

# HOUSE BILL No. 1537

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-30; IC 6-8.1-9-4; IC 9-24; IC 10-17; IC 23-14-54.5.

**Synopsis:** Veterans' matters. Requires the state lottery commission to adopt rules to establish a scratch off game to benefit Indiana veterans. Deposits revenue from sales of tickets for the scratch off game into the veterans' affairs trust fund. Provides that an individual may request an indication of the individual's status as a surviving spouse of a veteran on the individual's driver's license or state identification card. (Current law provides only for an indication of veteran status.) Provides for space on state income tax forms to enable taxpayers to donate all or part of the taxpayer's tax refund to the veterans' affairs trust fund. Removes the four year appointment term for county and city service officers. Requires the department of veterans' affairs, in consultation with various state agencies and organizations, to establish a uniform definition of "Hoosier veteran". Authorizes the department of veterans' affairs to assume control over the unclaimed remains of veterans in certain circumstances.

**Effective:** July 1, 2015.

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**Davisson, Arnold L, Macer, Moseley**

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January 22, 2015, read first time and referred to Committee on Ways and Means.

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First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

# HOUSE BILL No. 1537



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 4-30-3-20.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2015]: **Sec. 20.5. (a) The commission shall adopt rules under**  
4 **IC 4-22-2 to establish a scratch off game to benefit veterans.**  
5 **(b) Profits from the sale of tickets for the scratch off game**  
6 **described in subsection (a) must be deposited in the veterans'**  
7 **affairs trust fund established by IC 10-17-13-3.**  
8 SECTION 2. IC 4-30-10-3 IS AMENDED TO READ AS  
9 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. **(a)** Each retailer is  
10 liable to the commission for any and all tickets accepted or generated  
11 by an employee or representative of that retailer. These tickets are  
12 considered to have been purchased by the retailer, unless returned to  
13 the commission within the time and in the manner prescribed by the  
14 commission.  
15 **(b) Except as provided in subsection (c), all money received by**



1 retailers from the sale of lottery tickets, less the amount retained as  
2 compensation for the sale of the tickets and the amount paid out as  
3 prizes by the retailer, shall be held in trust until its delivery to the  
4 commission or electronic transfer to the administrative trust fund.

5 **(c) All money received by retailers from the sale of tickets for a**  
6 **scratch off game established under IC 4-30-3-20.5, less the amount**  
7 **retained as compensation for the sale of the tickets and the amount**  
8 **paid out as prizes by the retailer, shall be held in trust until its**  
9 **delivery to the commission for deposit in or electronic transfer to**  
10 **the veterans' affairs trust fund established by IC 10-17-13-3.**

11 SECTION 3. IC 4-30-15-1 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. **(a)** There is created  
13 an administrative trust fund to be administered by the commission in  
14 accordance with this article.

15 **(b) Except as provided in subsection (c),** all money received by  
16 the commission shall be deposited into the fund. All money in the fund  
17 is continually appropriated to the commission for the purposes  
18 specified in this article.

19 **(c) The commission shall deposit profits from the sale of tickets**  
20 **for a scratch off game established under IC 4-30-3-20.5 in the**  
21 **veterans' affairs trust fund established by IC 10-17-13-3.**

22 SECTION 4. IC 6-8.1-9-4, AS AMENDED BY P.L.288-2013,  
23 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2015]: Sec. 4. (a) Every individual (other than a nonresident)  
25 who files an individual income tax return and who is entitled to a  
26 refund from the department of state revenue because of the  
27 overpayment of income tax for a taxable year may designate on the  
28 individual's annual state income tax return that either a specific amount  
29 or all of the refund to which the individual is entitled shall be paid over  
30 to one (1) or more of the funds described in subsection (c). If the refund  
31 to which the individual is entitled is less than the total amount  
32 designated to be paid over to one (1) or more of the funds described in  
33 subsection (c), all of the refund to which the individual is entitled shall  
34 be paid over to the designated funds, but in an amount or amounts  
35 reduced proportionately for each designated fund. If an individual  
36 designates all of the refund to which the individual is entitled to be paid  
37 over to one (1) or more of the funds described in subsection (c) without  
38 designating specific amounts, the refund to which the individual is  
39 entitled shall be paid over to each fund described in subsection (c) in  
40 an amount equal to the refund divided by the number of funds  
41 described in subsection (c), rounded to the lowest cent, with any part  
42 of the refund remaining due to the effects of rounding to be deposited



