

# SENATE BILL No. 136

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-17-16; IC 24-5-0.5-3.

**Synopsis:** Assistance in obtaining veteran benefits. Provides that a person may not receive compensation for services related to veterans' benefits matters except as permitted under federal law. Provides that a person may not receive compensation for referring an individual to another person to provide services related to veterans' benefits matters. Provides that a person seeking to receive compensation for services related to veterans' benefits matters must, before rendering any services, memorialize in a written agreement that is signed by both parties and that complies with federal regulations all terms regarding the payment of fees for services rendered. Provides that a person may not receive excessive or unreasonable fees for services related to veterans' benefits matters. Provides that a violation constitutes a deceptive act under the law concerning deceptive consumer sales.

**Effective:** July 1, 2026.

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January 5, 2026, read first time and referred to Committee on Veterans Affairs and The Military.

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Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

## SENATE BILL No. 136

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

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

- 1 SECTION 1. IC 10-17-16 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2026]:
- 4 **Chapter 16. Limitations for Receiving Compensation for**
- 5 **Assisting in Obtaining Veterans' Benefits**
- 6 **Sec. 1. The following definitions apply throughout this chapter:**
- 7 **(1) "Compensation" means the payment of:**
- 8 **(A) money;**
- 9 **(B) a thing of value; or**
- 10 **(C) a financial benefit.**
- 11 **(2) "Person" means any natural person, corporation, trust,**
- 12 **partnership, incorporated or unincorporated association, or**
- 13 **other legal entity.**
- 14 **(3) "Veterans' benefits matter" means the preparation,**
- 15 **presentation, or prosecution of any claim affecting any person**
- 16 **who has filed or expressed an intent to file a claim for any**
- 17 **benefit, program, service, commodity, function, status, or**



entitlement for which veterans, their dependents, their survivors, or any other individuals are eligible under the laws and regulations administered by the United States Department of Veterans Affairs or the United States Department of War.

**Sec. 2. A person may not do the following:**

(1) Receive compensation for the preparation, presentation, or prosecution of, or advising, consulting or assisting an individual with, a veterans' benefits matter, except as permitted under federal law.

(2) Receive compensation for referring an individual to another person to prepare, present, or prosecute, or advise, consult, or assist the individual with, a veterans' benefits matter.

(3) Guarantee, either directly or by implication, that any individual is certain to receive specific veterans' benefits or that any individual is certain to receive a specific level, percentage, or amount of veterans' benefits.

(4) Receive excessive or unreasonable fees as compensation for preparation, presentation, or prosecution of, or advising, consulting, or assisting an individual with, a veterans' benefits matter in accordance with 38 CFR 14.636(e), as in effect January 1, 2026.

**Sec. 3. A person seeking to receive compensation for preparation, presentation, or prosecution of, or advising, consulting, or assisting an individual with, a veterans' benefits matter shall, before rendering any services, memorialize in a written agreement signed by both parties all the terms regarding the individual's payment of fees for services rendered that adheres to all criteria specified in 38 CFR 14.636(g) as in effect January 1, 2026.**

**Sec. 4. A violation of this chapter constitutes a deceptive act under IC 24-5-0.5-3.**

SECTION 2. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts,



1 and the following representations as to the subject matter of a  
2 consumer transaction, made orally, in writing, or by electronic  
3 communication, by a supplier, are deceptive acts:

4 (1) That such subject of a consumer transaction has sponsorship,  
5 approval, performance, characteristics, accessories, uses, or  
6 benefits it does not have which the supplier knows or should  
7 reasonably know it does not have.

8 (2) That such subject of a consumer transaction is of a particular  
9 standard, quality, grade, style, or model, if it is not and if the  
10 supplier knows or should reasonably know that it is not.

11 (3) That such subject of a consumer transaction is new or unused,  
12 if it is not and if the supplier knows or should reasonably know  
13 that it is not.

14 (4) That such subject of a consumer transaction will be supplied  
15 to the public in greater quantity than the supplier intends or  
16 reasonably expects.

17 (5) That replacement or repair constituting the subject of a  
18 consumer transaction is needed, if it is not and if the supplier  
19 knows or should reasonably know that it is not.

20 (6) That a specific price advantage exists as to such subject of a  
21 consumer transaction, if it does not and if the supplier knows or  
22 should reasonably know that it does not.

23 (7) That the supplier has a sponsorship, approval, or affiliation in  
24 such consumer transaction the supplier does not have, and which  
25 the supplier knows or should reasonably know that the supplier  
26 does not have.

27 (8) That such consumer transaction involves or does not involve  
28 a warranty, a disclaimer of warranties, or other rights, remedies,  
29 or obligations, if the representation is false and if the supplier  
30 knows or should reasonably know that the representation is false.

31 (9) That the consumer will receive a rebate, discount, or other  
32 benefit as an inducement for entering into a sale or lease in return  
33 for giving the supplier the names of prospective consumers or  
34 otherwise helping the supplier to enter into other consumer  
35 transactions, if earning the benefit, rebate, or discount is  
36 contingent upon the occurrence of an event subsequent to the time  
37 the consumer agrees to the purchase or lease.

