



Reprinted
February 25, 2020

ENGROSSED

HOUSE BILL No. 1173

DIGEST OF HB 1173 (Updated February 24, 2020 4:01 pm - DI 123)

Citations Affected: IC 10-17; IC 25-25; IC 27-8.

Synopsis: Indiana department of veterans' affairs. Requires certain veterans' affairs service officers (officers) to be a resident of Indiana or to become a resident of Indiana not more than six months after the officer's start date and to: (1) be an honorably discharged veteran with at least six months of active service in the armed forces of the United States; or (2) be a service officer assistant (assistant) with at least two years of experience. Requires an assistant to be a resident of Indiana or become a resident of Indiana not later than six months after the assistant's start date and to: (1) satisfy certain officer eligibility
(Continued next page)

Effective: July 1, 2020.

Frye R, Judy, Zent, Macer

(SENATE SPONSORS — TOMES, CRIDER, RANDOLPH LONNIE M)

January 8, 2020, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 14, 2020, amended, reported — Do Pass.

January 16, 2020, read second time, ordered engrossed. Engrossed.

January 21, 2020, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 5, 2020, read first time and referred to Committee on Veterans Affairs and The Military.

February 18, 2020, amended, reported favorably — Do Pass.

February 24, 2020, read second time, amended, ordered engrossed.

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Digest Continued

requirements; or (2) be the spouse, surviving spouse, parent, or child of an officer that satisfies certain eligibility requirements. Allows county recorders to keep an electronic record of discharges. Requires the department of veterans' affairs (department) to develop a process concerning the release of discharge records by county recorders. Provides the department with rulemaking authority, including emergency rulemaking authority, for the purpose of developing and implementing a discharge record process. Revises certain program eligibility provisions to reference participants more precisely. Repeals statutes related to unused programs. Makes technical changes.

EH 1173—LS 6825/DI 92



Reprinted
February 25, 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 HOUSE BILL No. 1173

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

- 1 SECTION 1. IC 10-17-1-4, AS AMENDED BY P.L.108-2016,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 4. The commission shall do acts necessary or
4 reasonably incident to the fulfillment of the purposes of this chapter,
5 including the following:
6 (1) Adopt rules under IC 4-22-2 to administer this chapter.
7 (2) Advise the veterans' state service officer in problems
8 concerning the welfare of veterans.
9 (3) Determine general administrative policies within the
10 department.
11 (4) Establish standards for certification of **state**, county, and city
12 service officers.
13 (5) Establish and administer a written examination for renewal of
14 the certification of county and city service officers.
15 (6) Submit, not later than December 31 of each year, an annual
16 report to the legislative council in an electronic format under
17 IC 5-14-6 and to the governor concerning the welfare of veterans.

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1 SECTION 2. IC 10-17-1-5, AS AMENDED BY P.L.144-2007,
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2020]: Sec. 5. (a) The position of director of veterans' affairs
 4 is established. The governor shall appoint the director for a four (4)
 5 year term. However, the term of office of the director terminates when
 6 the term of office of the governor terminates or when a successor to the
 7 director is appointed and qualified. The director must be:

- 8 (1) an honorably discharged veteran who has at least six (6)
 9 months active service in the armed forces of the United States;
 10 and
 11 (2) a citizen of Indiana and a resident of Indiana for at least ~~five~~
 12 **(5) two (2) cumulative** years ~~immediately~~ preceding the director's
 13 appointment.

14 (b) The director is entitled to reimbursement for necessary traveling
 15 and other expenses.

16 (c) The governor may remove the director if the governor considers
 17 the director guilty of misconduct, incapability, or neglect of duty.

18 (d) The governor shall appoint an assistant director of veterans'
 19 affairs. The assistant director is entitled to receive reimbursement for
 20 necessary traveling and other expenses. The assistant director has the
 21 same qualifications as the director of veterans' affairs and shall assist
 22 the director in carrying out this chapter.

