



January 22, 2024

HOUSE BILL No. 1202

DIGEST OF HB 1202 (Updated January 22, 2024 11:09 am - DI 140)

Citations Affected: IC 3-5; IC 5-9; IC 6-3; IC 9-13; IC 10-16; IC 10-17; IC 10-18; IC 16-31; IC 16-33; IC 20-33; IC 20-38; IC 21-14; IC 21-27; IC 22-2; IC 22-9; IC 23-14; IC 25-1; IC 25-36.1; IC 27-1; IC 27-7; IC 29-3; IC 33-42; IC 35-42; IC 36-8.

Synopsis: Military and veteran issues. Increases the maximum amount for a grant from the military family relief fund from \$2,500 to \$3,500. Provides that beginning July 1, 2025, and each July 1 thereafter, the maximum amount of a grant will be annually increased by an amount approved by the Indiana veterans' affairs commission not to exceed the current annual cost of living adjustment determined by the United States Department of Veterans Affairs. Expands the eligibility requirements for admission to the Indiana Veterans' Home. Adds a definition of an "eligible person" for purposes of administering grants for veteran services (GVS). Provides that a qualified entity may receive a GVS to provide certain services to support an eligible person. Updates references throughout the Indiana Code relating to the armed forces of the United States or uniformed services to include the United States Space Force. Makes technical changes to various references
(Continued next page)

Effective: July 1, 2024.

Bartels

January 9, 2024, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 22, 2024, reported — Do Pass.

HB 1202—LS 6587/DI 116



Digest Continued

relating to the components of the armed forces of the United States. Provides that the governing body of a school corporation, the organizer of a charter school, or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is ordered to active duty with the armed forces of the United States, including their reserve components or the Indiana National Guard for at least 15 days in a school year. (Current law provides that a governing body of a school corporation or the chief administrative officer of a nonpublic school system shall authorize the absence and excuse of each secondary school student who is ordered to active duty with Indiana National Guard for not more than 10 days in a school year.)

HB 1202—LS 6587/DI 116



January 22, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1202

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

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

1 SECTION 1. IC 3-5-2-49.3, AS AMENDED BY P.L.227-2023,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 49.3. "Uniformed services" means any of the
4 following:

- 5 (1) The **United States** Army.
- 6 (2) The **United States** Navy.
- 7 (3) The **United States** Air Force.
- 8 (4) The **United States** Marine Corps.
- 9 (5) The **United States** Coast Guard.
- 10 (6) The **United States** Space Force.
- 11 (7) The commissioned corps of the Public Health Service.
- 12 (8) The commissioned corps of the National Oceanic and
13 Atmospheric Administration.

14 SECTION 2. IC 5-9-4-3 IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2024]: Sec. 3. As used in this chapter, "armed
16 forces of the United States" means the active or reserve components of
17 **the:**

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- 1 (1) ~~the~~ **United States** Army;
 2 (2) ~~the~~ **United States** Navy;
 3 (3) ~~the~~ **United States** Air Force;
 4 (4) ~~the~~ **United States** Coast Guard;
 5 (5) ~~the~~ **United States** Marine Corps; ~~or~~
 6 **(6) United States Space Force; or**
 7 ~~(7) the~~ **United States** Merchant Marine.

8 SECTION 3. IC 6-3-2-4, AS AMENDED BY P.L.162-2019,
 9 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 4. (a) Each taxable year, an individual, or the
 11 individual's surviving spouse, is entitled to the following:

12 (1) An adjusted gross income tax deduction for the first five
 13 thousand dollars (\$5,000) of income, excluding adjusted gross
 14 income described in subdivision (2), received during the taxable
 15 year by the individual, or the individual's surviving spouse, for the
 16 individual's service in an active or reserve component of the
 17 armed forces of the United States, including the **United States**
 18 **Army, United States Navy, United States Air Force, United**
 19 **States Space Force, United States** Coast Guard, **United States**
 20 **Marine Corps, United States** Merchant Marine, Indiana Army
 21 National Guard, or Indiana Air National Guard.

22 (2) An adjusted gross income tax deduction for income from
 23 retirement or survivor's benefits received during the taxable year
 24 by the individual, or the individual's surviving spouse, for the
 25 individual's service in an active or reserve component of the
 26 armed forces of the United States, including the **United States**
 27 **Army, United States Navy, United States Air Force, United**
 28 **States Space Force, United States** Coast Guard, **United States**
 29 **Marine Corps, United States** Merchant Marine, Indiana Army
 30 National Guard, or Indiana Air National Guard. The amount of
 31 the deduction is the lesser of:

32 (A) the benefits included in the adjusted gross income of the
 33 individual or the individual's surviving spouse; or

34 (B) six thousand two hundred fifty dollars (\$6,250) plus the
 35 following:

36 (i) For taxable years beginning in 2019, twenty-five percent
 37 (25%) of the amount of the benefits in excess of six
 38 thousand two hundred fifty dollars (\$6,250).

39 (ii) For taxable years beginning in 2020, fifty percent (50%)
 40 of the amount of the benefits in excess of six thousand two
 41 hundred fifty dollars (\$6,250).

42 (iii) For taxable years beginning in 2021, seventy-five



1 percent (75%) of the amount of the benefits in excess of six
2 thousand two hundred fifty dollars (\$6,250).

3 (iv) For taxable years beginning after 2021, one hundred
4 percent (100%) of the amount of the benefits in excess of six
5 thousand two hundred fifty dollars (\$6,250).

6 (b) An individual whose qualified military income is subtracted
7 from the individual's federal adjusted gross income under
8 IC 6-3-1-3.5(a)(18) for Indiana individual income tax purposes is not,
9 for that taxable year, entitled to a deduction under this section for the
10 same qualified military income that is deducted under
11 IC 6-3-1-3.5(a)(18).

12 SECTION 4. IC 9-13-2-5.3, AS ADDED BY P.L.198-2016,
13 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2024]: Sec. 5.3. "Armed forces of the United States" means
15 the following:

- 16 (1) The United States Army.
- 17 (2) The United States Navy.
- 18 (3) The United States Air Force.
- 19 (4) The United States Marine Corps.
- 20 **(5) The United States Space Force.**
- 21 ~~(5)~~ **(6) The United States Coast Guard.**

22 SECTION 5. IC 10-16-6-9 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. An enlisted person
24 who is discharged from service in the Indiana National Guard shall
25 receive a discharge in writing in the form and with the classification
26 prescribed by national guard regulations. In time of peace, a discharge
27 may be given before the expiration of an enlistment term in the
28 following cases:

- 29 (1) By sentence of a general court-martial.
- 30 (2) By direction of the governor on account of disability.
- 31 (3) On account of sentence of imprisonment by a civil court,
32 whether suspended or not.
- 33 (4) On account of a bona fide permanent change of residence to
34 another state.
- 35 (5) For the purpose of enlisting in the:
 - 36 **(A) United States Army;**
 - 37 **(B) United States Air Force;**
 - 38 **(C) United States Navy; or**
 - 39 **(D) United States Marine Corps; or**
 - 40 **(E) United States Space Force.**
- 41 (6) For other causes prescribed by national guard regulations or
42 the commander in chief.



1 However, an enlisted person who has not returned or accounted for all
 2 of the public property for which the enlisted person is responsible may
 3 not receive an honorable discharge.

