



February 15, 2011

HOUSE BILL No. 1079

DIGEST OF HB 1079 (Updated February 15, 2011 1:48 pm - DI 116)

Citations Affected: IC 10-17.

Synopsis: Veteran's records. Provides that a veteran's discharge record recorded in a county recorder's office is considered a public record if the veteran's Social Security number has been redacted. Requires a county recorder to redact the Social Security number from a veteran's discharge record upon receiving a written public record request for the discharge record.

Effective: July 1, 2011.

Noe

January 5, 2011, read first time and referred to Committee on Veterans Affairs and Public Safety.
February 15, 2011, reported — Do Pass.

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February 15, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1079

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

- 1 SECTION 1. IC 10-17-2-4, AS ADDED BY P.L.174-2007,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 4. (a) As used in this section, "photographic
4 identification" means an identification document that:
5 (1) shows the name of the individual to whom the document was
6 issued;
7 (2) shows a photograph of the individual to whom the document
8 was issued;
9 (3) includes an expiration date indicating that the document has
10 not expired; and
11 (4) was issued by the United States or the state of Indiana.
12 (b) A discharge record is not a public record under IC 5-14-3 **unless**
13 **the veteran's Social Security number has been redacted. A county**
14 **recorder shall redact the veteran's Social Security number upon**
15 **receiving a written public record request for the discharge record.**
16 A county recorder may provide a certified copy of a discharge record
17 **that has not been redacted** only to the following persons:

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- 1 (1) The veteran who is the subject of the discharge record if the
- 2 veteran provides photographic identification.
- 3 (2) A person who provides photographic identification that
- 4 identifies the person as a county or city service officer.
- 5 (3) A person who provides photographic identification that
- 6 identifies the person as an employee of the Indiana department of
- 7 veterans' affairs.
- 8 (4) A person who:
- 9 (A) is a funeral director licensed under IC 25-15; and
- 10 (B) assists with the burial of the veteran who is the subject of
- 11 the discharge record;
- 12 if the person provides photographic identification and the person's
- 13 funeral director license.
- 14 (5) If the veteran who is the subject of the discharge record is
- 15 deceased, the spouse or next of kin of the deceased, if the spouse
- 16 or next of kin provides photographic identification and a copy of
- 17 the veteran's death certificate.
- 18 (6) The following persons under a court order, if the person
- 19 provides photographic identification and a certified copy of the
- 20 court order:
- 21 (A) The attorney in fact of the person who is the subject of the
- 22 discharge record.
- 23 (B) The guardian of the person who is the subject of the
- 24 discharge record.
- 25 (C) If the person who is the subject of the discharge record is
- 26 deceased, the personal representative of the estate of the
- 27 deceased.
- 28 (c) To the extent technologically feasible, a county recorder shall
- 29 take precautions to prevent the disclosure of a discharge record filed
- 30 with the county recorder before May 15, 2007. After May 14, 2007, a
- 31 county recorder shall ensure that a discharge record filed with the
- 32 county recorder is maintained in a separate, confidential, and secure
- 33 file.
- 34 (d) **Except as provided in subsection (b)**, disclosure of a discharge
- 35 record **that has not been redacted** by the county recorder under this
- 36 section is subject to IC 5-14-3-10.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1079, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BORDERS, Chair

Committee Vote: yeas 10, nays 0.

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