23 SECTION 3. IC 10-17-1-6, AS AMENDED BY P.L.136-2014,
 24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2020]: Sec. 6. (a) The director of veterans' affairs:

- 26 (1) is the executive and administrative head of the Indiana
 27 department of veterans' affairs; and
 28 (2) shall direct and supervise the administrative and technical
 29 activities of the department;

30 subject to the general supervision of the commission.

31 (b) The duties of the director include the following:

- 32 (1) To attend all meetings of the commission and to act as
 33 secretary and keep minutes of the commission's proceedings.
 34 (2) To appoint the employees of the department necessary to carry
 35 out this chapter and to fix the compensation of the employees.
 36 Employees of the department must qualify for the job concerned.
 37 (3) To carry out the program for veterans' affairs as directed by
 38 the governor and the commission.
 39 (4) To carry on field direction, inspection, and coordination of
 40 county and city service officers as provided in this chapter.
 41 (5) To prepare and conduct service officer training schools with
 42 the voluntary aid and assistance of the service staffs of the major



- 1 veterans' organizations.
- 2 (6) To maintain an information bulletin service to county and city
- 3 service officers for the necessary dissemination of material
- 4 pertaining to all phases of veterans' rehabilitation and service
- 5 work, including information necessary to inform veterans of the
- 6 provisions of IC 22-9-10.
- 7 (7) To perform the duties described in IC 10-17-11 for the Indiana
- 8 state veterans' cemetery.
- 9 (8) To perform the duties described in IC 10-17-12 for the
- 10 military family relief fund.
- 11 (9) To establish a program and set guidelines under which a
- 12 medal of honor ~~awardee~~ **recipient** may receive compensation
- 13 when attending and participating in official ceremonies.
- 14 SECTION 4. IC 10-17-1-9, AS AMENDED BY P.L.108-2016,
- 15 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 16 JULY 1, 2020]: Sec. 9. (a) A county executive:
- 17 (1) shall designate and may:
- 18 (A) appoint a county service officer for a four (4) year term; or
- 19 (B) employ a county service officer; and
- 20 (2) may employ service officer assistants;
- 21 to serve the veterans of the county.
- 22 (b) The mayor of a city may employ a service officer and may
- 23 employ service officer assistants to serve the veterans of the city.
- 24 (c) If the remuneration and expenses of a county or city service
- 25 officer are paid from the funds of the county or city employing the
- 26 service officer, the service officer shall:
- 27 (1) ~~have the same qualifications and be subject to the same rules~~
- 28 ~~as the director; assistant director; and state service officers of the~~
- 29 ~~Indiana department of veterans' affairs; be:~~
- 30 (A) **an honorably discharged veteran who has at least six**
- 31 **(6) months of active service in the armed forces of the**
- 32 **United States; or**
- 33 (B) **a service officer assistant with not less than two (2)**
- 34 **years of experience;**
- 35 **(2) be a resident of Indiana or become a resident of Indiana**
- 36 **not more than six (6) months after the service officer's start**
- 37 **date; and**
- 38 ~~(2)~~ **(3) serve under the supervision of the director of veterans'**
- 39 **affairs.**
- 40 **(d) A service officer assistant must be a resident of Indiana or**
- 41 **become a resident of Indiana not later than six (6) months after the**
- 42 **service officer assistant's start date and:**



1 **(1) satisfy the requirements specified in subsection (c)(1); or**
 2 **(2) be the spouse, surviving spouse, parent, or child of a**
 3 **person who satisfies the requirements specified in subsection**
 4 **(c)(1).**

5 have the same qualifications as an employee described in section 11(b)
 6 of this chapter.

7 (e) A rule contrary to ~~this~~ subsection (c) or (d) is void.

8 ~~(d)~~ (f) County and city fiscal bodies may appropriate funds
 9 necessary for the purposes described in this section.

