

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 ENROLLED ACT No. 1313

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

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

SECTION 1. IC 1-1-4-5, AS AMENDED BY P.L.114-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. **(a)** The following definitions apply to the construction of all Indiana statutes, unless the construction is plainly repugnant to the intent of the general assembly or of the context of the statute:

- (1) "Adult", "of full age", and "person in his majority" mean a person at least eighteen (18) years of age.
- (2) "Attorney" includes a counselor or other person authorized to appear and represent a party in an action or special proceeding.
- (3) "Autism" means a neurological condition as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.
- (4) "Bond" does not necessarily imply a seal.
- (5) "Clerk" means the clerk of the court or a person authorized to perform the clerk's duties.
- (6) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and

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drug and alcohol abuse records.

(7) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.

(8) "Infant" or "minor" means a person less than eighteen (18) years of age.

(9) "Inhabitant" may be construed to mean a resident in any place.

(10) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.

(11) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.

(12) "Mentally incompetent" means of unsound mind.

(13) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.

(14) "Month" means a calendar month, unless otherwise expressed.

(15) "Noncode statute" means a statute that is not codified as part of the Indiana Code.

(16) "Oath" includes "affirmation", and "to swear" includes to "affirm".

(17) "Person" extends to bodies politic and corporate.

(18) "Personal property" includes goods, chattels, evidences of debt, and things in action.

(19) "Population" has the meaning set forth in IC 1-1-3.5-3.

(20) "Preceding" and "following", referring to sections in statutes, mean the sections next preceding or next following that in which the words occur, unless some other section is designated.

(21) "Property" includes personal and real property.

(22) "Sheriff" means the sheriff of the county or another person authorized to perform sheriff's duties.

(23) "State", applied to any one (1) of the United States, includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories. "United States" includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories.

(24) "Under legal disabilities" includes persons less than eighteen (18) years of age, mentally incompetent, or out of the United States.

(25) "Verified", when applied to pleadings, means supported by oath or affirmation in writing.



(26) "Will" includes a testament and codicil.

(27) "Without relief" in any judgment, contract, execution, or other instrument of writing or record, means without the benefit of valuation laws.

(28) "Written" and "in writing" include printing, lithographing, or other mode of representing words and letters. If the written signature of a person is required, the terms mean the proper handwriting of the person or the person's mark.

(29) "Year" means a calendar year, unless otherwise expressed.

(30) The definitions in IC 35-31.5 apply to all statutes relating to penal offenses.

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

(1) The individual is a resident of Indiana.

(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.

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



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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