4 SECTION 6. IC 10-16-20-2, AS AMENDED BY P.L.99-2016,
 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 2. The following definitions apply throughout this
 7 chapter:

8 (1) "Military service" means:

9 (A) in the case of a servicemember who is a member or
 10 reserve member of the **United States Army, United States**
 11 **Navy, United States Air Force, United States Marine Corps,**
 12 **United States Space Force, or United States Coast Guard,**
 13 full-time duty in the active military service, ~~of the United~~
 14 ~~States~~; including:

15 (i) full-time training duty;

16 (ii) annual training duty; and

17 (iii) attendance while at a school designated as a service
 18 school by federal law or by the secretary of the military
 19 department concerned;

20 (B) in the case of a member or reserve member of the Indiana
 21 National Guard, service under a call to active:

22 (i) service authorized by the President of the United States
 23 or the Secretary of Defense for a period of more than thirty
 24 (30) days in response to a national emergency declared by
 25 the President of the United States; or

26 (ii) duty as defined by IC 10-16-7-23(a) for a period of more
 27 than thirty (30) consecutive days;

28 (C) in the case of a servicemember who is a commissioned
 29 officer of the Public Health Service or the National Oceanic
 30 and Atmospheric Administration, active service;

31 (D) in the case of a member or reserve member of the national
 32 guard of another state, service under an order by the governor
 33 of that state to active duty for a period of more than thirty (30)
 34 consecutive days; or

35 (E) any period during which a servicemember is absent from
 36 duty on account of sickness, wounds, leave, or other lawful
 37 cause.

38 (2) "Servicemember" means an individual engaged in military
 39 service.

40 SECTION 7. IC 10-17-2-2, AS AMENDED BY P.L.42-2020,
 41 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2024]: Sec. 2. A book providing for the recording of



1 discharges from the **United States Army, United States Navy**, or any
 2 other branch of the service must consist of printed forms in blank,
 3 similar to and in conformity with the wording of the forms of discharge
 4 used by the United States government, the size of type being reduced
 5 to permit the printing of the form of the discharge on one (1) page of
 6 the record. Each book must be provided with an alphabetical index.
 7 The standards imposed by this section apply to the preservation of
 8 discharges in an electronic format under section 1(a)(2) of this chapter.

9 SECTION 8. IC 10-17-9-0.9 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2024]: **Sec. 0.9. As used in this chapter, "uniformed services"**
 12 **means the following:**

- 13 (1) **The United States Army.**
- 14 (2) **The United States Air Force.**
- 15 (3) **The United States Navy.**
- 16 (4) **The United States Marine Corps.**
- 17 (5) **The United States Space Force.**
- 18 (6) **The United States Coast Guard.**
- 19 (7) **The commissioned corps of the National Oceanic and**
 20 **Atmospheric Administration.**
- 21 (8) **The commissioned corps of the Public Health Service.**

22 SECTION 9. IC 10-17-9-7, AS AMENDED BY P.L.113-2010,
 23 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2024]: Sec. 7. (a) As used in this section, "eligible person"
 25 refers to either of the following:

- 26 (1) ~~An honorably discharged member of the armed forces: A~~
 27 ~~member of the uniformed services who was discharged or~~
 28 ~~released from the uniformed services under conditions other~~
 29 ~~than dishonorable.~~
- 30 (2) The spouse or surviving spouse of ~~an honorably discharged~~
 31 ~~member of the armed forces: a member of the uniformed~~
 32 ~~services who was discharged or released from the uniformed~~
 33 ~~services under conditions other than dishonorable.~~

34 (b) An eligible person who has a disability ~~or is destitute~~ is eligible
 35 for admission to the home if:

- 36 (1) the eligible person has been a resident of Indiana ~~for at least~~
 37 ~~one (1) year immediately preceding application for or establishes~~
 38 ~~residency in Indiana within six (6) months after~~ admission to
 39 the home; or
- 40 (2) in the case of an eligible person referred to in subsection
 41 (a)(1), the eligible person was a resident of Indiana when the
 42 eligible person enlisted in the ~~armed forces: uniformed services.~~



1 (c) The Indiana department of veterans' affairs shall adopt rules
2 concerning admission to the home.

3 (d) In adopting rules governing the admission, maintenance, and
4 discharge of members of the home, the Indiana department of veterans'
5 affairs may establish a fund called the veterans' home comfort and
6 welfare fund. The director shall deposit all money collected from the
7 members for the cost of their care and maintenance in the fund. The
8 director shall expend this money in any manner that adds to the comfort
9 and welfare of the members of the institutions.

10 (e) A part of the veterans' home comfort and welfare fund may be
11 withdrawn and deposited in a special fund called the veterans' home
12 building fund. The veterans' home building fund shall be used for the
13 construction, maintenance, remodeling, or repair of buildings of the
14 home.

15 (f) Preference under this section may be given to a person who
16 served in an Indiana military organization. Except in cases where the
17 surviving spouse of a veteran marries another veteran, the benefits of
18 this chapter extend only to a surviving spouse and the spouse of a
19 veteran if the contract of marriage was entered into more than five (5)
20 years before the date of death of the veteran. Except as otherwise
21 provided by law, upon the death of a person in the home, money paid
22 to the person or due to the person from a bank, a trust company, a
23 corporation, or an individual becomes an asset of the person's estate
24 and shall be distributed in the manner prescribed by the probate law of
25 the state.

26 SECTION 10. IC 10-17-10-1 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. If:

28 (1) a person:

29 (A) has served as a member of the ~~armed forces of the United~~
30 ~~States as a soldier, sailor, or marine in the army, air force, or~~
31 ~~navy of the United States or as a member of the women's~~
32 ~~components of the army, air force, or navy of the United~~
33 ~~States; **United States Army, United States Air Force, United**~~
34 ~~**States Navy, United States Marine Corps, or United States**~~
35 ~~**Space Force**~~, is a resident of Indiana, and dies while a
36 member of the armed forces and before discharge from the
37 armed forces or after receiving an honorable discharge from
38 the armed forces; or

39 (B) is the spouse or surviving spouse of a person described in
40 clause (A) and is a resident of Indiana; and

41 (2) a claim is filed for a burial allowance:

42 (A) by an interested person with the board of commissioners



- 1 of the county of the residence of the deceased person; and
 2 (B) stating the fact:
 3 (i) of the service, death, and discharge if discharged from
 4 service before death; and
 5 (ii) that the body has been buried in a decent and respectable
 6 manner in a cemetery or burial ground;
 7 the board of commissioners shall hear and determine the claim like
 8 other claims and, if the facts averred are found to be true, shall allow
 9 the claim in an amount set by ordinance. However, the amount of the
 10 allowance may not be more than one thousand dollars (\$1,000).
 11 SECTION 11. IC 10-17-11-10, AS AMENDED BY P.L.61-2023,
 12 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 10. (a) A veteran who is eligible to be buried in
 14 a national cemetery according to 38 U.S.C. 2402 is eligible to be buried
 15 in the Indiana state veterans' cemetery established under this chapter.
 16 (b) The spouse of a veteran who is eligible to be buried in a national
 17 cemetery according to 38 U.S.C. 2402 is eligible to be buried in the
 18 Indiana state veterans' cemetery established under this chapter.
 19 (c) An individual who is a member of:
 20 (1) a reserve component of the armed forces of the United States:
 21 (A) who was discharged or released from service under
 22 conditions other than dishonorable; or
 23 (B) whose death occurs under conditions other than
 24 dishonorable while a member of a reserve component of the
 25 armed forces of the United States;
 26 (2) the Indiana Army National Guard or the Indiana Air National
 27 Guard:
 28 (A) who was discharged or released from service under
 29 conditions other than dishonorable; or
 30 (B) whose death occurs under conditions other than
 31 dishonorable while a member of the Indiana Army National
 32 Guard or the Indiana Air National Guard; or
 33 (3) the Reserve Officers' Training Corps of the United States
 34 Army, **United States** Navy, or **United States** Air Force whose
 35 death occurs under conditions other than dishonorable while a
 36 member of the Reserve Officers' Training Corps of the United
 37 States Army, **United States** Navy, or **United States** Air Force;
 38 is eligible to be buried in the Indiana state veterans' cemetery
 39 established by this chapter.
 40 (d) The following relatives of an individual described in subsection
 41 (c) are eligible to be buried in the Indiana state veterans' cemetery
 42 established by this chapter:



