



Reprinted  
February 5, 2013

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## HOUSE BILL No. 1219

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DIGEST OF HB 1219 (Updated February 4, 2013 4:34 pm - DI 106)

**Citations Affected:** IC 34-30; IC 36-1.

**Synopsis:** Privacy of law enforcement officer addresses. Requires a local unit of government that operates a public Internet web site data base containing the names and addresses of property owners to establish a procedure to permit a law enforcement officer or victim of domestic violence to restrict disclosure to the general public of the person's home address. Permits a unit to charge a reasonable fee. Provides immunity from civil liability for certain units that restrict address disclosure.

**Effective:** July 1, 2013.

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**Karickhoff, Neese, McMillin,  
Lawson L**

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January 14, 2013, read first time and referred to Committee on Local Government.  
January 28, 2013, reported — Do Pass.  
February 4, 2013, read second time, amended, ordered engrossed.

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HB 1219—LS 7097/DI 106+



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February 5, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

## HOUSE BILL No. 1219

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 34-30-2-152.7 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2013]: **Sec. 152.7. IC 36-1-8.5-4 (Concerning**  
4 **a unit that restricts disclosure of certain addresses).**
- 5 SECTION 2. IC 36-1-8.5 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2013]:
- 8 **Chapter 8.5. Restricted Addresses**
- 9 **Sec. 1. This chapter applies to all units.**
- 10 **Sec. 2. The following definitions apply throughout this chapter:**
- 11 (1) "Law enforcement officer" has the meaning set forth in  
12 IC 35-31.5-2-185.
- 13 (2) "Public property data base web site" means an Internet  
14 web site:
- 15 (A) available to the general public over the Internet;
- 16 (B) that connects a person's home address to the person's  
17 name; and

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(C) on which a search of a person's name discloses the person's home address.

(3) "Victim of domestic violence" means a victim of domestic violence who is currently certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2.

Sec. 3. After December 31, 2013, a unit may not operate a public property data base web site, directly or through a third party, unless the unit establishes a process to prevent a member of the general public from gaining access to the home address of a:

- (1) law enforcement officer; or
  - (2) victim of domestic violence;
- by means of the public property data base web site.

Sec. 4. (a) The process described in section 3 of this chapter must provide that at the written request of a law enforcement officer, a unit shall provide that its public property data base web site will prevent a search of the web site from disclosing or otherwise associating the law enforcement officer's home address with the law enforcement officer's name.

(b) A unit may charge a reasonable fee to a law enforcement officer who makes a request under this section.

(c) A written request made under subsection (a) is confidential under IC 5-14-3-4(a).

Sec. 5. A unit may not be held civilly liable for failure to timely restrict disclosure of an address under this chapter unless the unit's act or omission constitutes gross negligence or willful or wanton misconduct.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1219, 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.

NEESE, Chair

Committee Vote: yeas 8, nays 1.

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 HOUSE MOTION

Mr. Speaker: I move that House Bill 1219 be amended to read as follows:

Page 1, line 4, delete "Law Enforcement Addresses" and insert "**Restricted Addresses**".

Page 1, between lines 15 and 16, begin a new line block indented and insert:

**"(3) "Victim of domestic violence" means a victim of domestic violence who is currently certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2."**

Page 2, line 2, after "a" insert ":

**(1)**".

Page 2, line 3, after "officer" insert "; **or**

**(2) victim of domestic violence;**".

Page 2, line 3, beginning with "by" begin a new line blocked left.

Page 2, line 6, after "officer" insert "**or victim of domestic violence**".

Page 2, line 6, delete "officer's".

(Reference is to HB 1219 as printed January 29, 2013.)

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1219 be amended to read as follows:

Page 1, line 16, delete "(a)".

Page 2, delete lines 5 through 7, begin a new paragraph and insert:

**"Sec. 4. (a) The process described in section 3 of this chapter must provide that at the written request of a law enforcement officer, a unit shall provide that its public property data base web site will prevent a search of the web site from disclosing or otherwise associating the law enforcement officer's home address with the law enforcement officer's name.**

**(b) A unit may charge a reasonable fee to a law enforcement officer who makes a request under this section.**

**(c) A written request made under subsection (a) is confidential under IC 5-14-3-4(a)."**

(Reference is to HB 1219 as printed January 29, 2013.)

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1219 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

**"SECTION 1. IC 34-30-2-152.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 152.7. IC 36-1-8.5-4 (Concerning a unit that restricts disclosure of certain addresses)."**

Page 2, after line 7, begin a new paragraph and insert:

**"Sec. 4. A unit may not be held civilly liable for failure to timely restrict disclosure of an address under this chapter unless the unit's act or omission constitutes gross negligence or willful or wanton misconduct."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1219 as printed January 29, 2013.)

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