10 SECTION 5. IC 10-17-1-10, AS AMENDED BY P.L.99-2016,
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2020]: Sec. 10. (a) Within thirty (30) days of their
 13 appointment, new county, or city service officers must attend a new
 14 service officer orientation presented by the Indiana department of
 15 veterans' affairs and, according to the standards established under
 16 section 4(4) of this chapter, become certified to assist veterans and
 17 their dependents and survivors. The curriculum for the new service
 18 officer orientation presented under this subsection shall be determined
 19 by the director.

20 (b) Within one (1) year of appointment, new service officers must
 21 attend a course presented by a national organization and become
 22 accredited to represent veterans.

23 (c) An individual employed as a **state**, county, or city service officer
 24 under this chapter is required to become accredited by a national
 25 veterans service organization through the United States Department of
 26 Veterans Affairs Office of General Counsel not later than one (1) year
 27 from the date of **the** individual's employment, in order to represent
 28 veterans.

29 (d) Annually, all **state**, county, or city service officers shall undergo
 30 a course of training to adequately address problems of discharged
 31 veterans in the service officer's county, or city, including a thorough
 32 familiarization with laws, rules, and regulations of the federal
 33 government and the state that affect benefits to which the veterans and
 34 dependents of the veterans are entitled. After a service officer has
 35 undergone this sustainment training and successfully passed a written
 36 test, the service officer shall be recertified by the director to assist
 37 veterans for the following year.

38 SECTION 6. IC 10-17-2-1 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) To provide a
 40 special and permanent record of discharges from a branch of the
 41 military service of the United States of members of a branch of the
 42 service who are residents of Indiana, the county recorder shall **do**



1 **either of the following:**

2 (1) Procure a sufficiently large and well bound book of good
3 material in which the county recorder shall record all discharges.

4 (2) **Preserve discharges received by the recorder in an**
5 **electronic format that may be accessed in the office of the**
6 **recorder and store paper copies or microfilm of the**
7 **discharges at a secure offsite location from which the paper**
8 **copies or microfilm may be retrieved as necessary.**

9 (b) **The county recorder shall annually test the reliability of**
10 **hardware and software used to provide electronic access to**
11 **discharges preserved under subsection (a)(2).**

12 SECTION 7. IC 10-17-2-2 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A book providing for
14 the recording of discharges from the army, navy, or any other branch
15 of the service must consist of printed forms in blank, similar to and in
16 conformity with the wording of the forms of discharge used by the
17 United States government, the size of type being reduced to permit the
18 printing of the form of the discharge on one (1) page of the record.
19 Each book must be provided with an alphabetical index. **The**
20 **standards imposed by this section apply to the preservation of**
21 **discharges in an electronic format under section 1(a)(2) of this**
22 **chapter.**

23 SECTION 8. IC 10-17-2-4, AS AMENDED BY P.L.103-2016,
24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2020]: Sec. 4. (a) As used in this section, "photographic
26 identification" means an identification document that:

27 (1) shows the name of the individual to whom the document was
28 issued;

29 (2) shows a photograph of the individual to whom the document
30 was issued;

31 (3) includes an expiration date indicating that the document has
32 not expired; and

33 (4) was issued by the United States or a state or territory of the
34 United States.

35 (b) A discharge record is not a public record under IC 5-14-3. A
36 county recorder ~~may~~ **shall** provide a certified copy of a discharge
37 record ~~only to~~ **at the request of** the following persons:

38 (1) The veteran who is the subject of the discharge record if the
39 veteran provides photographic identification.

40 (2) A person who provides photographic identification that
41 identifies the person as a **state**, county, or city service officer.

42 (3) A person who provides photographic identification that



1 identifies the person as an employee of the Indiana department of
2 veterans' affairs.

3 (4) A person who:

4 (A) is a funeral director licensed under IC 25-15; and

5 (B) assists with the burial of the veteran who is the subject of
6 the discharge record;

7 if the person provides photographic identification and the person's
8 funeral director license.

9 (5) If the veteran who is the subject of the discharge record is
10 deceased, the spouse or next of kin of the deceased, if the spouse
11 or next of kin provides photographic identification and a copy of
12 the veteran's death certificate.