- 1 (1) A spouse.
 2 (2) A minor child.
 3 (3) An unmarried adult child.
 4 SECTION 12. IC 10-17-12-2, AS AMENDED BY P.L.50-2009,
 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 2. As used in this chapter, "armed forces" includes
 7 the active or reserve components of the following:
 8 (1) The United States Army.
 9 (2) The United States Navy.
 10 (3) The United States Marine Corps.
 11 (4) The United States Air Force.
 12 **(5) The United States Space Force.**
 13 ~~(5)~~ **(6) The United States Coast Guard.**
 14 SECTION 13. IC 10-17-12-10, AS AMENDED BY P.L.53-2021,
 15 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 10. (a) The commission shall adopt rules under
 17 IC 4-22-2 for the provision of grants under this chapter. Subject to
 18 subsection (b), the rules adopted under this section must address the
 19 following:
 20 (1) Uniform need determination procedures.
 21 (2) Eligibility criteria, including income eligibility standards,
 22 asset limit eligibility standards, and other standards concerning
 23 when assistance may be provided.
 24 (3) Application procedures.
 25 (4) Selection procedures.
 26 (5) A consideration of the extent to which an individual has used
 27 assistance available from other assistance programs before
 28 assistance may be provided to the individual from the fund.
 29 (6) Other areas in which the commission determines that rules are
 30 necessary to ensure the uniform administration of the grant
 31 program under this chapter.
 32 (b) The following apply to grants awarded under this chapter:
 33 (1) The income eligibility standards must be based on the federal
 34 gross income of the qualified service member and the qualified
 35 service member's spouse.
 36 (2) An employee of the department who is otherwise eligible for
 37 a grant from the fund must submit the employee's application
 38 directly to the commission for review. The department shall have
 39 no influence in any part of the employee's application.
 40 (3) The maximum amount a qualified service member may
 41 receive from the fund is:
 42 **(A) for a state fiscal year ending before July 1, 2024, two**



- 1 thousand five hundred dollars (\$2,500); and
 2 **(B) for a state fiscal year beginning after June 30, 2024,**
 3 **three thousand five hundred dollars (\$3,500), and**
 4 **beginning July 1, 2025, and each July 1 thereafter, the**
 5 **maximum amount will be annually increased by an amount**
 6 **approved by the commission not to exceed the annual cost**
 7 **of living adjustment determined by the United States**
 8 **Department of Veterans Affairs;**
 9 unless a higher amount is approved by the commission **in the**
 10 **manner prescribed in subdivision (4).**
 11 (4) The commission may consider the following in its analysis of
 12 the applicant's request for assistance in excess of ~~two thousand~~
 13 ~~five hundred dollars (\$2,500): the maximum amount described~~
 14 **in subdivision (3)(A) or (3)(B):**
 15 (A) The department's eligibility determination of the applicant.
 16 (B) Facts considered in the department's need determination
 17 review and award under 915 IAC 3-6-3 and 915 IAC 3-6-5.
 18 (C) The circumstances surrounding the applicant's hardship,
 19 if applicable.
 20 (D) Any substantive changes in the applicant's financial
 21 situation after the original application was submitted.
 22 (E) Facts that may have been unknown or unavailable at the
 23 time of the applicant's original application for assistance.
 24 (F) Other compelling circumstances that may justify assistance
 25 in excess of the ~~two thousand five hundred dollar (\$2,500)~~
 26 ~~threshold: maximum amount described in subdivision~~
 27 **(3)(A) or (3)(B).**
 28 (5) The commission shall approve or deny within sixty (60) days
 29 an application for a grant filed with the commission after June 30,
 30 2019, by an employee of the department. The commission shall
 31 return an incomplete application with a notation as to omissions.
 32 The return of an incomplete application shall be without
 33 prejudice.
 34 SECTION 14. IC 10-17-13.5-1.5 IS ADDED TO THE INDIANA
 35 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 36 **[EFFECTIVE JULY 1, 2024]: Sec. 1.5. As used in this chapter,**
 37 **"eligible person" means an individual residing in Indiana who is:**
 38 **(1) an immediate family member (as defined in IC 3-5-5-0.5)**
 39 **of the veteran; or**
 40 **(2) the primary caregiver of the veteran.**
 41 SECTION 15. IC 10-17-13.5-1.7 IS ADDED TO THE INDIANA
 42 CODE AS A **NEW SECTION TO READ AS FOLLOWS**



- 1 [EFFECTIVE JULY 1, 2024]: Sec. 1.7. As used in this chapter,
 2 "primary caregiver" means an individual who:
 3 (1) is at least eighteen (18) years of age;
 4 (2) is:
 5 (A) the veteran's:
 6 (i) spouse;
 7 (ii) parent or stepparent;
 8 (iii) son, daughter, stepson, or stepdaughter;
 9 (iv) brother, sister, stepbrother, or stepsister;
 10 (v) niece or nephew;
 11 (vi) aunt or uncle;
 12 (vii) daughter-in-law or son-in-law; or
 13 (viii) grandparent; or
 14 (B) currently residing with the veteran on a full-time basis;
 15 and
 16 (3) provides care for the veteran, including:
 17 (A) personal care services;
 18 (B) essential household services; or
 19 (C) everyday basic care.

20 SECTION 16. IC 10-17-13.5-3, AS ADDED BY P.L.217-2017,
 21 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 3. As used in this chapter, "veteran" means an
 23 individual residing in Indiana who:

- 24 (1) has served in any branch of the armed forces of the United
 25 States or their reserves, in the national guard, or in the Indiana
 26 National Guard; and
 27 (2) ~~has received a discharge from service under honorable~~
 28 ~~conditions: was discharged or released from service described~~
 29 ~~in subdivision (1) under conditions other than dishonorable.~~

30 SECTION 17. IC 10-17-13.5-4, AS AMENDED BY P.L.61-2023,
 31 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2024]: Sec. 4. (a) The department may make grants to
 33 qualified entities to be used for the purpose of providing services to
 34 veterans **or an eligible person**, including the following:

- 35 (1) Programs focused on eliminating homelessness, preventing
 36 near term homelessness, and providing safe and secure living
 37 conditions.
 38 (2) Assisting veterans **or an eligible person** in moving from
 39 public housing assistance programs to:
 40 (A) home ownership; or
 41 (B) stable, long term rental status.

42 A grant under this chapter for the purpose specified in clause (B)



- 1 may include up to nine (9) months of rental assistance.
- 2 (3) Assisting veterans **or an eligible person** in finding and using
- 3 available federal and state resources.
- 4 (4) Providing therapeutic services.
- 5 (5) Providing job training and job search assistance.
- 6 (6) Preventing veteran suicide **or suicide of an eligible person.**
- 7 (b) The department may make grants to the provider chosen by the
- 8 Indiana department of health under section 6 of this chapter to be used
- 9 for the purpose of providing assistance to the provider to provide
- 10 diagnostic testing and hyperbaric oxygen treatment to veterans
- 11 receiving treatment under the pilot program established under section
- 12 6 of this chapter. However, a grant under this chapter may not be
- 13 awarded for the purposes specified in this subsection unless the Indiana
- 14 department of health has adopted the rules required by section 6(g) of
- 15 this chapter. In addition, a grant may not be awarded for the purposes
- 16 specified in this subsection after the expiration of the pilot program
- 17 established under section 6 of this chapter.