- 1 in the nongame fund.
- 2 (b) Every husband and wife (other than nonresidents) who file a  
3 joint income tax return and who are entitled to a refund from the  
4 department of state revenue because of the overpayment of income tax  
5 for a taxable year may designate on their annual state income tax return  
6 that either a specific amount or all of the refund to which they are  
7 entitled shall be paid over to one (1) or more of the funds described in  
8 subsection (c). If the refund to which a husband and wife are entitled  
9 is less than the total amount designated to be paid over to one (1) or  
10 more of the funds described in subsection (c), all of the refund to which  
11 the husband and wife are entitled shall be paid over to the designated  
12 funds, but in an amount or amounts reduced proportionately for each  
13 designated fund. If a husband and wife designate all of the refund to  
14 which the husband and wife are entitled to be paid over to one (1) or  
15 more of the funds described in subsection (c) without designating  
16 specific amounts, the refund to which the husband and wife are entitled  
17 shall be paid over to each fund described in subsection (c) in an  
18 amount equal to the refund divided by the number of funds described  
19 in subsection (c), rounded to the lowest cent, with any part of the  
20 refund remaining due to the effects of rounding to be deposited in the  
21 nongame fund.
- 22 (c) Designations under subsection (a) or (b) may be directed only to  
23 the following funds:
- 24 (1) The nongame fund.
- 25 (2) The state general fund for exclusive use in funding public  
26 education for kindergarten through grade 12.
- 27 **(3) The veterans' affairs trust fund.**
- 28 (d) The instructions for the preparation of individual income tax  
29 returns shall contain a description of the purposes of the following:
- 30 (1) The nongame and endangered species program. The  
31 description of this program shall be written in cooperation with  
32 the department of natural resources.
- 33 (2) The funding of public education for kindergarten through  
34 grade 12. The description of this purpose shall be written in  
35 cooperation with the state superintendent of public instruction.
- 36 (e) The department shall interpret a designation on a return under  
37 subsection (a) or (b) that is illegible or otherwise not reasonably  
38 discernible to the department as if the designation had not been made.
- 39 SECTION 5. IC 9-24-9-2, AS AMENDED BY P.L.85-2013,  
40 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2015]: Sec. 2. (a) Except as provided in subsection (b), each  
42 application for a license or permit under this chapter must require the



- 1 following information:
- 2 (1) The full legal name of the applicant.
- 3 (2) The applicant's date of birth.
- 4 (3) The gender of the applicant.
- 5 (4) The applicant's height, weight, hair color, and eye color.
- 6 (5) The principal address and mailing address of the applicant.
- 7 (6) A:
- 8 (A) valid Social Security number; or
- 9 (B) verification of an applicant's:
- 10 (i) ineligibility to be issued a Social Security number; and
- 11 (ii) identity and lawful status.
- 12 (7) Whether the applicant has been subject to fainting spells or
- 13 seizures.
- 14 (8) Whether the applicant has been licensed as an operator, a
- 15 chauffeur, or a public passenger chauffeur or has been the holder
- 16 of a learner's permit, and if so, when and by what state.
- 17 (9) Whether the applicant's license or permit has ever been
- 18 suspended or revoked, and if so, the date of and the reason for the
- 19 suspension or revocation.
- 20 (10) Whether the applicant has been convicted of a crime
- 21 punishable as a felony under Indiana motor vehicle law or any
- 22 other felony in the commission of which a motor vehicle was
- 23 used.
- 24 (11) Whether the applicant has a physical or mental disability,
- 25 and if so, the nature of the disability and other information the
- 26 bureau directs.
- 27 (12) The signature of the applicant showing the applicant's legal
- 28 name as it appears or will appear on the license or permit.
- 29 (13) A digital photograph of the applicant.

30 The bureau shall maintain records of the information provided under

31 subdivisions (1) through (13).

32 (b) For purposes of subsection (a), an individual certified as a

33 program participant in the address confidentiality program under

34 IC 5-26.5 is not required to provide the individual's principal address

35 and mailing address, but may provide an address designated by the

36 office of the attorney general under IC 5-26.5 as the individual's

37 principal address and mailing address.

