



January 26, 2016

HOUSE BILL No. 1313

DIGEST OF HB 1313 (Updated January 26, 2016 12:30 pm - DI 123)

Citations Affected: IC 1-1.

Synopsis: Hoosier veterans. Establishes a definition for "Hoosier veteran" that is applicable throughout the Indiana Code when used in reference to state programs for veterans. Amends the definition of Hoosier veteran to include an individual who: (1) is a resident of Indiana; (2) served in a reserve component of the armed forces of the United States or the Indiana National Guard; and (3) completed any required military occupational specialty training and was not discharged or separated from the armed forces or the Indiana National Guard under dishonorable or other than honorable conditions.

Effective: July 1, 2016.

Mayfield, Lucas, Macer, Moseley

January 12, 2016, read first time and referred to Committee on Veterans Affairs and Public Safety.
January 26, 2016, amended, reported — Do Pass.

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January 26, 2016

Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1313

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 1-1-4-5, AS AMENDED BY P.L.114-2012,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 5. **(a)** The following definitions apply to the
4 construction of all Indiana statutes, unless the construction is plainly
5 repugnant to the intent of the general assembly or of the context of the
6 statute:
- 7 (1) "Adult", "of full age", and "person in his majority" mean a
8 person at least eighteen (18) years of age.
 - 9 (2) "Attorney" includes a counselor or other person authorized to
10 appear and represent a party in an action or special proceeding.
 - 11 (3) "Autism" means a neurological condition as described in the
12 most recent edition of the Diagnostic and Statistical Manual of
13 Mental Disorders of the American Psychiatric Association.
 - 14 (4) "Bond" does not necessarily imply a seal.
 - 15 (5) "Clerk" means the clerk of the court or a person authorized to
16 perform the clerk's duties.
 - 17 (6) "Health record", "hospital record", or "medical record" means

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- 1 written or printed information possessed by a provider (as defined
2 in IC 16-18-2-295) concerning any diagnosis, treatment, or
3 prognosis of the patient, unless otherwise defined. Except as
4 otherwise provided, the terms include mental health records and
5 drug and alcohol abuse records.
- 6 (7) "Highway" includes county bridges and state and county
7 roads, unless otherwise expressly provided.
- 8 (8) "Infant" or "minor" means a person less than eighteen (18)
9 years of age.
- 10 (9) "Inhabitant" may be construed to mean a resident in any place.
- 11 (10) "Judgment" means all final orders, decrees, and
12 determinations in an action and all orders upon which executions
13 may issue.
- 14 (11) "Land", "real estate", and "real property" include lands,
15 tenements, and hereditaments.
- 16 (12) "Mentally incompetent" means of unsound mind.
- 17 (13) "Money demands on contract", when used in reference to an
18 action, means an action arising out of contract when the relief
19 demanded is a recovery of money.
- 20 (14) "Month" means a calendar month, unless otherwise
21 expressed.
- 22 (15) "Noncode statute" means a statute that is not codified as part
23 of the Indiana Code.
- 24 (16) "Oath" includes "affirmation", and "to swear" includes to
25 "affirm".
- 26 (17) "Person" extends to bodies politic and corporate.
- 27 (18) "Personal property" includes goods, chattels, evidences of
28 debt, and things in action.
- 29 (19) "Population" has the meaning set forth in IC 1-1-3.5-3.
- 30 (20) "Preceding" and "following", referring to sections in statutes,
31 mean the sections next preceding or next following that in which
32 the words occur, unless some other section is designated.
- 33 (21) "Property" includes personal and real property.
- 34 (22) "Sheriff" means the sheriff of the county or another person
35 authorized to perform sheriff's duties.
- 36 (23) "State", applied to any one (1) of the United States, includes
37 the District of Columbia and the commonwealths, possessions,
38 states in free association with the United States, and the
39 territories. "United States" includes the District of Columbia and
40 the commonwealths, possessions, states in free association with
41 the United States, and the territories.
- 42 (24) "Under legal disabilities" includes persons less than eighteen



- 1 (18) years of age, mentally incompetent, or out of the United
 2 States.
 3 (25) "Verified", when applied to pleadings, means supported by
 4 oath or affirmation in writing.
 5 (26) "Will" includes a testament and codicil.
 6 (27) "Without relief" in any judgment, contract, execution, or
 7 other instrument of writing or record, means without the benefit
 8 of valuation laws.
 9 (28) "Written" and "in writing" include printing, lithographing, or
 10 other mode of representing words and letters. If the written
 11 signature of a person is required, the terms mean the proper
 12 handwriting of the person or the person's mark.
 13 (29) "Year" means a calendar year, unless otherwise expressed.
 14 (30) The definitions in IC 35-31.5 apply to all statutes relating to
 15 penal offenses.

16 **(b) This subsection applies to the definitions of "Hoosier**
 17 **veteran" and "veteran" when used in reference to state programs**
 18 **for veterans. The term "veteran" includes "Hoosier veteran", and**
 19 **applies to the construction of all Indiana statutes, unless the**
 20 **construction is expressly excluded by the terms of the statute, is**
 21 **plainly repugnant to the intent of the general assembly or of the**
 22 **context of the statute, or is inconsistent with federal law. "Hoosier**
 23 **veteran" means an individual who meets the following criteria:**

- 24 (1) The individual is a resident of Indiana.
 25 (2) The individual served in a reserve component of the armed
 26 forces of the United States or the Indiana National Guard.
 27 (3) The individual completed any required military
 28 occupational specialty training and was not discharged or
 29 separated from the armed forces or the Indiana National
 30 Guard under dishonorable or other than honorable
 31 conditions.

32 **The definitions set forth in this subsection may not be construed to**
 33 **affect a Hoosier veteran's eligibility for any state program that is**
 34 **based upon a particular aspect of the Hoosier veteran's service**
 35 **such as a disability or a wartime service requirement.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1313, 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 3, between lines 24 and 25, begin a new line block indented and insert:

"(2) The individual served in a reserve component of the armed forces of the United States or the Indiana National Guard.

(3) The individual completed any required military occupational specialty training and was not discharged or separated from the armed forces or the Indiana National Guard under dishonorable or other than honorable conditions."

Page 3, delete lines 25 through 40.

and when so amended that said bill do pass.

(Reference is to HB 1313 as introduced.)

FRYE R

Committee Vote: yeas 13, nays 0.

