

**AMENDMENT TWO TO THE
STATE OF INDIANA DEFERRED
COMPENSATION PLAN**

WHEREAS, the State of Indiana Deferred Compensation Plan ("Plan") was most recently amended and restated effective January 1, 2023; and

WHEREAS, the Administrator has reserved the right to amend the Plan in certain respects pursuant to Article XVII of the Plan.

NOW, THEREFORE,

1. Section 1.02 of the Plan is amended and restated, effective July 1, 2023, to provide in its entirety as follows:

1.02 "Administrator" means the Comptroller of the State of Indiana, or such other agency or department appointed pursuant to IC 5-10-1.1-5(a), and includes the Service Manager with regard to functions delegated to the Service Manager.

2. Section 1.09 of the Plan is amended and restated, effective January 1, 2023, to provide in its entirety as follows:

1.09 "Employee" means any individual who performs services for an Employer for Compensation on a regular basis, specifically including any salaried employee or elected or appointed official. Except Senior Judges appointed under IC 33-24-3-7, employees in positions not covered by the regular retirement plan of the Employer will not be considered "Employees" unless otherwise specifically provided by an Adoption Agreement for that Employer.

3. Section 1.14 of the Plan is amended and restated, effective January 1, 2023, to provide in its entirety as follows:

1.14 "Participant" means an Employee or former Employee who participates or participated under this Plan by signing a Participation Agreement and by maintaining an Account balance.

4. Section 1.27 of the Plan shall be deleted from the Plan effective January 1, 2023.

IN WITNESS WHEREOF, the undersigned has executed this Amendment Two to the State of Indiana Deferred Compensation Plan on the date indicated.

10/16/2023
Date

Tera K. Klutz
Tera K. Klutz, Comptroller of State,
as Administrator of the Plan