38 (c) In addition to the information required by subsection (a), an

39 applicant who is required to complete at least fifty (50) hours of

40 supervised practice driving under IC 9-24-3-2.5(a)(1)(E) or

41 IC 9-24-3-2.5(a)(2)(D) must submit to the bureau evidence of the time

42 logged in practice driving. The bureau shall maintain a record of the



1 time log provided.

2 (d) In addition to the information required under subsection (a), an  
3 application for a license or permit to be issued under this chapter must  
4 enable the applicant to indicate that the applicant is a veteran of the  
5 armed forces of the United States and wishes to have an indication of  
6 the applicant's veteran status appear on the license or permit. An  
7 applicant who wishes to have an indication of the applicant's veteran  
8 status appear on a license or permit must:

- 9 (1) indicate on the application that the applicant:  
10 (A) is a veteran of the armed forces of the United States; and  
11 (B) wishes to have an indication of the applicant's veteran  
12 status appear on the license or permit; and  
13 (2) verify the applicant's veteran status by providing proof of  
14 discharge or separation, other than a dishonorable discharge, from  
15 the armed forces of the United States.

16 The bureau shall maintain records of the information provided under  
17 this subsection.

18 **(e) In addition to the information required under subsection (a),  
19 an application for a license or permit to be issued under this  
20 chapter must enable the applicant to indicate that the applicant is  
21 a surviving spouse of a veteran of the armed forces of the United  
22 States and wishes to have an indication of the applicant's surviving  
23 spouse of a veteran status appear on the license or permit. An  
24 applicant who wishes to have an indication of the applicant's  
25 surviving spouse of a veteran status appear on a license or permit  
26 must:**

- 27 **(1) indicate on the application that the applicant:**  
28 **(A) is a surviving spouse of a veteran of the armed forces**  
29 **of the United States; and**  
30 **(B) wishes to have an indication of the applicant's**  
31 **surviving spouse of a veteran status appear on the license**  
32 **or permit; and**  
33 **(2) provide the documentation necessary to verify that the**  
34 **applicant was married to, at the individual's time of death, an**  
35 **individual who:**  
36 **(A) had served in:**  
37 **(i) the United States armed forces or their reserves;**  
38 **(ii) the Indiana Army National Guard; or**  
39 **(iii) the Indiana Air National Guard; and**  
40 **(B) received an honorable discharge from service.**

41 **The bureau shall maintain records of the information provided**  
42 **under this subsection.**



1 SECTION 6. IC 9-24-11-5.5, AS AMENDED BY P.L.2-2014,  
 2 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2015]: Sec. 5.5. **(a)** If a permittee or licensee has under  
 4 IC 9-24-9-2(d):

5 (1) indicated on the application that the permittee or licensee is a  
 6 veteran of the armed forces of the United States and wishes to  
 7 have an indication of the permittee's or licensee's veteran status  
 8 appear on the license or permit; and

9 (2) provided proof of discharge or separation, other than a  
 10 dishonorable discharge, from the armed forces of the United  
 11 States;

12 an indication of the permittee's or licensee's veteran status shall be  
 13 shown on the license or permit.

14 **(b) If a permittee or licensee has under IC 9-24-9-2(e):**

15 **(1) indicated on the application that the permittee or licensee:**  
 16 **(A) is a surviving spouse of a veteran of the armed forces**  
 17 **of the United States; and**

18 **(B) wishes to have an indication of the permittee's or**  
 19 **licensee's surviving spouse of a veteran status appear on**  
 20 **the license or permit; and**

21 **(2) provided documentation necessary to verify that the**  
 22 **applicant was married to, at the individual's time of death, an**  
 23 **individual who:**

24 **(A) had served in:**

25 **(i) the United States armed forces or their reserves;**

26 **(ii) the Indiana Army National Guard; or**

27 **(iii) the Indiana Air National Guard; and**

28 **(B) received an honorable discharge from service;**

29 **an indication of the permittee's or licensee's veteran status shall be**  
 30 **shown on the license or permit.**

31 SECTION 7. IC 9-24-16-2, AS AMENDED BY P.L.221-2014,  
 32 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2015]: Sec. 2. (a) An application for an identification card  
 34 issued under this chapter must require the following information  
 35 concerning an applicant:

36 (1) The full legal name of the applicant.

37 (2) The applicant's date of birth.

