

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 ENROLLED ACT No. 1219

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

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

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 36-1-8.5-12 (Concerning a unit that restricts disclosure of certain addresses).**

SECTION 2. IC 36-1-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]:

Chapter 8.5. Restricted Addresses

Sec. 1. This chapter applies to all units. This chapter applies after June 30, 2014.

Sec. 2. As used in this chapter, "covered person" means:

- (1) a judge;**
- (2) a law enforcement officer; or**
- (3) a victim of domestic violence;**

who submits a written request to have the person's home address restricted from disclosure under this chapter.

Sec. 3. As used in this chapter, "judge" means an individual who is employed or was formerly employed as a judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, or small claims court.

Sec. 4. As used in this chapter, "law enforcement officer" means an individual who is employed or was formerly employed as:



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- (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
- (2) a deputy of any of the persons specified in subdivision (1);
- (3) an investigator for a prosecuting attorney or for the inspector general;
- (4) a conservation officer;
- (5) an enforcement officer of the alcohol and tobacco commission; or
- (6) an enforcement officer of the securities division of the office of the secretary of state.

Sec. 5. As used in this chapter, "public property data base web site" means an Internet web site that:

- (1) is available to the general public over the Internet;
- (2) does not require registration, subscription, or the creation of a user name and password to search the web site; and
- (3) connects a covered person's home address to the covered person's name, so that a search of the web site for the covered person's name discloses the covered person's home address.

Sec. 6. As used in this chapter, "victim of domestic violence" means a victim of domestic violence who is certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2.

Sec. 7. (a) A unit that operates a public property data base web site, directly or through a third party, may establish a process to prevent a member of the general public from gaining access to the home address of a covered person by means of the public property data base web site.

(b) A process established by a unit under subsection (a) must meet the requirements of this chapter.

Sec. 8. A covered person who wants to restrict access to the covered person's home address by means of the public property data base web site must submit a written request to the unit. As part of the process developed by the unit under section 7 of this chapter, the unit may:

- (1) determine the form of the written request;
- (2) specify any information or verification required by the unit to process the request; and
- (3) charge a covered person a reasonable fee to make a written request under this section.

Sec. 9. (a) This section applies to a covered person who has

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submitted a written request under section 8 of this chapter.

(b) A unit shall restrict access to the home address of a covered person until the covered person submits a written request to the unit to allow public access to the person's home address on the public property data base web site. As part of the process developed by the unit under section 7 of this chapter, the unit may:

- (1) determine the form of the written request;
- (2) specify any information or verification required by the unit to process the request; and
- (3) charge a covered person a reasonable fee to make a written request under this section.

Sec. 10. (a) This section applies to a covered person who:

- (1) after submitting a written request under section 8 of this chapter, obtains a change of name under IC 34-28-2; and
- (2) notifies the unit in writing of the name change.

(b) The unit shall prevent a search by the general public of the public property data base web site from disclosing or otherwise associating the covered person's home address with the covered person's former name and new name. The unit may charge a reasonable fee to process a name change under this section.

Sec. 11. A written request, notification of name change, or any other information submitted to the unit by a covered person under this chapter is confidential under IC 5-14-3-4(a).

Sec. 12. 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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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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