18 SECTION 18. IC 10-18-9-1, AS ADDED BY P.L.38-2008,
 19 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 1. As used in this chapter, "armed forces of the
 21 United States" means **the:**

- 22 (1) ~~the~~ **United States** Army;
- 23 (2) ~~the~~ **United States** Navy;
- 24 (3) ~~the~~ **United States** Air Force;
- 25 (4) **United States Space Force;**
- 26 (4) ~~(5)~~ **the United States** Coast Guard; and
- 27 (5) ~~(6)~~ **the United States** Marine Corps.

28 SECTION 19. IC 16-31-3-10, AS AMENDED BY P.L.139-2023,
 29 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 10. (a) Except as provided in subsection (b), to
 31 renew a certificate or license issued under this chapter upon expiration
 32 of the certificate or license for any reason, a person must comply with
 33 any continuing education requirements that have been established by
 34 the commission and complete training meeting standards set forth in
 35 section 2(1)(E) of this chapter. To renew a certificate or license issued
 36 under this chapter after a revocation of the certificate or license, a
 37 person must comply with all the requirements of this chapter that apply
 38 to the original certification or licensure.

39 (b) A renewal of an emergency medical technician or advanced
 40 emergency medical technician certificate or a paramedic license shall
 41 be issued to an individual who meets the following conditions:

- 42 (1) While holding a valid certificate or license, enters the armed



1 forces of the United States, including **the:**

- 2 (A) ~~the~~ **United States** Army;
 3 (B) ~~the~~ **United States** Navy;
 4 (C) ~~the~~ **United States** Air Force;
 5 (D) ~~the~~ **United States** Marines; ~~or~~
 6 (E) ~~the~~ **United States** Coast Guard; ~~or~~
 7 **(F) United States Space Force;**

8 but excluding the guard and reserve components of those forces.

9 (2) Is discharged from the armed forces of the United States
 10 within forty-eight (48) months after the individual entered the
 11 armed forces.

12 (3) Successfully completes, not more than nine (9) months after
 13 the individual's discharge from the armed forces of the United
 14 States, a refresher course approved by the commission.

15 (4) Applies for the certificate or license renewal not more than
 16 one (1) year after the individual's discharge from the armed forces
 17 of the United States.

18 (5) Passes the written and practical skills examinations.

19 (c) A renewal of an emergency medical technician or advanced
 20 emergency medical technician certificate or a paramedic license must
 21 be issued to an individual who meets the following conditions:

22 (1) While holding a valid certificate or license, the individual is
 23 called to active military duty as a member of the Indiana National
 24 Guard or a reserve component of the armed forces of the United
 25 States, including **the:**

- 26 (A) ~~the~~ **United States** Army;
 27 (B) ~~the~~ **United States** Navy;
 28 (C) ~~the~~ **United States** Air Force;
 29 (D) ~~the~~ **United States** Marines; or
 30 (E) ~~the~~ **United States** Coast Guard.

31 (2) The individual provides the emergency medical services
 32 commission with a copy of the document from the armed forces
 33 that called the individual to active duty.

34 (3) The individual applies for the certificate or license renewal
 35 not more than one hundred twenty (120) days after the individual
 36 leaves active duty.

37 SECTION 20. IC 16-33-4-1 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. As used in this
 39 chapter, "armed forces of the United States" means the forces and
 40 components of the:

- 41 (1) **United States** Army;
 42 (2) **United States** Navy;

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- 1 **(3) United States** Air Force;
 2 **(4) United States** Marine Corps;
 3 **(5) United States Space Force;** and
 4 **(6) United States** Coast Guard.

5 SECTION 21. IC 20-33-2-17, AS ADDED BY P.L.1-2005,
 6 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 17. The governing body of a school corporation,
 8 **the organizer of a charter school**, or the chief administrative officer
 9 of a nonpublic school system shall authorize the absence and excuse of
 10 each secondary school student who is ordered to active duty with the
 11 **armed forces of the United States, including their reserve**
 12 **components, or the** Indiana National Guard for ~~not more than ten (10)~~
 13 **at least fifteen (15)** days in a school year. **However, the governing**
 14 **body of a school corporation, the organizer of a charter school, or**
 15 **the chief administrative officer of a nonpubic school may authorize**
 16 **additional excused absences for additional military training.** For
 17 verification, the student must submit to school authorities a copy of the
 18 orders to active duty and a copy of the orders releasing the student from
 19 active duty. A student excused from school attendance under this
 20 section may not be recorded as being absent on any date for which the
 21 excuse is operative and may not be penalized by the school in any
 22 manner.

23 SECTION 22. IC 20-38-3-2, AS ADDED BY P.L.21-2009,
 24 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2024]: Sec. 2. ARTICLE II. DEFINITIONS

26 As used in this compact, unless the context clearly requires a
 27 different construction:

- 28 A. "Active duty" means full-time duty status in the armed forces
 29 of the United States or the National Guard and Reserve on active
 30 duty orders under 10 U.S.C. 1209 and 10 U.S.C. 1211.
 31 B. "Children of military families" means school aged children
 32 who are enrolled in kindergarten through grade 12 and are
 33 members of the household of an active duty member.
 34 C. "Compact commissioner" means the voting representative of
 35 each member state appointed under section 9 of this chapter.
 36 D. "Deployment" means the period beginning one (1) month
 37 before a service member departs from the member's home station
 38 on military orders and ending six (6) months after the service
 39 member returns to the member's home station.
 40 E. "Educational records" means the official records, files, and data
 41 that are directly related to a student and maintained by a school or
 42 local education agency. The term includes general identifying



- 1 data, records of attendance and academic work completed,
 2 records of achievement and results of evaluative tests, health data,
 3 disciplinary status, test protocols, and individualized education
 4 programs.
- 5 F. "Extracurricular activities" means voluntary activities
 6 sponsored by a school, a local education agency, or an
 7 organization approved by a local education agency. The term
 8 includes preparation for and involvement in public performances,
 9 contests, athletic competitions, demonstrations, displays, and club
 10 activities.
- 11 G. "Interstate commission" refers to the interstate commission on
 12 Educational Opportunity for Military Children created by Article
 13 IX of this compact.
- 14 H. "Local education agency" means a public administrative
 15 agency authorized by the state to control and direct kindergarten
 16 through grade 12 public educational institutions.
- 17 I. "Member state" means a state that has enacted this compact.
- 18 J. "Military installation" means a base, a camp, a post, a station,
 19 a yard, a center, a homeport facility for a ship, or any other
 20 activity under the jurisdiction of the United States Department of
 21 Defense. The term includes a leased facility located within the
 22 United States, the District of Columbia, the Commonwealth of
 23 Puerto Rico, the United States Virgin Islands, Guam, American
 24 Samoa, the Northern ~~Marianas~~ **Mariana** Islands, or any other
 25 United States territory. The term does not include a facility used
 26 primarily for civil works, rivers and harbors projects, or flood
 27 control projects.
- 28 K. "Nonmember state" means a state that has not enacted this
 29 compact.
- 30 L. "Receiving state" means the state to which a child of a military
 31 family is sent, brought, or caused to be sent or brought.
- 32 M. "Rule" means a written statement by the interstate commission
 33 adopted under Article XII of this compact that is of general
 34 applicability, that implements, interprets, or prescribes a policy of
 35 provision of the interstate compact, and that has the force and
 36 effect of statutory law on a member state. The term includes the
 37 amendment, repeal, or suspension of an existing rule.
- 38 N. "Sending state" means the state from which a child of a
 39 military family is sent, brought, or caused to be sent or brought.
- 40 O. "State" means a state of the United States, the District of
 41 Columbia, the Commonwealth of Puerto Rico, the United States
 42 Virgin Islands, Guam, American Samoa, the Northern ~~Marianas~~