38 (3) The gender of the applicant.

39 (4) The applicant's height, weight, hair color, and eye color.

40 (5) The principal address and mailing address of the applicant.

41 (6) A:

42 (A) valid Social Security number; or



- 1 (B) verification of an applicant's:  
 2 (i) ineligibility to be issued a Social Security number; and  
 3 (ii) identity and lawful status.  
 4 (7) A digital photograph of the applicant.  
 5 (8) The signature of the applicant showing the applicant's legal  
 6 name as it will appear on the identification card.  
 7 (9) If the applicant is also applying for a Class B motor driven  
 8 cycle endorsement, verification that the applicant has  
 9 satisfactorily completed the test required under section 3.6 of this  
 10 chapter.
- 11 The bureau shall maintain records of the information provided under  
 12 subdivisions (1) through (9).
- 13 (b) The bureau may invalidate an identification card that the bureau  
 14 believes to have been issued as a result of fraudulent documentation.
- 15 (c) The bureau:  
 16 (1) shall adopt rules under IC 4-22-2 to establish a procedure to  
 17 verify an applicant's identity and lawful status; and  
 18 (2) may adopt rules to establish a procedure to temporarily  
 19 invalidate an identification card that it believes to have been  
 20 issued based on fraudulent documentation.
- 21 (d) For purposes of subsection (a), an individual certified as a  
 22 program participant in the address confidentiality program under  
 23 IC 5-26.5 is not required to provide the individual's principal address  
 24 and mailing address, but may provide an address designated by the  
 25 office of the attorney general under IC 5-26.5 as the individual's  
 26 principal address and mailing address.
- 27 (e) In addition to the information required under subsection (a), an  
 28 application for an identification card to be issued under this chapter  
 29 must enable the applicant to indicate that the applicant is a veteran of  
 30 the armed forces of the United States and wishes to have an indication  
 31 of the applicant's veteran status appear on the identification card. An  
 32 applicant who wishes to have an indication of the applicant's veteran  
 33 status appear on the identification card must:  
 34 (1) indicate on the application that the applicant:  
 35 (A) is a veteran of the armed forces of the United States; and  
 36 (B) wishes to have an indication of the applicant's veteran  
 37 status appear on the identification card; and  
 38 (2) verify the applicant's veteran status by providing proof of  
 39 discharge or separation, other than a dishonorable discharge, from  
 40 the armed forces of the United States.
- 41 The bureau shall maintain records of the information provided under  
 42 this subsection.





1           **(f) In addition to the information required under subsection (a),**  
 2 **an application for an identification card to be issued under this**  
 3 **chapter must enable the applicant to indicate that the applicant is**  
 4 **a surviving spouse of a veteran of the armed forces of the United**  
 5 **States and wishes to have an indication of the applicant's surviving**  
 6 **spouse of a veteran status appear on the identification card. An**  
 7 **applicant who wishes to have an indication of the applicant's**  
 8 **surviving spouse of a veteran status appear on the identification**  
 9 **card must:**

10           **(1) indicate on the application that the applicant:**

11               **(A) is a surviving spouse of a veteran of the armed forces**  
 12               **of the United States; and**

13               **(B) wishes to have an indication of the applicant's**  
 14               **surviving spouse of a veteran status appear on the**  
 15               **identification card; and**

16           **(2) provide the documentation necessary to verify that the**  
 17 **applicant was married to, at the individual's time of death, an**  
 18 **individual who:**

19               **(A) had served in:**

20                   **(i) the United States armed forces or their reserves;**

21                   **(ii) the Indiana Army National Guard; or**

22                   **(iii) the Indiana Air National Guard; and**

23               **(B) received an honorable discharge from service.**

24 **The bureau shall maintain records of the information provided**  
 25 **under this subsection.**

26           SECTION 8. IC 9-24-16-3, AS AMENDED BY P.L.221-2014,  
 27 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2015]: Sec. 3. (a) An identification card must have the same  
 29 dimensions and shape as a driver's license, but the card must have  
 30 markings sufficient to distinguish the card from a driver's license.

31           (b) Except as provided in subsection ~~(g)~~, **(h)**, the front side of an  
 32 identification card must contain the expiration date of the identification  
 33 card and the following information about the individual to whom the  
 34 card is being issued:

35               (1) Full legal name.

36               (2) The address of the principal residence.