13 (6) The following persons, if the person provides photographic
14 identification:

15 (A) The attorney in fact of the person who is the subject of the
16 discharge record, if the attorney in fact provides a copy of the
17 power of attorney.

18 (B) The guardian of the person who is the subject of the
19 discharge record, if the guardian of the person provides a copy
20 of the court order appointing the guardian of the person.

21 (C) The personal representative of the estate of the deceased,
22 if the person who is the subject of the discharge record is
23 deceased and the personal representative of the estate provides
24 a copy of the court order appointing the personal
25 representative of the estate.

26 (c) To the extent technologically feasible, a county recorder shall
27 take precautions to prevent the disclosure of a discharge record filed
28 with the county recorder before May 15, 2007. After May 14, 2007, a
29 county recorder shall ensure that a discharge record filed with the
30 county recorder is maintained in a separate, confidential, and secure
31 file.

32 (d) Disclosure of a discharge record by the county recorder under
33 this section is subject to IC 5-14-3-10.

34 **(e) A person who:**

35 **(1) is described in subsection (b)(1) through (b)(6); and**

36 **(2) uses or discloses:**

37 **(A) a discharge record; or**

38 **(B) the information contained in a discharge record;**

39 **for a purpose that is outside the scope of the person's authorized or**
40 **official capacity commits a Class A infraction.**

41 **(f) The department shall develop a process concerning the**
42 **release of discharge records by county recorders to eligible**



1 **persons. The process described under this subsection shall be**
 2 **implemented not later than December 30, 2020.**

3 **(g) The department may adopt rules under IC 4-22-2, including**
 4 **emergency rules under IC 4-22-2-37.1, to implement subsection (f).**

5 SECTION 9. IC 10-17-5 IS REPEALED [EFFECTIVE JULY 1,
 6 2020]. (Veteran Benefits).

7 SECTION 10. IC 10-17-7-3, AS AMENDED BY P.L.2-2007,
 8 SECTION 149, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A dependent of a prisoner of
 10 war or person missing in action, upon the person's acceptance for
 11 enrollment in a state educational institution, may obtain a bachelor's
 12 degree or certificate of completion without tuition or charge as long as
 13 the dependent is eligible.

14 (b) A dependent is entitled to the benefits of this chapter
 15 notwithstanding any circumstance, including the return of the father or
 16 the reported death of the father. **dependent's parent or guardian who**
 17 **had been declared a prisoner of war or a person missing in action.**

18 SECTION 11. IC 10-17-8 IS REPEALED [EFFECTIVE JULY 1,
 19 2020]. (Reporting of Veterans Exposed to Chemicals).

20 SECTION 12. IC 10-17-12-7.5, AS AMENDED BY P.L.99-2016,
 21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2020]: Sec. 7.5. As used in this chapter, "qualified service
 23 member" means an individual who is an Indiana resident and who:

24 (1) is:

25 (A) a member of the armed forces of the United States or the
 26 national guard (as defined in IC 5-9-4-4); and

27 (B) serving on or has served on active duty during a time of
 28 national conflict or war; or

29 (2) has:

30 (A) served on active duty during a time of national conflict or
 31 war in:

32 (i) the armed forces of the United States; or

33 (ii) the national guard (as defined in IC 5-9-4-4); and

34 (B) ~~received an honorable discharge.~~ **been discharged from**
 35 **the armed forces of the United States or the national guard**
 36 **under honorable conditions.**

37 SECTION 13. IC 10-17-12-8, AS AMENDED BY P.L.99-2016,
 38 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2020]: Sec. 8. (a) The military family relief fund is established
 40 to provide short term assistance with food, housing, utilities, medical
 41 services, basic transportation, child care, education, employment or
 42 workforce, and other essential family support expenses that have



1 become difficult to afford for qualified service members or dependents
2 of qualified service members.