- 1 **Mariana** Islands, or any other United States territory.
- 2 P. "Student" means a child of a military family for whom a local
- 3 education agency receives public funding and who is formally
- 4 enrolled in kindergarten through grade 12.
- 5 Q. "Transition" means the formal and physical process of
- 6 transferring a student between schools or the period during which
- 7 a student transfers from a school in the sending state to a school
- 8 in the receiving states.
- 9 R. "Uniformed services" means the United States Army, Navy,
- 10 Air Force, Marine Corps, **Space Force**, or Coast Guard. The term
- 11 includes the commission corp of the National Oceanic and
- 12 Atmospheric Administration and the Public Health Services.
- 13 S. "Veteran" means an individual who served in and was
- 14 discharged or released from the uniformed services under
- 15 conditions other than dishonorable.
- 16 SECTION 23. IC 21-14-1-2.7, AS ADDED BY P.L.144-2007,
- 17 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 18 JULY 1, 2024]: Sec. 2.7. For purposes of IC 21-14-9, "armed forces of
- 19 the United States" means the following:
- 20 (1) The United States Air Force.
- 21 (2) The United States Army.
- 22 (3) The United States Coast Guard.
- 23 (4) The United States Marine Corps.
- 24 (5) The United States Navy.
- 25 **(6) The United States Space Force.**
- 26 SECTION 24. IC 21-27-2-1.5, AS ADDED BY P.L.22-2018,
- 27 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2024]: Sec. 1.5. (a) As used in this section, "academic term"
- 29 has the meaning set forth in IC 21-12-1-2.
- 30 (b) As used in this section, "active duty" has the meaning set forth
- 31 in IC 10-16-7-23(a).
- 32 (c) As used in this section, "armed forces" means the:
- 33 (1) United States Air Force;
- 34 (2) United States Army;
- 35 (3) United States Coast Guard;
- 36 (4) United States Marine Corps; **and**
- 37 (5) United States Navy; **and**
- 38 **(6) United States Space Force.**
- 39 (d) As used in this section, "qualified student" means a member of:
- 40 (1) the Indiana National Guard;
- 41 (2) the National Guard of a state contiguous to Indiana;
- 42 (3) a reserve component of the armed forces of the United States;



1 or
2 (4) the armed forces;
3 enrolled in a state educational institution.
4 (e) The board of trustees of a state educational institution shall allow
5 a qualified student on active duty or called to active duty during an
6 academic term to exercise any of the following options:
7 (1) Reenroll in any course for which the qualified student had
8 remitted tuition but that the qualified student was not able to
9 complete due to active duty status. Course reenrollment shall be
10 offered to any qualified student:
11 (A) for a period not to exceed four (4) years after the date of
12 the qualified student's release from active duty; and
13 (B) without additional tuition, student fees, or related charges.
14 (2) Receive a refund for tuition and fees paid by the qualified
15 student for the academic term in which the qualified student was
16 called or ordered to active duty, or based on the qualified student's
17 active duty status.
18 (3) Receive a credit for a subsequent academic term in the amount
19 of the tuition and fees paid during the academic term for courses
20 that the qualified student did not complete due to active duty
21 status.
22 (f) If a qualified student has been fully reimbursed for tuition, fees,
23 and charges for a course that the qualified student did not complete due
24 to active duty status, the qualified student is not entitled to further
25 reimbursement under this section.
26 SECTION 25. IC 22-2-13-2, AS ADDED BY P.L.151-2007,
27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2024]: Sec. 2. As used in this chapter, "armed forces of the
29 United States" means the active or reserve components of **the**:
30 (1) ~~the~~ **United States** Army;
31 (2) ~~the~~ **United States** Navy;
32 (3) ~~the~~ **United States** Air Force;
33 (4) ~~the~~ **United States** Coast Guard;
34 (5) ~~the~~ **United States** Marine Corps; ~~or~~
35 **(6) United States Space Force; or**
36 ~~(7) the~~ **United States** Merchant Marine.
37 SECTION 26. IC 22-9-9-2, AS ADDED BY P.L.151-2007,
38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2024]: Sec. 2. As used in this chapter, "armed forces of the
40 United States" means the active or reserve components of the:
41 (1) **United States** Army;
42 (2) **United States** Navy;



- 1 (3) **United States** Air Force;
 - 2 (4) **United States** Coast Guard;
 - 3 (5) **United States** Marine Corps; ~~or~~
 - 4 (6) **United States Space Force**; or
 - 5 ~~(7) United States~~ Merchant Marine.
- 6 SECTION 27. IC 23-14-73-1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. As used in this
 8 chapter, "member of the armed forces" means an individual who served
 9 on active duty in the:
- 10 (1) **United States** Army;
 - 11 (2) **United States** Navy;
 - 12 (3) **United States** Air Force;
 - 13 (4) **United States** Marine Corps;
 - 14 (5) **United States Space Force**; or
 - 15 (6) **United States** Coast Guard. ~~of the United States.~~
- 16 SECTION 28. IC 25-1-12-3, AS AMENDED BY P.L.2-2005,
 17 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 3. As used in this chapter, "armed forces of the
 19 United States" means the active or reserve components of **the**:
- 20 (1) ~~the~~ **United States** Army;
 - 21 (2) ~~the~~ **United States** Navy;
 - 22 (3) ~~the~~ **United States** Air Force;
 - 23 (4) ~~the~~ **United States** Coast Guard;
 - 24 (5) ~~the~~ **United States** Marine Corps; ~~or~~
 - 25 (6) **United States Space Force**; or
 - 26 ~~(7) the~~ **United States** Merchant Marine.
- 27 SECTION 29. IC 25-36.1-2-5, AS ADDED BY P.L.97-2009,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2024]: Sec. 5. (a) Except as provided in section 4 of this
 30 chapter, an individual may not practice surgical technology in a health
 31 care facility unless the individual meets one (1) of the following
 32 requirements:
- 33 (1) Is certified under IC 25-36.1-1.
 - 34 (2) Has completed a surgical technology program provided by the
 35 United States Army, **United States** Navy, **United States** Air
 36 Force, **United States** Marine Corps, **United States Space Force**,
 37 or **United States** Coast Guard, or the commissioned corps of the
 38 United States Public Health Service.
 - 39 (3) Provides evidence to the health care facility that the individual
 40 was employed to practice surgical technology in a health care
 41 facility before July 1, 2009.
 - 42 (4) Is performing duties related to the individual's employment by