37               (3) Date of birth.

38               (4) Date of issue and date of expiration.

39               (5) Unique identification number.

40               (6) Gender.

41               (7) Weight.

42               (8) Height.



- 1 (9) Color of eyes and hair.
- 2 (10) Reproduction of the signature of the individual identified.
- 3 (11) Whether the individual is blind (as defined in
- 4 IC 12-7-2-21(1)).
- 5 (12) If the individual is less than eighteen (18) years of age at the
- 6 time of issuance, the dates on which the individual will become:
- 7 (A) eighteen (18) years of age; and
- 8 (B) twenty-one (21) years of age.
- 9 (13) If the individual is at least eighteen (18) years of age but less
- 10 than twenty-one (21) years of age at the time of issuance, the date
- 11 on which the individual will become twenty-one (21) years of age.
- 12 (14) Digital photograph of the individual.
- 13 (c) The information contained on the identification card as required
- 14 by subsection (b)(12) or (b)(13) for an individual who is less than
- 15 twenty-one (21) years of age at the time of issuance shall be printed
- 16 prominently on the identification card.
- 17 (d) If the individual:
- 18 (1) has indicated on the application that the individual is a veteran
- 19 of the armed forces of the United States and wishes to have an
- 20 indication of the applicant's veteran status appear on the
- 21 identification card; and
- 22 (2) has provided proof of any discharge or separation, other than
- 23 a dishonorable discharge, from the armed forces of the United
- 24 States;
- 25 an indication of the individual's veteran status shall be shown on the
- 26 identification card.
- 27 **(e) If the individual has indicated on the application that the**
- 28 **individual is a surviving spouse of a veteran of the armed forces of**
- 29 **the United States and wishes to have an indication of the**
- 30 **applicant's surviving spouse of a veteran status appear on the**
- 31 **identification card, an indication of the individual's surviving**
- 32 **spouse of a veteran status shall be shown on the identification card.**
- 33 ~~(e)~~ (f) If the applicant for an identification card submits information
- 34 to the bureau concerning the applicant's medical condition, the bureau
- 35 shall place an identifying symbol on the face of the identification card
- 36 to indicate that the applicant has a medical condition of note. The
- 37 bureau shall include information on the identification card that briefly
- 38 describes the medical condition of the holder of the card. The
- 39 information must be printed in a manner that alerts a person reading the
- 40 card to the existence of the medical condition. The applicant for an
- 41 identification card is responsible for the accuracy of the information
- 42 concerning the medical condition submitted under this subsection. The



1 bureau shall inform an applicant that submission of information under  
2 this subsection is voluntary.

3 ~~(f)~~ **(g)** An identification card issued by the state to an individual  
4 who:

5 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant  
6 visa status for entry in the United States;

7 (2) has a pending application for asylum in the United States;

8 (3) has a pending or approved application for temporary protected  
9 status in the United States;

10 (4) has approved deferred action status; or

11 (5) has a pending application for adjustment of status to that of an  
12 alien lawfully admitted for permanent residence in the United  
13 States or conditional permanent residence status in the United  
14 States;

15 must be clearly identified as a temporary identification card. A  
16 temporary identification card issued under this subsection may not be  
17 renewed without the presentation of valid documentary evidence  
18 proving that the holder of the identification card's temporary status has  
19 been extended.

20 ~~(g)~~ **(h)** For purposes of subsection (b), an individual certified as a  
21 program participant in the address confidentiality program under  
22 IC 5-26.5 is not required to provide the address of the individual's  
23 principal residence, but may provide an address designated by the  
24 office of the attorney general under IC 5-26.5 as the address of the  
25 individual's principal residence.

26 ~~(h)~~ **(i)** The bureau shall validate an identification card for Class B  
27 motor driven cycle operation upon a highway by endorsement to an  
28 individual who:

29 (1) applies for or has previously been issued an identification card  
30 under this chapter;

31 (2) makes the appropriate application for endorsement; and

32 (3) satisfactorily completes the test required under section 3.6 of  
33 this chapter.

34 The bureau shall place a designation on the face of the identification  
35 card to indicate that the individual has received a Class B motor driven  
36 cycle endorsement.

