



1977 Fund First-Class Officer (FCO) Certified Salary Governing Legislation

All referenced codes are available online at the Indiana General Assembly website at [IGA | 2025 Indiana Code](#) or Indiana Administrative code at [Indiana Administrative Code – Title 35 Board of Trustees of the Indiana Public Retirement System](#). These sites include House Enrolled Acts/House Bills (HEA/HB) and Senate Enrolled Acts/Senate Bills (SEA/SB).

Overview

[IC 36-8-8-6.5](#) and [35 IAC 2-7-1](#) require that City Controllers and City Clerk-Treasurers certify annually, on or before January 1 each year, the salary of a first-class patrolman or firefighter for that calendar year. The information will be used in determining member and employer contributions, member retirements, and in auditing and posting accounts. It will also aid in identifying proper withholdings and payments.

Additionally, SEA 396 added a new provision to [IC 36-8-8-3](#) regarding longevity increases. [IC 36-8-8-3\(d\)](#) specifies that if a unit provides longevity increases, then the amount of the longevity increase provided in that year must be greater than or equal to the amount of the longevity increase provided in the previous year.

Through changes made by SEA 396 in 2021, [IC 36-8-8-6.5](#) now requires that if the system board requests that an employer submit the salary of a first-class patrolman or first-class firefighter, the employer must submit the requested salary to the system board not more than thirty (30) days after the system board makes the request. Further, if the employer substantially increases the salary of a first-class patrolman or first-class firefighter, the system board may require the employer to at least maintain that salary to avoid a negative fiscal impact.

[IC 36-8-1-11](#) "Salary of a first class patrolman or first class firefighter"; longevity increases; certified salary

Sec. 11. (a) "Salary of a first class patrolman or first class firefighter" means the highest nonpromoted salary of a patrolman or firefighter plus all longevity increases, if provided by the employer, for:

- (1) service of not more than twenty (20) years; or
- (2) service of more than twenty (20) years **but not more than** twenty-five (25) years if provided as a result of the meet and confer process under [IC 36-8-22](#);

but does not include remuneration or allowances for fringe benefits, incentive pay, holiday pay, insurance, clothing, automobiles, firearms, education, overtime, or compensatory time off.

(b) This subsection applies if a salary certified under [IC 36-8-8-6.5](#) is greater than the salary of a first class patrolman or first class firefighter under subsection (a). An employer may not increase the salary certified under [IC 36-8-8-6.5](#) unless the salary of a first class patrolman or first class firefighter under subsection (a) exceeds the employer's most recent salary certified. If an employer certifies a new salary under [IC 36-8-8-6.5](#), the new certified salary must be equal to the salary of a first class patrolman or first class firefighter under subsection (a). Subsection (a) does not require an employer to decrease the certified salary of a first class patrolman or first class firefighter in effect on May 14, 2021.

IC 36-8-8-3 Participation by units; longevity increases; participation by airport authorities; participation by a school corporation or charter school

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:
 - (A) local law enforcement agency;
 - (B) private entity; or

(C) nonprofit corporation;

to employ a school resource officer;

may participate in the 1977 fund. A school corporation or charter school that participates in the 1977 fund under this subsection or subsection (g) must comply with section 21.5 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.

IC 36-8-8-6.5 Submission of salary

Sec. 6.5. (a) An employer shall annually submit to the system board before January 1 the salary of a first class patrolman or first class firefighter.

(b) If the system board requests that an employer submit the salary of a first class patrolman or first class firefighter, the employer must submit the requested salary to the system board not more than thirty (30) days after the system board makes the request.

(c) The submissions in subsections (a) and (b) must be made through a secure connection over the Internet or through other electronic means specified by the system board.

(d) If an employer substantially increases the salary of a first class patrolman or first class firefighter, the system board may require the employer to at least maintain that salary to avoid a negative fiscal impact.