



February 19, 2019

---

---

## HOUSE BILL No. 1257

---

DIGEST OF HB 1257 (Updated February 19, 2019 12:53 pm - DI 131)

**Citations Affected:** IC 10-17.

**Synopsis:** Military family relief fund. Requires an employee of the Indiana department of veterans' affairs (department) who is otherwise eligible to receive assistance from the military family relief fund (MFRF) to submit the employee's application directly to the Indiana veterans' affairs commission (commission). Requires the commission and the department to give timely responses to applications for assistance from the MFRF. Caps the amount of monetary assistance a qualified service member may receive from the MFRF at \$2,500, unless approved by the commission. Establishes the determination and analysis process the commission may use for applications requesting in excess of the \$2,500 threshold.

**Effective:** July 1, 2019.

---

---

### Frye R, Zent, Leonard

---

---

January 10, 2019, read first time and referred to Committee on Veterans Affairs and Public Safety.  
February 19, 2019, amended, reported — Do Pass.

---

---

HB 1257—LS 7227/DI 109





February 19, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1257

---

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

- 1 SECTION 1. IC 10-17-12-10, AS AMENDED BY P.L.99-2016,  
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 10. (a) The commission shall adopt rules under  
4 IC 4-22-2 for the provision of grants under this chapter. Subject to  
5 subsection (b), the rules adopted under this section must address the  
6 following:  
7 (1) Uniform need determination procedures.  
8 (2) Eligibility criteria, including income eligibility standards,  
9 asset limit eligibility standards, and other standards concerning  
10 when assistance may be provided.  
11 (3) Application procedures.  
12 (4) Selection procedures.  
13 (5) A consideration of the extent to which an individual has used  
14 assistance available from other assistance programs before  
15 assistance may be provided to the individual from the fund.  
16 (6) Other areas in which the department determines that rules are  
17 necessary to ensure the uniform administration of the grant

HB 1257—LS 7227/DI 109



- 1 program under this chapter.
- 2 (b) The following apply to grants awarded under this chapter:
- 3 (1) An applicant is not eligible for a grant from the fund if:
- 4 (A) the qualified service member with respect to whom the
- 5 application is based has been discharged; and
- 6 (B) the qualified service member's term of qualifying military
- 7 service was less than twelve (12) months.
- 8 (2) The income eligibility standards must be based on the federal
- 9 gross income of the qualified service member and the qualified
- 10 service member's spouse.
- 11 **(3) An employee of the department who is otherwise eligible**
- 12 **for a grant from the fund must submit the employee's**
- 13 **application directly to the commission for review. The**
- 14 **department shall have no influence in any part of the**
- 15 **employee's application.**
- 16 **(4) The maximum amount a qualified service member may**
- 17 **receive from the fund is two thousand five hundred dollars**
- 18 **(\$2,500), unless approved by the commission.**
- 19 **(5) The commission may consider the following in its analysis**
- 20 **of the applicant's request for assistance in excess of two**
- 21 **thousand five hundred dollars (\$2,500):**
- 22 (A) The department's eligibility determination of the
- 23 applicant.
- 24 (B) Facts considered in the department's need
- 25 determination review and award under 915 IAC 3-6-3 and
- 26 915 IAC 3-6-5.
- 27 (C) The circumstances surrounding the applicant's
- 28 hardship.
- 29 (D) Any substantive changes in the applicant's financial
- 30 situation after the original application was submitted.
- 31 (E) Facts that may have been unknown or unavailable at
- 32 the time of the applicant's original application for
- 33 assistance.
- 34 (F) Other compelling circumstances that may justify
- 35 assistance in excess of the two thousand five hundred
- 36 dollar (\$2,500) threshold.
- 37 **(6) The commission shall approve or deny within sixty (60)**
- 38 **days an application for a grant filed with the commission after**
- 39 **June 30, 2019, by an employee of the department. However,**
- 40 **the commission may not act on an incomplete application. The**
- 41 **commission shall return an incomplete application with a**
- 42 **notation as to omissions. The return of an incomplete**



1           **application shall be without prejudice.**  
2           SECTION 2. IC 10-17-12-14 IS ADDED TO THE INDIANA  
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2019]: **Sec. 14. Except as provided in section**  
5 **15 of this chapter, the department shall approve or deny an**  
6 **application for a grant filed with the department after June 30,**  
7 **2019, within sixty (60) days.**  
8           SECTION 3. IC 10-17-12-15 IS ADDED TO THE INDIANA  
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2019]: **Sec. 15. The department may not act**  
11 **on an incomplete application. The department shall return an**  
12 **incomplete application with a notation as to omissions. The return**  
13 **of an incomplete application shall be without prejudice.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1257, 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 1, delete lines 1 through 17.

Page 2, delete lines 1 through 15, begin a new paragraph and insert:

"SECTION 1. IC 10-17-12-10, AS AMENDED BY P.L.99-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 10. (a) The commission shall adopt rules under IC 4-22-2 for the provision of grants under this chapter. Subject to subsection (b), the rules adopted under this section must address the following:

- (1) Uniform need determination procedures.
- (2) Eligibility criteria, including income eligibility standards, asset limit eligibility standards, and other standards concerning when assistance may be provided.
- (3) Application procedures.
- (4) Selection procedures.
- (5) A consideration of the extent to which an individual has used assistance available from other assistance programs before assistance may be provided to the individual from the fund.
- (6) Other areas in which the department determines that rules are necessary to ensure the uniform administration of the grant program under this chapter.

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

- (1) An applicant is not eligible for a grant from the fund if:
  - (A) the qualified service member with respect to whom the application is based has been discharged; and
  - (B) the qualified service member's term of qualifying military service was less than twelve (12) months.
- (2) The income eligibility standards must be based on the federal gross income of the qualified service member and the qualified service member's spouse.
- (3) An employee of the department who is otherwise eligible for a grant from the fund must submit the employee's application directly to the commission for review. The department shall have no influence in any part of the employee's application.**
- (4) The maximum amount a qualified service member may receive from the fund is two thousand five hundred dollars (\$2,500), unless approved by the commission.**



**(5) The commission may consider the following in its analysis of the applicant's request for assistance in excess of two thousand five hundred dollars (\$2,500):**

**(A) The department's eligibility determination of the applicant.**

**(B) Facts considered in the department's need determination review and award under 915 IAC 3-6-3 and 915 IAC 3-6-5.**

**(C) The circumstances surrounding the applicant's hardship.**

**(D) Any substantive changes in the applicant's financial situation after the original application was submitted.**

**(E) Facts that may have been unknown or unavailable at the time of the applicant's original application for assistance.**

**(F) Other compelling circumstances that may justify assistance in excess of the two thousand five hundred dollar (\$2,500) threshold.**

**(6) The commission shall approve or deny within sixty (60) days an application for a grant filed with the commission after June 30, 2019, by an employee of the department. However, the commission may not act on an incomplete application. The commission shall return an incomplete application with a notation as to omissions. The return of an incomplete application shall be without prejudice."**

Page 2, line 19, delete "commission" and insert "**department**".

Page 2, line 20, delete "commission" and insert "**department**".

Page 2, line 24, delete "commission" and insert "**department**".

Page 2, line 25, delete "commission" and insert "**department**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1257 as introduced.)

FRYE R

Committee Vote: yeas 11, nays 0.