38 (10) That the supplier is able to deliver or complete the subject of  
39 the consumer transaction within a stated period of time, when the  
40 supplier knows or should reasonably know the supplier could not.  
41 If no time period has been stated by the supplier, there is a  
42 presumption that the supplier has represented that the supplier



will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:

(A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;

(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);

(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and

(D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

(A) the name misrepresents the supplier's geographic location;

(B) the listing fails to identify the locality and state of the supplier's business;

(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone



- 1 directory; and
- 2 (D) the supplier's business location is located in a county that
- 3 is not contiguous to a county in the calling area covered by the
- 4 local telephone directory.
- 5 (16) The act of listing an alternate business name or assumed
- 6 business name (as described in IC 23-0.5-3-4) in a directory
- 7 assistance data base if:
- 8 (A) the name misrepresents the supplier's geographic location;
- 9 (B) calls to the local telephone number are routinely forwarded
- 10 or otherwise transferred to a supplier's business location that
- 11 is outside the local calling area; and
- 12 (C) the supplier's business location is located in a county that
- 13 is not contiguous to a county in the local calling area.
- 14 (17) The violation by a supplier of IC 24-3-4 concerning
- 15 cigarettes for import or export.
- 16 (18) The act of a supplier in knowingly selling or reselling a
- 17 product to a consumer if the product has been recalled, whether
- 18 by the order of a court or a regulatory body, or voluntarily by the
- 19 manufacturer, distributor, or retailer, unless the product has been
- 20 repaired or modified to correct the defect that was the subject of
- 21 the recall.
- 22 (19) The violation by a supplier of 47 U.S.C. 227, including any
- 23 rules or regulations issued under 47 U.S.C. 227.
- 24 (20) The violation by a supplier of the federal Fair Debt
- 25 Collection Practices Act (15 U.S.C. 1692 et seq.), including any
- 26 rules or regulations issued under the federal Fair Debt Collection
- 27 Practices Act (15 U.S.C. 1692 et seq.).
- 28 (21) A violation of IC 24-5-7 (concerning health spa services), as
- 29 set forth in IC 24-5-7-17.
- 30 (22) A violation of IC 24-5-8 (concerning business opportunity
- 31 transactions), as set forth in IC 24-5-8-20.
- 32 (23) A violation of IC 24-5-10 (concerning home consumer
- 33 transactions), as set forth in IC 24-5-10-18.
- 34 (24) A violation of IC 24-5-11 (concerning real property
- 35 improvement contracts), as set forth in IC 24-5-11-14.
- 36 (25) A violation of IC 24-5-12 (concerning telephone
- 37 solicitations), as set forth in IC 24-5-12-23.
- 38 (26) A violation of IC 24-5-13.5 (concerning buyback motor
- 39 vehicles), as set forth in IC 24-5-13.5-14.
- 40 (27) A violation of IC 24-5-14 (concerning automatic
- 41 dialing-announcing devices), as set forth in IC 24-5-14-13.
- 42 (28) A violation of IC 24-5-15 (concerning credit services



organizations), as set forth in IC 24-5-15-11.

(29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

(30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

(31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.

(32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.

(33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

(34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

(35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

(36) A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

(39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

(40) A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

(41) A violation of IC 24-5-27 (concerning intrastate inmate calling services), as set forth in IC 24-5-27-27.

(42) A violation of IC 15-21 (concerning sales of dogs by retail pet stores), as set forth in IC 15-21-7-4.

(43) A violation of IC 24-4-23 (concerning the security of information collected and transmitted by an adult oriented website operator), as set forth in IC 24-4-23-14.

**(44) A violation of IC 10-17-16 (concerning assisting in veterans' benefits matters).**

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason



1 to know that such representation was false.

2 (d) If a supplier shows by a preponderance of the evidence that an  
3 act resulted from a bona fide error notwithstanding the maintenance of  
4 procedures reasonably adopted to avoid the error, such act shall not be  
5 deceptive within the meaning of this chapter.

6 (e) It shall be a defense to any action brought under this chapter that  
7 the representation constituting an alleged deceptive act was one made  
8 in good faith by the supplier without knowledge of its falsity and in  
9 reliance upon the oral or written representations of the manufacturer,  
10 the person from whom the supplier acquired the product, any testing  
11 organization, or any other person provided that the source thereof is  
12 disclosed to the consumer.

13 (f) For purposes of subsection (b)(12), a supplier that provides  
14 estimates before performing repair or replacement work for a customer  
15 shall give the customer a written estimate itemizing as closely as  
16 possible the price for labor and parts necessary for the specific job  
17 before commencing the work.

18 (g) For purposes of subsection (b)(15) and (b)(16), a telephone  
19 company or other provider of a telephone directory or directory  
20 assistance service or its officer or agent is immune from liability for  
21 publishing the listing of an alternate business name or assumed  
22 business name of a supplier in its directory or directory assistance data  
23 base unless the telephone company or other provider of a telephone  
24 directory or directory assistance service is the same person as the  
25 supplier who has committed the deceptive act.

26 (h) For purposes of subsection (b)(18), it is an affirmative defense  
27 to any action brought under this chapter that the product has been  
28 altered by a person other than the defendant to render the product  
29 completely incapable of serving its original purpose.