3 (b) Except as provided in section 9 of this chapter, the ~~commission~~
4 **department** shall expend the money in the fund exclusively to provide
5 grants for assistance as described in subsection (a).

6 (c) The ~~commission~~ **department** shall give priority to applications
7 for grants for assistance from the fund to qualified service members or
8 dependents of qualified service members who have never received a
9 grant under this chapter.

10 (d) Subject to the approval of the budget agency, the commission
11 shall establish the maximum total dollar amount of grants that may be
12 expended in a state fiscal year. Once the maximum total dollar amount
13 of grants that may be expended in a state fiscal year is reached, no
14 additional grants may be authorized until the start of the following state
15 fiscal year.

16 (e) The director shall each year provide a report to the budget
17 committee concerning the grant program under this chapter.

18 (f) A qualified service member or the qualified service member's
19 dependent may be eligible to receive assistance from the fund.

20 (g) The commission shall administer the fund.

21 SECTION 14. IC 10-17-12-10, AS AMENDED BY THE
22 TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL
23 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2020]: Sec. 10. (a) The commission shall adopt rules under
25 IC 4-22-2 for the provision of grants under this chapter. Subject to
26 subsection (b), the rules adopted under this section must address the
27 following:

28 (1) Uniform need determination procedures.

29 (2) Eligibility criteria, including income eligibility standards,
30 asset limit eligibility standards, and other standards concerning
31 when assistance may be provided.

32 (3) Application procedures.

33 (4) Selection procedures.

34 (5) A consideration of the extent to which an individual has used
35 assistance available from other assistance programs before
36 assistance may be provided to the individual from the fund.

37 (6) Other areas in which the ~~department~~ **commission** determines
38 that rules are necessary to ensure the uniform administration of
39 the grant program under this chapter.

40 (b) The following apply to grants awarded under this chapter:

41 (1) An applicant is not eligible for a grant from the fund if:

42 (A) the qualified service member with respect to whom the



- 1 application is based has been discharged; and
 2 (B) the qualified service member's term of qualifying military
 3 service was less than twelve (12) months.
- 4 (2) The income eligibility standards must be based on the federal
 5 gross income of the qualified service member and the qualified
 6 service member's spouse.
- 7 (3) An employee of the department who is otherwise eligible for
 8 a grant from the fund must submit the employee's application
 9 directly to the commission for review. The department shall have
 10 no influence in any part of the employee's application.
- 11 (4) The maximum amount a qualified service member may
 12 receive from the fund is two thousand five hundred dollars
 13 (\$2,500), unless a **higher amount** is approved by the
 14 commission.
- 15 (5) The commission may consider the following in its analysis of
 16 the applicant's request for assistance in excess of two thousand
 17 five hundred dollars (\$2,500):
- 18 (A) The department's eligibility determination of the applicant.
 - 19 (B) Facts considered in the department's need determination
 - 20 review and award under 915 IAC 3-6-3 and 915 IAC 3-6-5.
 - 21 (C) The circumstances surrounding the applicant's hardship.
 - 22 (D) Any substantive changes in the applicant's financial
 - 23 situation after the original application was submitted.
 - 24 (E) Facts that may have been unknown or unavailable at the
 - 25 time of the applicant's original application for assistance.
 - 26 (F) Other compelling circumstances that may justify assistance
 - 27 in excess of the two thousand five hundred dollar (\$2,500)
 - 28 threshold.
- 29 (6) The commission shall approve or deny within sixty (60) days
 30 an application for a grant filed with the commission after June 30,
 31 2019, by an employee of the department. However, the
 32 commission may not act on an incomplete application. The
 33 commission shall return an incomplete application with a notation
 34 as to omissions. The return of an incomplete application shall be
 35 without prejudice.
- 36 SECTION 15. IC 10-17-12.5 IS REPEALED [EFFECTIVE JULY
 37 1, 2020]. (Veterans Disability Clinic Fund).
- 38 SECTION 16. IC 25-25-2-1 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This section
 40 applies to:
- 41 (1) any veteran described in IC 10-17-5-2 or IC 10-17-5-1 (**before**
 - 42 **their repeal**); or