- 1 the federal government.
- 2 (5) Is practicing surgical technology during the twelve (12) month
- 3 period immediately following the completion of a degree from an
- 4 accredited school of surgical technology.
- 5 (6) Has the appropriate abilities, as determined by the health care
- 6 facility.
- 7 (b) An individual who is:
 - 8 (1) described in subsection (a)(1), (a)(2), or (a)(3); and
 - 9 (2) practicing surgical technology in a health care facility;
- 10 annually shall complete fifteen (15) hours of continuing education
- 11 concerning surgical technology in order to continue practicing surgical
- 12 technology.
- 13 (c) An individual who wants to practice surgical technology in a
- 14 health care facility is responsible for establishing to the satisfaction of
- 15 the health care facility that the individual has complied with this
- 16 section.
- 17 (d) An individual practicing surgical technology in a health care
- 18 facility is responsible for immediately notifying in writing the
- 19 governing body of the health care facility, or the governing body's
- 20 designee, of any changes in the individual's compliance with this
- 21 section.
- 22 (e) A health care facility shall maintain copies of any written
- 23 documentation provided by the individual to the health care facility
- 24 under subsection (c) or (d) to show compliance with this section.
- 25 (f) This chapter does not require a health care facility to permit an
- 26 individual described in subsection (a) to perform surgical technology
- 27 services at the health care facility.
- 28 SECTION 30. IC 27-1-22-26 IS AMENDED TO READ AS
- 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 26. (a) As used in this
- 30 section, "armed forces" means the following:
 - 31 (1) The **United States** Army.
 - 32 (2) The **United States** Navy.
 - 33 (3) The **United States** Air Force.
 - 34 (4) The **United States** Marine Corps.
 - 35 **(5) The United States Space Force.**
 - 36 ~~(6)~~ **(6) The United States** Coast Guard.
- 37 (b) This section applies only to an individual:
 - 38 (1) who is applying for motor vehicle insurance; and
 - 39 (2) who:
 - 40 (A) is serving in one (1) of the armed forces; or
 - 41 (B) has served in one (1) of the armed forces within six (6)
 - 42 months before applying for motor vehicle insurance.



1 (c) As used in this section, "motor vehicle insurance" means any
2 type of insurance described in IC 27-1-5-1, Class 2(f).

3 (d) As used in this chapter, "rating plan" means the rating schedule
4 or rating plan of an insurer concerning premium rates for motor vehicle
5 insurance that has been filed with the commissioner and is in effect
6 under section 4 of this chapter.

7 (e) An insurer may not set the premium rate for a policy of motor
8 vehicle insurance for an individual described in subsection (b) at an
9 amount higher than the applicable rate set forth in the rating plan due
10 to the fact that the individual has not been covered by motor vehicle
11 insurance for a period of time.

12 (f) The violation of this section is an unfair and deceptive act or
13 practice in the business of insurance under IC 27-4-1-4.

14 SECTION 31. IC 27-1-22-26.1, AS ADDED BY P.L.39-2005,
15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2024]: Sec. 26.1. (a) As used in this section, "armed forces"
17 means the active and reserve components of the following:

- 18 (1) The United States Army.
- 19 (2) The United States Navy.
- 20 (3) The United States Air Force.
- 21 (4) The United States Marine Corps.
- 22 **(5) The United States Space Force.**
- 23 ~~(5) (6)~~ The United States Coast Guard.
- 24 ~~(6) (7)~~ The Indiana National Guard.

25 (b) As used in this section, "motor vehicle insurance" means any
26 type of insurance described in IC 27-1-5-1, Class 2(f).

27 (c) As used in this chapter, "rating plan" means the rating schedule
28 or rating plan of an insurer:

- 29 (1) concerning premium rates for motor vehicle insurance;
- 30 (2) that has been filed with the commissioner; and
- 31 (3) that is in effect under section 4 of this chapter.

32 (d) An insurer that issues or renews a policy of motor vehicle
33 insurance may not set the premium rate for a policy of motor vehicle
34 insurance that covers an individual who is serving in one (1) of the
35 armed forces at an amount higher than the applicable rate set forth in
36 the rating plan for a policy of motor vehicle insurance that covers an
37 individual who is not serving in one (1) of the armed forces.

38 (e) A violation of this section is an unfair and deceptive act or
39 practice in the business of insurance under IC 27-4-1-4.

40 SECTION 32. IC 27-7-14-1, AS ADDED BY P.L.146-2015,
41 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2024]: Sec. 1. As used in this chapter, "armed forces" means



1 the active and reserve components of the following:

- 2 (1) The United States Army.
 3 (2) The United States Navy.
 4 (3) The United States Air Force.
 5 (4) The United States Marine Corps.
 6 **(5) The United States Space Force.**
 7 ~~(5)~~ **(6)** The United States Coast Guard.
 8 ~~(6)~~ **(7)** The Indiana National Guard.

9 SECTION 33. IC 29-3-9-1, AS AMENDED BY P.L.50-2021,
 10 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2024]: Sec. 1. (a) As used in this section, "department" means
 12 the department of child services established by IC 31-25-1-1.

13 (b) As used in this section and except as otherwise provided in this
 14 section, "foster care" has the meaning set forth in IC 31-9-2-46.7.

15 (c) Except as provided in subsections (d) and (h), by a properly
 16 executed power of attorney, a parent of a minor or a guardian (other
 17 than a temporary guardian) of a protected person may delegate to
 18 another person for:

- 19 (1) any period during which the care and custody of the minor or
 20 protected person is entrusted to an institution furnishing care,
 21 custody, education, or training; or
 22 (2) a period not exceeding twelve (12) months;

23 any powers regarding health care, support, custody, or property of the
 24 minor or protected person. A delegation described in this subsection is
 25 effective immediately unless otherwise stated in the power of attorney.

26 (d) A parent of a minor or a guardian of a protected person may not
 27 delegate under subsection (c) the power to:

- 28 (1) consent to the marriage or adoption of a protected person who
 29 is a minor; or
 30 (2) petition the court to request the authority to petition for
 31 dissolution of marriage, legal separation, or annulment of
 32 marriage on behalf of a protected person as provided under
 33 section 12.2 of this chapter.

34 (e) Subject to IC 30-5-5-16, a person having a power of attorney
 35 executed under subsection (c) has and shall exercise, for the period
 36 during which the power is effective, all other authority of the parent or
 37 guardian respecting the health care, support, custody, or property of the
 38 minor or protected person except any authority expressly excluded in
 39 the written instrument delegating the power. The parent or guardian
 40 remains responsible for any act or omission of the person having the
 41 power of attorney with respect to the affairs, property, and person of the
 42 minor or protected person as though the power of attorney had never



1 been executed.

2 (f) A delegation of powers executed under subsection (c) does not,
3 as a result of the execution of the power of attorney, subject any of the
4 parties to any laws, rules, or regulations concerning the licensing or
5 regulation of foster family homes, child placing agencies, or child
6 caring institutions under IC 31-27.

7 (g) Any child who is the subject of a power of attorney executed
8 under subsection (c) is not considered to be placed in foster care. The
9 parties to a power of attorney executed under subsection (c), including
10 a child, a protected person, a parent or guardian of a child or protected
11 person, or an attorney-in-fact, are not, as a result of the execution of the
12 power of attorney, subject to any foster care requirements or foster care
13 licensing regulations.

14 (h) A foster family home licensed under IC 31-27-4 may not provide
15 overnight or regular and continuous care and supervision to a child
16 who is the subject of a power of attorney executed under subsection (c)
17 while providing care to a child placed in the home by the department
18 or under a juvenile court order under a foster family home license.
19 Upon request, the department may grant an exception to this
20 subsection.