37 SECTION 9. IC 10-17-1-0.5 IS ADDED TO THE INDIANA CODE  
38 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
39 1, 2015]: **Sec. 0.5. (a) Before December 1, 2015, the department, in  
40 consultation with the commission for higher education (established  
41 by IC 21-18-2-1), the department of revenue (established by  
42 IC 6-8.1-2-1), the state budget agency (established by IC 4-12-1),**



1 veteran organizations, and any other entity considered appropriate  
2 by the department shall establish a uniform definition of the term  
3 "Hoosier veteran" to be used for awarding benefits to veterans  
4 throughout the Indiana Code and shall submit a report to the  
5 general assembly and the governor in an electronic format under  
6 IC 5-14-6. The definition established shall include the following  
7 qualifications that an individual must meet to qualify as a Hoosier  
8 veteran:

- 9 (1) The individual is a resident of Indiana.
- 10 (2) The individual served in any of the following:
  - 11 (A) The armed forces of the United States, or served as a
  - 12 commissioned officer of the United States Public Health
  - 13 Service, the Environmental Science Services
  - 14 Administration, the National Oceanic and Atmospheric
  - 15 Administration or its predecessor, or the United States
  - 16 Coast and Geodetic Survey who actively served and was
  - 17 discharged or released therefrom under conditions other
  - 18 than dishonorable.
  - 19 (B) The reserve component of the armed forces of the
  - 20 United States or the Indiana National Guard and served
  - 21 not more than ninety (90) days of which active service was
  - 22 not required and was eligible for or has received a
  - 23 retirement for service from the military.
- 24 (b) The report required under subsection (a) must include
- 25 necessary legislative changes needed to conform veteran benefits
- 26 contained throughout the Indiana Code to the definition
- 27 established under this section.

28 (c) This section expires June 30, 2017.

29 SECTION 10. IC 10-17-1-9, AS AMENDED BY P.L.105-2014,  
30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2015]: Sec. 9. (a) A county executive:

- 32 (1) shall designate and may:
  - 33 (A) appoint a county service officer; for a four (4) year term;
  - 34 or
  - 35 (B) employ a county service officer; and
- 36 (2) may employ service officer assistants;
- 37 to serve the veterans of the county.

38 (b) The fiscal body of a city may provide for the employment by the  
39 mayor of a city service officer and service officer assistants to serve the  
40 veterans of the city.

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



1 service officer, the service officer shall:

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

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

6 A service officer assistant must have the same qualifications as an  
7 employee described in section 11(b) of this chapter. A rule contrary to  
8 this subsection is void.

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

11 SECTION 11. IC 10-17-12-9, AS AMENDED BY P.L.113-2010,  
12 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2015]: Sec. 9. (a) The fund consists of the following:

14 (1) Appropriations made by the general assembly.

15 (2) Donations to the fund.

16 (3) Interest.

17 (4) Money transferred to the fund from other funds.

18 (5) Annual supplemental fees collected under IC 9-29-5-38.5.

19 **(6) Money deposited under IC 4-30-15-1(c).**

20 ~~(6)~~ **(7) Money from any other source authorized or appropriated**  
21 **for the fund.**

22 (b) The commission shall transfer the money in the fund not  
23 currently needed to provide assistance or meet the obligations of the  
24 fund to the veterans' affairs trust fund established by IC 10-17-13-3.

25 (c) Money in the fund at the end of a state fiscal year does not revert  
26 to the state general fund or to any other fund.

27 (d) There is annually appropriated to the commission for the  
28 purposes of this chapter all money in the fund not otherwise  
29 appropriated to the commission for the purposes of this chapter.

30 SECTION 12. IC 10-17-13-3, AS AMENDED BY P.L.50-2009,  
31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JULY 1, 2015]: Sec. 3. (a) The veterans' affairs trust fund is established  
33 to provide a ~~self-sustaining~~ funding source for:

34 **(1) the military family relief fund established by IC 10-17-12-8;**

35 **and**

36 **(2) veterans' services provided by organizations approved by**  
37 **the department through a granting process for:**

38 **(A) funding for county and city service officers;**

39 **(B) employment assistance;**

40 **(C) substance abuse treatment for veterans; and**

41 **(D) other veteran related services.**

42 (b) The fund consists of the following:



- 1 (1) Appropriations by the general assembly.
- 2 (2) Donations, gifts, grants, and bequests to the fund.
- 3 (3) Interest and dividends on assets of the funds.
- 4 (4) Money transferred to the fund from other funds.
- 5 (5) Money from any other source deposited in the fund.

