member of the 1977 fund before a consolidation under IC 36-3-1-5.1 or IC 36-3-1-6.1;

(2) whose employer is consolidated into the consolidated law enforcement department or the fire department of a consolidated city under IC 36-3-1-5.1 or IC 36-3-1-6.1; and

(3) who, after the consolidation, becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(l) Notwithstanding any other provision of this chapter, if:

(1) before a consolidation under IC 8-22-3-11.6, a police officer or firefighter provides law enforcement services or fire protection services for an entity in a consolidated city;

(2) the provision of those services is consolidated into the law enforcement department or fire department of a consolidated city; and

(3) after the consolidation, the police officer or firefighter becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 8-22-3-11.6;

the police officer or firefighter is a member of the 1977 fund without



meeting the requirements under sections 19 and 21 of this chapter.

(m) A police officer or firefighter who is a member of the 1977 fund under subsection (k) or (l) may not be:

(1) retired for purposes of section 10 of this chapter; or

(2) disabled for purposes of section 12 of this chapter;

solely because of a change in employer under the consolidation.

(n) Notwithstanding any other provision of this chapter and subject to subsection (o), a police officer, **school resource officer**, or firefighter who:

(1) is an active member of the 1977 fund with an employer that participates in the 1977 fund;

(2) separates from that employer; and

(3) not later than one hundred eighty (180) days after the date of the separation described in subdivision (2), becomes employed as a full-time police officer, **school resource officer**, or firefighter with the same or a second employer that participates in the 1977 fund;

is a member of the 1977 fund without meeting for a second time the age limitation under subsection (a) and the requirements under sections 19 and 21 of this chapter. A police officer, **school resource officer**, or firefighter to whom this subsection applies is entitled to receive credit for all years of 1977 fund covered service as a police officer, **school resource officer**, or firefighter with all employers that participate in the 1977 fund.

(o) The one hundred eighty (180) day limitation described in subsection (n)(3) does not apply to a member of the 1977 fund who is eligible for reinstatement under IC 36-8-4-11.

(p) Notwithstanding any other provision of this chapter, a veteran who is:

(1) described in IC 36-8-4.7; and

(2) employed as a firefighter, **or** police officer, **or** **school resource officer**;

is a member of the 1977 fund.

(q) Notwithstanding any other provision of this chapter and except as provided in subsection (o), a police officer, **school resource officer**, or firefighter who:

(1) is an active member of the 1977 fund with an employer that participates in the 1977 fund;

(2) separates from that employer; and

(3) more than one hundred eighty (180) days after the date of the separation described in subdivision (2), becomes employed as a full-time police officer, **school resource officer**, or firefighter



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with the same or a second employer that participates in the 1977 fund;

is a member of the 1977 fund without meeting the age limitation under subsection (a) provided the member can accrue twenty (20) years of service credit in the 1977 fund by the time the **police officer, school resource officer, or firefighter** becomes sixty (60) years of age. A **police officer, school resource officer, or firefighter** who participates in the 1977 fund under this subsection must pass the baseline statewide physical and mental examination under section 19 of this chapter. A **police officer, school resource officer, or firefighter** to whom this subsection applies is entitled to receive credit for all years of 1977 fund covered service as a **police officer, school resource officer, or firefighter** with all employers that participate in the 1977 fund.

SECTION 13. IC 36-8-8-21.5, AS ADDED BY P.L.135-2024, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 21.5. (a) This section applies to a school resource officer that becomes or remains a member of the 1977 fund under section 3(f) or 3(g) of this chapter.

(b) A school resource officer is a member of the 1977 fund if the school resource officer:

(1) **subject to IC 36-8-4.7-5**, meets the age limitation under section 7(a) of this chapter;

(2) passes the baseline statewide physical and mental examinations required under section 19 of this chapter; and

(3) meets the training requirements under IC 20-26-18.2-1.

(c) Credit for prior service of a school resource officer who becomes a member of the 1977 fund under this section shall be determined under section 18 or 18.1 of this chapter. No service credit beyond that allowed under section 18 or 18.1 of this chapter may be recognized under the 1977 fund.

SECTION 14. IC 36-8-8-25 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 25. (a) This section applies to a **school corporation police department established under IC 20-26-16**.

(b) The governing body of one (1) or more school corporations, or the equivalent for a charter school, may designate either of the following as the local board for a school corporation police department:

(1) A local board described in section 2.1(a)(1), 2.1(a)(3), or 2.1(a)(4) of this chapter.

(2) A board of trustees established under subsection (c).



1 (c) If the governing body of one (1) or more school
 2 corporations, or the equivalent for a charter school, designates a
 3 board of trustees under subsection (b)(2) to serve as the local
 4 board, the following apply:

5 (1) Except as otherwise provided in this subdivision, the
 6 board of trustees must consist of at least seven (7) but not
 7 more than nine (9) trustees, as follows:

8 (A) A school superintendent or the school
 9 superintendent's designee, a school fiscal officer or the
 10 school fiscal officer's designee, and a police chief of a
 11 participating school police department, who are ex
 12 officio voting members of the board of trustees.

13 (B) One (1) retired member of a participating school
 14 police department. However, if there is not a retired
 15 member of a participating school police department, no
 16 one shall be appointed under this subdivision until such
 17 time as there is a retired member.

18 (C) At least three (3) but not more than five (5) active
 19 members of a participating police department.

20 However, for a board of trustees established under this
 21 subsection where there are not sufficient members of a
 22 school police department to appoint a local board of trustees
 23 under this subsection consisting of at least five (5) trustees,
 24 the local board of trustees appointed under this subsection
 25 may be composed of three (3) trustees, those being the
 26 superintendent or the superintendent's designee, the school
 27 fiscal officer or the school fiscal officer's designee, and the
 28 school police department chief. The trustees are selected in
 29 a manner prescribed by the governing body for a school
 30 corporation or the equivalent for a charter school. If the
 31 board of trustees will manage two (2) or more school police
 32 departments, the members shall be selected in a manner
 33 agreed upon by the participating school corporations or
 34 charter schools. The trustees shall serve at the pleasure of
 35 the appointing authority.

36 (2) A majority of all the trustees constitutes a quorum for the
 37 transaction of business.

38 (3) The trustees receive no pay for their services.

39 (4) The board of trustees may make all necessary bylaws for:

40 (A) meetings of the trustees;

41 (B) all matters connected with the care, preservation,
 42 and disbursement of the fund; and



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1 (C) all other matters connected with the proper
2 execution of this chapter.
3 (5) For purposes of IC 36-8-6-3, the school superintendent or
4 the school superintendent's designee described in subdivision
5 (1)(A) is considered the president, and the school fiscal
6 officer or the school fiscal officer's designee described in
7 subdivision (1)(A) is considered the treasurer.
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