

# Veteran related Bills passed by the 2016 General Assembly

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## **Senate Bill 145** - Unclaimed remains of veterans. **(Coalition Initiative)**

Requires the Indiana department of veterans' affairs to: (1) establish standards for approval of veterans' service organizations; (2) maintain a list of approved veterans' service organizations; and (3) publish the list on the department's Internet web site. Allows a licensed funeral director to release: (1) verification information as to whether a veteran or dependent of a veteran is eligible for burial in a state or national cemetery; and (2) cremated remains; to a veterans' service organization if certain conditions apply. Requires a veterans' service organization to: (1) transport cremated remains to a state or national cemetery; (2) inter, entomb, or inurn cremated remains in a state or national cemetery in accordance with applicable state and federal law; and (3) provide written information concerning the location of the cremated remains to a funeral director. Establishes certain immunity from civil liability for veterans' service organizations and funeral directors.

## **Senate Bill 154** - Indiana national guardsmen funeral allowance.

Increases from \$4,000 to \$8,800 the funeral allowance for a member of the Indiana national guard who dies in the active service of the state.

## **Senate Bill 189** - Identifier for military children. **(Coalition Initiative)**

Provides that information concerning attendance records and academic progress for a student attending an adult high school who is a member of the military or children in military families must be submitted to the department of education by each school corporation and charter school. Provides that the information collected by a school corporation or charter school is considered confidential and shall be collected by the school corporation or charter school under guidelines for maintaining confidentiality established by the department.

## **Senate Bill 219** - Expedited licenses for military spouses. **(Coalition Initiative)**

Requires certain profession and occupation boards (boards) to adopt rules that establish procedures to expedite the issuance or renewal of a license, certificate, registration, or permit to a military spouse whose husband or wife is assigned to a duty station in Indiana. Repeals superseded provisions that allowed (but did not require) the boards to adopt expedited issuance and renewal rules. Provides that any rules adopted under the repealed statutes remain effective until the board adopts a rule that supersedes the original rule in whole or in part.

## **Senate Bill 295**- Military family relief fund. **(Coalition Initiative)**

Requires that state income tax forms be modified to enable a taxpayer to donate all or part of the taxpayer's tax refund to the military family relief fund (fund). Requires the Indiana veterans' affairs commission to submit an annual report to the governor and the legislative council on matters concerning the welfare of veterans. Requires an individual employed as a county or city service officer to become accredited by a national veterans service organization through the United States Department of Veterans Affairs Office of General Counsel not later than one year from the date of the individual's employment, in order to represent veterans. Amends the definition of "qualified service member" for purposes of the fund. Amends the purpose of the fund to provide only for short term financial assistance to families of qualified service members for hardships that

result from the qualified service members' military service. Specifies that the assistance from the fund may include an emergency one time grant. Specifies statutory eligibility provisions concerning grants from the fund, to be supplemented with rules adopted by the Indiana veterans' affairs commission (commission). Provides that the commission shall adopt income eligibility standards, asset limit eligibility standards, and other standards concerning when assistance may be provided from the fund. Provides that the commission's rules must provide for 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. Specifies that the veterans' affairs trust fund is considered a trust fund for purposes of the statute prohibiting the state board of finance from transferring money from a trust fund. Includes a county service officer appointed by the governor in the membership of the Indiana veterans' affairs commission. Provides that the commission shall annually determine by formula whether there is excess money in the veterans' affairs trust fund and transfer that excess, if any, to the fund. Urges the legislative council to assign to a study committee the topic of whether or not grants for assistance from the military family relief fund should be paid directly to vendors on behalf of a qualified service member or dependents of the qualified service member. Provides that the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations not later than November 1, 2016.

**Senate Bill 304** – Property tax matters. **(Coalition Initiative)**

For the January 1, 2017, assessment date, increases the assessed value limit for the property tax deduction for certain veterans with a disability from \$143,160 to \$175,000. Provides that an individual may claim a deduction from the assessed value of the individual's homestead if: (1) the individual served in the military or naval forces of the United States; (2) the individual received an honorable discharge; (3) the individual has a disability of at least 50%; (4) the individual's disability is evidenced by a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs or by a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs; and (5) the homestead was conveyed without charge to the individual who is the owner of the homestead by an organization that is exempt from income taxation under the federal Internal Revenue Code. Specifies that a property continues to qualify as a homestead if the property is leased while the owner is away from Indiana serving on active duty in the armed forces, if the individual has lived at the property at any time during the past 10 years. (Current law specifies that a property ceases to qualify as a homestead if the property is leased while such an individual is away from Indiana.)