6 **(c) The department shall adopt rules under IC 4-22-2 to**  
 7 **establish an application process for grants under this section.**

8 **(d) The department may establish procedures, forms, and**  
 9 **standards to carry out this chapter.**

10 SECTION 13. IC 23-14-54.5 IS ADDED TO THE INDIANA  
 11 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
 12 [EFFECTIVE JULY 1, 2015]:

13 **Chapter 54.5. Unclaimed Remains of Veterans**

14 **Sec. 1. The Indiana department of veterans' affairs may assume**  
 15 **control over the cremated remains of a deceased person if:**

- 16 (1) the decedent's remains have not been disposed of pursuant  
 17 to a prepaid funeral plan under IC 30-2-13;
- 18 (2) the persons vested with the right to control the disposition  
 19 of the remains of a deceased person pursuant to  
 20 IC 23-14-31-26 have not made final arrangements for the  
 21 disposition of the remains within one (1) year after the  
 22 deceased person's death or have not exercised control over  
 23 those remains for a period of at least one (1) year; and
- 24 (3) the Indiana department of veterans' affairs certifies that  
 25 the deceased person is eligible for interment at the Indiana  
 26 state veterans' cemetery as an armed forces member in  
 27 accordance with rules adopted under this chapter.

28 **Sec. 2. An Indiana chapter of a nationally chartered veterans**  
 29 **services organization may assume control over the cremated**  
 30 **remains of a deceased person if:**

- 31 (1) the decedent's remains have not been disposed of pursuant  
 32 to a prepaid funeral plan as set forth under IC 30-2-13;
- 33 (2) the persons vested with the right to control the disposition  
 34 of the remains of a deceased person pursuant to  
 35 IC 23-14-31-26 have not made final arrangements for the  
 36 disposition of the remains within one (1) year after the  
 37 deceased person's death or have not exercised control over  
 38 those remains for a period of at least one (1) year; and
- 39 (3) an Indiana chapter of a nationally chartered veterans  
 40 service organization certifies that:

- 41 (A) the deceased person is an armed forces member as  
 42 defined in the rules adopted under this chapter; and



- 1           **(B) the Indiana chapter of a nationally chartered veterans**  
 2           **services organization is solely responsible for the costs of**  
 3           **interment, including the application for and receipt of any**  
 4           **available governmental benefits.**
- 5           **Sec. 3. There shall be no liability of a funeral establishment,**  
 6           **mortuary, cemetery, crematory, or a related entity, a licensed**  
 7           **mortician, or licensed funeral director, or any employee or agent**  
 8           **thereof who transfers the cremated remains of a deceased person**  
 9           **to the Indiana department of veterans' affairs or an Indiana**  
 10           **chapter of a nationally chartered veterans service organization**  
 11           **under this chapter.**
- 12           **Sec. 4. There shall be no liability of the state of Indiana or any**  
 13           **employee or agent of the state of Indiana related to the transfer of**  
 14           **the cremated remains of a deceased person to an Indiana chapter**  
 15           **of a nationally chartered veterans service organization or the**  
 16           **interment of the deceased person's cremated remains pursuant to**  
 17           **the provisions of this chapter.**
- 18           **Sec. 5. (a) The Indiana department of veterans' affairs may**  
 19           **certify that the deceased person to whom section 1 of this chapter**  
 20           **applies was a veteran or the dependent of a veteran eligible for**  
 21           **interment at a federal or state veterans' cemetery.**
- 22           **(b) Upon certification of an eligible veteran or dependent of a**  
 23           **veteran status under subsection (a), the person, firm, corporation,**  
 24           **or association in possession of the veteran's remains shall transfer**  
 25           **the custody and control of the remains to the Indiana department**  
 26           **of veterans' affairs.**
- 27           **Sec. 6. The department shall adopt rules under IC 4-22-2 to**  
 28           **implement this chapter.**
- 29           **SECTION 14. [EFFECTIVE JULY 1, 2015] (a) The legislative**  
 30           **services agency shall prepare legislation for introduction in the**  
 31           **2016 regular session of the general assembly to organize and**  
 32           **correct statutes affected by this act.**
- 33           **(b) This SECTION expires June 30, 2017.**