21 (i) A parent who:

22 (1) is a member in the:

23 (A) active or reserve component of the armed forces of the
24 United States, including the:

25 (i) **United States Army;**

26 (ii) **United States Navy;**

27 (iii) **United States Air Force;**

28 (iv) **United States Space Force;**

29 (v) **United States Marine Corps;**

30 (vi) National Guard; or

31 (vii) **United States Coast Guard;** or

32 (B) commissioned corps of the:

33 (i) National Oceanic and Atmospheric Administration; or

34 (ii) Public Health Service of the United States Department
35 of Health and Human Services;

36 detailed by proper authority for duty with the **United States**

37 Army or **United States Navy;** ~~of the United States;~~ or

38 (2) is required to:

39 (A) enter or serve in the active military service of the United
40 States under a call or order of the President of the United
41 States; or

42 (B) serve on state active duty;



1 may delegate the powers designated in subsection (c) for a period
 2 longer than twelve (12) months if the parent is on active duty service.
 3 However, the term of delegation may not exceed the term of active duty
 4 service plus thirty (30) days. The power of attorney must indicate that
 5 the parent is required to enter or serve in the active military service of
 6 the United States and include the estimated beginning and ending dates
 7 of the active duty service.

8 (j) Except as otherwise stated in the power of attorney delegating
 9 powers under this section, a delegation of powers under this section
 10 may be revoked at any time by a written instrument of revocation that:

- 11 (1) identifies the power of attorney revoked; and
 12 (2) is signed by the:

- 13 (A) parent of a minor; or
 14 (B) guardian of a protected person;

15 who executed the power of attorney.

16 SECTION 34. IC 33-42-9-10, AS AMENDED BY
 17 P.L.215-2018(ss), SECTION 14, IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) A notarial act
 19 performed under federal law shall be presumed valid and has the same
 20 effect as a notarial act performed by a notarial officer of Indiana if the
 21 notarial act performed under federal law is performed by:

- 22 (1) a judge, clerk, or deputy clerk of a court;
 23 (2) an individual who is authorized to perform the notarial act
 24 under federal law and is:

- 25 (A) presently serving in the armed forces of the United States;
 26 or
 27 (B) performing duties under the authority of the armed forces
 28 of the United States;

- 29 (3) an individual designated as a notarial officer by the United
 30 States Department of State for the purpose of performing notarial
 31 acts overseas;

- 32 (4) a commissioned officer with the rank of:

- 33 (A) second lieutenant or higher in the active service of the:
 34 (i) United States Army;
 35 (ii) United States Marine Corps; or
 36 (iii) United States Air Force; or
 37 **(iv) United States Space Force; or**

- 38 (B) ensign or higher in the active service of the:

- 39 (i) United States Coast Guard; or
 40 (ii) United States Navy; or

- 41 (5) any other individual authorized by federal law to perform the
 42 notarial act.



1 (b) The signature and title of an individual acting under federal
 2 authority while performing a notarial act are prima facie evidence of
 3 the fact that:

- 4 (1) the signature is genuine; and
- 5 (2) the individual holds the designated title.

6 (c) The signature and title of a notarial officer described in
 7 subsection (a)(1), (a)(2), or (a)(3) conclusively establish the authority
 8 of the notarial officer to perform the notarial act.

9 SECTION 35. IC 35-42-4-7, AS AMENDED BY P.L.133-2023,
 10 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2024]: Sec. 7. (a) As used in this section, "adoptive parent"
 12 has the meaning set forth in IC 31-9-2-6.

13 (b) As used in this section, "adoptive grandparent" means the parent
 14 of an adoptive parent.

15 (c) As used in this section, "charter school" has the meaning set
 16 forth in IC 20-18-2-2.5.

17 (d) As used in this section, "child care worker" means a person who:

- 18 (1) provides care, supervision, or instruction to a child within the
- 19 scope of the person's employment in a shelter care facility;
- 20 (2) is employed by a:

- 21 (A) school corporation;
- 22 (B) charter school;
- 23 (C) nonpublic school; or
- 24 (D) special education cooperative;

25 attended by a child who is the victim of a crime under this
 26 chapter; or

27 (3) is:

- 28 (A) affiliated with a:
- 29 (i) school corporation;
- 30 (ii) charter school;
- 31 (iii) nonpublic school; or
- 32 (iv) special education cooperative;

33 attended by a child who is the victim of a crime under this
 34 chapter, regardless of how or whether the person is
 35 compensated;

36 (B) in a position of trust in relation to a child who attends the
 37 school or cooperative;

38 (C) engaged in the provision of care or supervision to a child
 39 who attends the school or cooperative; and

40 (D) at least four (4) years older than the child who is the
 41 victim of a crime under this chapter.

42 The term does not include a student who attends the school or



- 1 cooperative.
- 2 (e) As used in this section, "coach" means a person who:
- 3 (1) provides care, supervision, or instruction to a child within the
- 4 scope of the person's employment in a youth sports organization;
- 5 (2) is employed by a youth sports organization attended by a child
- 6 who is the victim of a crime under this chapter; or
- 7 (3) is:
- 8 (A) affiliated with a youth sports organization attended by a
- 9 child who is the victim of a crime under this chapter,
- 10 regardless of how or whether the person is compensated;
- 11 (B) in a position of trust in relation to a child who participates
- 12 in the youth sports organization;
- 13 (C) engaged in the provision of care or supervision to a child
- 14 who participates in the youth sports organization; and
- 15 (D) at least four (4) years older than the child who is the
- 16 victim of a crime under this chapter.
- 17 This term includes a coach who is nonteaching or a volunteer.
- 18 (f) As used in this section, "custodian" means any person who
- 19 resides with a child and is responsible for the child's welfare.
- 20 (g) As used in this section, "mental health professional" means:
- 21 (1) a mental health counselor licensed under IC 25-23.6-8.5;
- 22 (2) a psychologist; or
- 23 (3) a psychiatrist.
- 24 (h) As used in this section, "military recruiter" means a member of:
- 25 (1) the United States Air Force;
- 26 (2) the United States Army;
- 27 (3) the United States Coast Guard;
- 28 (4) the United States Marine Corps;
- 29 (5) the United States Navy;
- 30 **(6) the United States Space Force;**
- 31 ~~(7)~~ **(7)** any reserve components of the military forces listed in
- 32 subdivisions (1) through (5); or
- 33 ~~(7)~~ **(8)** the Indiana National Guard;
- 34 whose primary job function, classification, or specialty is recruiting
- 35 individuals to enlist with an entity listed in subdivisions (1) through
- 36 ~~(7)~~ **(8)**.
- 37 (i) As used in this section, "nonpublic school" has the meaning set
- 38 forth in IC 20-18-2-12.
- 39 (j) For purposes of this section, a person has a "professional
- 40 relationship" with a child if:
- 41 (1) the person:
- 42 (A) has a license issued by the state or a political subdivision