1 (2) any other veteran to whom this chapter applies because of the
 2 provisions of any other statute;
 3 who holds an honorable discharge from such service issued by the
 4 proper authorities. Such a person shall be entitled to a license to vend,
 5 hawk, and peddle goods, wares, fruits, and merchandise in any county,
 6 city, or town in Indiana without the payment of any fee for the license.
 7 Upon the presentation of the person's certificate and papers of
 8 discharge, properly executed, to the auditor of any county and proving
 9 the person's identity as the person named in the person's certificate of
 10 honorable discharge, the auditor shall issue to the former soldier or
 11 sailor a free license to vend, hawk, and peddle goods, wares, fruits, and
 12 merchandise in the county and in all cities and towns in the county. A
 13 fee may not be charged to the holder of the license by the auditor, by
 14 the authorities of any city or town in the county, or by any other officer.
 15 The license shall be full and complete authority to vend, hawk, and
 16 peddle without the payment of any sum of money.

17 (b) A person who acquires a license under this section is subject to
 18 all county, city, or town regulations and ordinances concerning
 19 vendors, hawkers, or peddlers, except for those provisions requiring
 20 payment of money for obtaining a license.

21 SECTION 17. IC 27-8-3-6 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Any incorporation,
 23 association or society organized to insure lives, which provides for the
 24 payment of policy claims, or the accumulation of reserve or emergency
 25 funds, and the expenses of the management and prosecution of the
 26 business by payments to be made either at periods named in the
 27 contract or upon assessments as required, by persons holding similar
 28 contracts, and wherein the insured's liability to contribute to the
 29 payment of policy claims accrued or to accrue is not limited to a fixed
 30 sum, shall be deemed to be engaged in the business of life insurance
 31 upon the assessment plan, and shall be subject only to the provisions
 32 of this chapter. However, nothing contained in this chapter shall be
 33 construed as applicable to any association of religious or secret
 34 societies, or to any class of mechanics, express, telegraph or railroad
 35 employees, or veterans described in IC 10-17-5-2 or IC 10-17-5-1
 36 **(before their repeal)** formed for the mutual benefit of the members
 37 thereof and their families exclusively, or to any secret or fraternal
 38 societies, lodges or councils that may be organized, or that are now
 39 organized and doing business in this state, which conduct their
 40 business and secure members on the lodge system exclusively, having
 41 ritualistic work and ceremonies in their societies, lodges or councils,
 42 and which are under the supervision of the grand or supreme body, nor



1 to any association organized solely for benevolent purposes and not for
2 profit.
3 SECTION 18. IC 27-8-3-26 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 26. Nothing contained
5 in sections ~~one 1~~ through ~~twenty-five 25~~ of this chapter shall be
6 construed to apply to secret or fraternal societies, lodges or councils
7 that are now organized, or that may hereafter be organized, which
8 conduct their business and secure members on the lodge system,
9 exclusively, having ritualistic work and ceremonies in their societies,
10 lodges or councils, and which are under the supervision of a grand or
11 supreme body, nor to any association organized solely for benevolent
12 purposes and not for profit; nor to any association of religious or secret
13 societies, nor to any class of mechanics, express, telegraph or railroad
14 employees or veterans described in IC 10-17-5-2 or IC 10-17-5-1
15 **(before their repeal)** or any existing societies now doing business and
16 formed for the mutual benefit of the members thereof and their families
17 exclusively.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1173, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 10, after "copies" insert "**or microfilm**".

Page 4, line 11, after "copies" insert "**or microfilm**".

and when so amended that said bill do pass.

(Reference is to HB 1173 as introduced.)