**Senate Bill 362**- Employment of national guard members and veterans. **(Coalition Initiative)**

Extends employment protections under the federal Uniformed Services Employment and Reemployment Rights Act and extends the rights, benefits, and protections under the Servicemembers Civil Relief Act to members of the national guard of another state during state sponsored activation. Expands the definition of "photographic identification" to include identification documents issued by the United States or a state or territory of the United States. Allows military discharge records to be released to a person in possession of photographic identification and: (1) a power of attorney; (2) a court order appointing a guardian; or (3) a court order appointing a personal representative.

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## **House Bill 1089** - Veteran service officers. **(Coalition Initiative)**

Requires the Indiana veterans' affairs commission to submit an annual report to the governor and the legislative council on matters concerning the welfare of veterans. Allows the mayor of a city to employ a service officer to serve the veterans of the city. Includes a county service officer appointed by the governor in the membership of the Indiana veterans' affairs commission. Urges the legislative council to assign to a study committee the topic of district service officers. Provides that the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations not later than Nov 1, 2016.

## **House Bill 1187** - Stolen valor.

Makes it committing stolen valor, a Class A misdemeanor (instead of a Level 6 felony), for a person to knowingly or intentionally, with the intent to obtain money, property, or another benefit: (1) fraudulently represent himself or herself to be an active member or veteran of the armed forces of the United States; (2) use falsified military identification; or (3) fraudulently claim to be the recipient of certain military honors.

## **House Bill 1271** - Child abuse or neglect allegations in military families. **(Coalition Initiative)**

Requires the department of child services (department) to notify the United States Department of Defense Family Advocacy Program (program) if a child of an active duty member of the military is the subject of a substantiated investigation of abuse or neglect. Requires the department to make the assessment report available to the program upon request. Allows the department to seek assistance of the program in providing services.

## **House Bill 1272** - Professional licensing matters. **(Coalition Initiative)**

Requires a practitioner to provide the Indiana professional licensing agency (agency) and the practitioner's specific board with certain information concerning continuing education. (Current law requires a practitioner to provide the information to a specific board.) Allows an individual who holds a professional or occupational license and is called to active duty to fulfill all continuing education requirements through distance learning.

## **House Bill 1312** - Veteran business enterprises. **(Coalition Initiative)**

Defines "veteran", for the purpose of qualifying as a veteran owned small business by the Indiana department of administration, as an individual who previously: (1) served on active duty in any branch of the armed forces of the United States or their reserves, (2) the National Guard, or (3) the Indiana National Guard; and received an honorable discharge from service. Includes in the definition of "veteran" for the purpose of qualifying as a veteran owned small business by the Indiana department of administration an individual who is serving in any branch of the armed forces of the United States or their reserves, the national guard, or the Indiana National Guard. Requires that a business seeking to qualify as a small business owned and operated by veterans have current certification as a veteran owned small business by the Indiana department of administration. Removes the requirement that a veteran be a resident of Indiana for at least one year before making an offer to bid on a state contract. Provides that certain information submitted by an applicant for certification as a veteran owned small business is confidential.

### **House Bill 1313** - Hoosier veterans. **(Coalition Initiative)**

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.

### **House Bill 1359** - Employment of veterans as public safety officers; 1977 fund retirement age.

Waives the maximum hiring age restrictions that apply to the appointment and hiring of police officers and firefighters for an individual who is a veteran of the armed forces and who meets certain requirements. Provides that an individual who is appointed as a police officer or a firefighter as the result of a waiver is eligible to become a member of the 1977 police officers' and firefighters' pension and disability fund (1977 fund). Requires a member of the 1977 fund to retire at 70 years of age.

### **House Bill 1373** - Employment of veterans. **(Coalition Initiative)**

Extends employment protections under the federal Uniformed Services Employment and Reemployment Rights Act and extends the rights, benefits, and protections under the Servicemembers Civil Relief Act to members of the national guard of another state during state sponsored activation. Allows an individual (and the individual's dependent) who is: (1) an active member of the armed services of the United States or the national guard; (2) a legal Indiana resident; (3) assigned for duty or deployed outside Indiana; and (4) eligible for Medicaid waiver services or Medicaid assistance; to resume Medicaid eligibility and remain on Medicaid waiver waiting lists.