- 1 on the basis of the person's training and experience that
 2 authorizes the person to carry out a particular occupation; or
 3 (B) is employed in a position in which counseling, supervising,
 4 instructing, or recruiting children forms a significant part of
 5 the employment; and
 6 (2) the person has a relationship with a child that is based on the
 7 person's employment or licensed status as described in
 8 subdivision (1).
 9 The term includes a relationship between a child and a mental health
 10 professional or military recruiter. The term does not include a coworker
 11 relationship between a child and a person described in subdivision
 12 (1)(B).
 13 (k) As used in this section, "school corporation" has the meaning set
 14 forth in IC 20-18-2-16.
 15 (l) As used in this section, "special education cooperative" has the
 16 meaning set forth in IC 20-35-5-1.
 17 (m) As used in this section, "stepparent" means an individual who
 18 is married to a child's custodial or noncustodial parent and is not the
 19 child's adoptive parent.
 20 (n) As used in this section, "workplace supervisor" means an
 21 individual who has authority over a child while the child is employed
 22 at the child's place of employment. The term includes a person who is
 23 responsible for determining the child's wages (including whether the
 24 child will receive a raise) or who otherwise has the authority to take an
 25 adverse employment action against the child.
 26 (o) As used in this section, "youth sports organization" means an
 27 athletic or recreational program that is organized for:
 28 (1) competition against another team, club, or entity; or
 29 (2) athletic instruction;
 30 predominantly for children less than eighteen (18) years of age.
 31 (p) If a person who:
 32 (1) is at least eighteen (18) years of age; and
 33 (2) is the:
 34 (A) guardian, adoptive parent, adoptive grandparent,
 35 custodian, or stepparent of;
 36 (B) child care worker for; or
 37 (C) coach of;
 38 a child less than eighteen (18) years of age;
 39 engages with the child in sexual intercourse, other sexual conduct (as
 40 defined in IC 35-31.5-2-221.5), or any fondling or touching with the
 41 intent to arouse or satisfy the sexual desires of either the child or the
 42 adult, the person commits child seduction.



- 1 (q) A person who:
 2 (1) has or had a professional relationship with a child less than
 3 eighteen (18) years of age whom the person knows to be less than
 4 eighteen (18) years of age;
 5 (2) may exert undue influence on the child because of the person's
 6 current or previous professional relationship with the child; and
 7 (3) uses or exerts the person's professional relationship to engage
 8 in sexual intercourse, other sexual conduct (as defined in
 9 IC 35-31.5-2-221.5), or any fondling or touching with the child
 10 with the intent to arouse or satisfy the sexual desires of the child
 11 or the person;
 12 commits child seduction.
- 13 (r) A law enforcement officer who:
 14 (1) is at least four (4) years older than a child who is less than
 15 eighteen (18) years of age;
 16 (2) has contact with the child while acting within the scope of the
 17 law enforcement officer's official duties with respect to the child;
 18 and
 19 (3) uses or exerts the law enforcement officer's professional
 20 relationship with the child to engage with the child in:
 21 (A) sexual intercourse;
 22 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
 23 or
 24 (C) any fondling or touching with the child with the intent to
 25 arouse or satisfy the sexual desires of the child or the law
 26 enforcement officer;
 27 commits child seduction.
- 28 (s) In determining whether a person used or exerted the person's
 29 professional relationship with the child to engage in sexual intercourse,
 30 other sexual conduct (as defined in IC 35-31.5-2-221.5), or any
 31 fondling or touching with the intent to arouse or satisfy the sexual
 32 desires of the child or the person under this section, the trier of fact
 33 may consider one (1) or more of the following:
 34 (1) The age difference between the person and the child.
 35 (2) Whether the person was in a position of trust with respect to
 36 the child.
 37 (3) Whether the person's conduct with the child violated any
 38 ethical obligations of the person's profession or occupation.
 39 (4) The authority that the person had over the child.
 40 (5) Whether the person exploited any particular vulnerability of
 41 the child.
 42 (6) Any other evidence relevant to the person's ability to exert



- 1 undue influence over the child.
- 2 (t) This subsection does not apply to a workplace supervisor who
- 3 had a dating relationship with the child before the child was employed
- 4 at the place of employment. A workplace supervisor who:
- 5 (1) is at least four (4) years older than a child who is less than
- 6 eighteen (18) years of age;
- 7 (2) supervises the child at the child's place of employment; and
- 8 (3) uses or exerts the workplace supervisor's supervisory
- 9 relationship with the child to engage with the child in:
- 10 (A) sexual intercourse;
- 11 (B) other sexual conduct (as defined in IC 35-31.5-2-221.5);
- 12 or
- 13 (C) any fondling or touching with the child with the intent to
- 14 arouse or satisfy the sexual desires of the child or the
- 15 workplace supervisor;
- 16 commits child seduction.
- 17 (u) In determining whether a workplace supervisor used or exerted
- 18 the workplace supervisor's relationship with the child to engage in
- 19 sexual intercourse, other sexual conduct (as defined in
- 20 IC 35-31.5-2-221.5), or any fondling or touching with the intent to
- 21 arouse or satisfy the sexual desires of the child or the workplace
- 22 supervisor, the trier of fact may consider one (1) or more of the
- 23 following:
- 24 (1) The age difference between the workplace supervisor and the
- 25 child.
- 26 (2) Whether the workplace supervisor was in a position of trust
- 27 with respect to the child.
- 28 (3) Whether the workplace supervisor suggested to the child that
- 29 engaging or not engaging in sexual activity with the workplace
- 30 supervisor would or could affect the child at the child's place of
- 31 employment.
- 32 (4) The authority that the workplace supervisor had over the child.
- 33 (5) Whether the workplace supervisor exploited any particular
- 34 vulnerability of the child.
- 35 (6) Any other evidence relevant to the workplace supervisor's
- 36 ability to exert undue influence over the child.
- 37 (v) Child seduction under this section is:
- 38 (1) a Level 6 felony if the child is at least sixteen (16) years of age
- 39 but less than eighteen (18) years of age and the person or law
- 40 enforcement officer engaged in any fondling or touching with the
- 41 intent to arouse or satisfy the sexual desires of:
- 42 (A) the child; or



- 1 (B) the person or law enforcement officer;
- 2 (2) a Level 5 felony if the child is at least sixteen (16) years of age
- 3 but less than eighteen (18) years of age and the person or law
- 4 enforcement officer engaged in sexual intercourse or other sexual
- 5 conduct (as defined in IC 35-31.5-2-221.5) with the child;
- 6 (3) a Level 5 felony if the child is at least fourteen (14) years of
- 7 age but less than sixteen (16) years of age and the person or law
- 8 enforcement officer engaged in any fondling or touching with the
- 9 intent to arouse or satisfy the sexual desires of:
- 10 (A) the child; or
- 11 (B) the person or law enforcement officer;
- 12 (4) a Level 4 felony if the child is at least fourteen (14) years of
- 13 age but less than sixteen (16) years of age and the person or law
- 14 enforcement officer engaged in sexual intercourse or other sexual
- 15 conduct (as defined in IC 35-31.5-2-221.5) with the child;
- 16 (5) a Level 3 felony if the child is thirteen (13) years of age or
- 17 under and the person or law enforcement officer engaged in any
- 18 fondling or touching with the intent to arouse or satisfy the sexual
- 19 desires of:
- 20 (A) the child; or
- 21 (B) the person or law enforcement officer; and
- 22 (6) a Level 2 felony if the child is thirteen (13) years of age or
- 23 under and the person or law enforcement officer engaged in
- 24 sexual intercourse or other sexual conduct (as defined in
- 25 IC 35-31.5-2-221.5) with the child.
- 26 SECTION 36. IC 36-8-4.7-3, AS ADDED BY P.L.115-2016,
- 27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2024]: Sec. 3. As used in this chapter, "armed forces" means
- 29 the active and reserve components of the following:
- 30 (1) The United States Army.
- 31 (2) The United States Navy.
- 32 (3) The United States Air Force.
- 33 (4) The United States Marine Corps.
- 34 **(5) The United States Space Force.**
- 35 ~~(6)~~ **(6)** The United States Coast Guard.
- 36 ~~(7)~~ **(7)** The Indiana National Guard.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1202, 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 HB 1202 as introduced.)

BARTELS

Committee Vote: Yeas 12, Nays 0