FRYE R

Committee Vote: yeas 12, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred House Bill No. 1173, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 1 through 22, begin a new paragraph and insert:

"SECTION 2. IC 10-17-1-5, AS AMENDED BY P.L.144-2007, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The position of director of veterans' affairs is established. The governor shall appoint the director for a four (4) year term. However, the term of office of the director terminates when the term of office of the governor terminates or when a successor to the director is appointed and qualified. The director must be

(+) an honorably discharged veteran who has at least six (6) months active service in the armed forces of the United States.

and

(2) a citizen of Indiana and a resident of Indiana for at least five (5) years immediately preceding the director's appointment.

(b) The director is entitled to reimbursement for necessary traveling and other expenses.

(c) The governor may remove the director if the governor considers the director guilty of misconduct, incapability, or neglect of duty.

(d) The governor shall appoint an assistant director of veterans'

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affairs. The assistant director is entitled to receive reimbursement for necessary traveling and other expenses. The assistant director has the same qualifications as the director of veterans' affairs and shall assist the director in carrying out this chapter."

Page 9, line 38, strike "one" and insert "**1**".

Page 9, line 38, strike "twenty-five" and insert "**25**".

and when so amended that said bill do pass.

(Reference is to HB 1173 as printed January 14, 2020.)

TOMES, Chairperson

Committee Vote: Yeas 7, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1173 be amended to read as follows:

Page 2, line 7, after "be" insert ":".

Page 2, line 8, reset in roman "(1)".

Page 2, line 9, after "states" delete "." and insert ";".

Page 2, line 10, reset in roman "and".

Page 2, line 11, reset in roman "(2) a citizen of Indiana and a resident of Indiana for at least".

Page 2, line 12, after "(5)" insert "**two (2) cumulative**".

Page 2, line 12, reset in roman "years".

Page 2, line 12, reset in roman "preceding the director's appointment."

Page 3, between lines 12 and 13, begin a new paragraph and insert:
"SECTION 4. IC 10-17-1-9, AS AMENDED BY P.L.108-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) A county executive:

(1) shall designate and may:

(A) appoint a county service officer for a four (4) year term; or

(B) employ a county service officer; and

(2) may employ service officer assistants;

to serve the veterans of the county.

(b) The mayor of a city may employ a service officer and may employ service officer assistants to serve the veterans of the city.

(c) If the remuneration and expenses of a county or city service officer are paid from the funds of the county or city employing the

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service officer, the service officer shall:

(1) have the same qualifications and be subject to the same rules as the director, assistant director, and state service officers of the Indiana department of veterans' affairs; be:

(A) an honorably discharged veteran who has at least six (6) months of active service in the armed forces of the United States; or

(B) a service officer assistant with not less than two (2) years of experience;

(2) be a resident of Indiana or become a resident OF Indiana not more than six (6) months after the service officer's start date; and

~~(2)~~ (3) serve under the supervision of the director of veterans' affairs.

(d) A service officer assistant must be a resident of Indiana or become a resident of Indiana not later than six (6) months after the service officer assistant's start date and:

(1) satisfy the requirements specified in subsection (c)(1); or

(2) be the spouse, surviving spouse, parent, or child of a person who satisfies the requirements specified in subsection (c)(1).

have the same qualifications as an employee described in section 11(b) of this chapter.

(e) A rule contrary to this subsection (c) or (d) is void.

~~(d)~~ (f) County and city fiscal bodies may appropriate funds necessary for the purposes described in this section."

Page 5, between lines 36 and 37, begin a new paragraph and insert:

"(e) A person who:

(1) is described in subsection (b)(1) through (b)(6); and

(2) uses or discloses:

(A) a discharge record; or

(B) the information contained in a discharge record;

for a purpose that is outside the scope of the person's authorized or official capacity commits a Class A infraction.

(f) The department shall develop a process concerning the release of discharge records by county recorders to eligible persons. The process described under this subsection shall be implemented not later than December 30, 2020.

(g) The department may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement subsection (f)."

Renumber all SECTIONS consecutively.



(Reference is to EHB 1173 as printed February 19, 2020.)

TOMES

