

SENATE BILL No. 231

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-17-16; IC 24-4.6-6-5; IC 24-5-0.5-3.

Synopsis: Assistance in obtaining veterans' benefits. Provides that a person may not receive compensation for: (1) the preparation, presentation, or prosecution of; or (2) advising, consulting, or assisting an individual regarding a veterans' benefits matter, 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 may not receive excessive or unreasonable fees for services related to veterans' benefits matters. Provides that a person may not condition the repayment of fees: (1) upon the opening of a joint account with the recipient of veterans' benefits from which the person may make withdrawals; (2) upon the use of electronic funds transfers; or (3) by requiring an individual to act, in any manner, in violation of federal requirements relating to preauthorized transactions. Provides that a person may not collect, or attempt to collect, any fee for services rendered after receipt of benefits by a veteran or any other individual eligible for the benefits, if the person participated in the veterans' benefits matter prior to the issuance of veterans' benefits, and if the transaction was structured with an intent to avoid prohibited acts. Provides that a person seeking to receive compensation for services related to veterans' benefits matters must, before rendering any services, enter into a written agreement that is signed by both parties and that complies with federal regulations, including all terms regarding the payment of fees for services rendered. Requires a person to provide certain disclosures when entering into a business relationship with an individual or advertising for compensation services. Provides that a violation constitutes a deceptive act under the law concerning deceptive consumer sales and senior consumer protection provisions.

Effective: July 1, 2026.

Tomes

January 8, 2026, read first time and referred to Committee on Veterans Affairs and The Military.



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. 231

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. Prohibition of Receiving Compensation for**
5 **Assisting a Person in Obtaining Veterans' Benefits**
6 **Sec. 1. This chapter does not apply to:**
7 (1) a representative of a recognized organization;
8 (2) an agent; or
9 (3) an attorney;
10 **accredited under 38 CFR 14.629 (as in effect July 1, 2025).**
11 **Sec. 2. As used in this chapter, "compensation" means the**
12 **payment of:**
13 (1) money;
14 (2) a thing of value; or
15 (3) a financial benefit.
16 **Sec. 3. As used in this chapter, "person" means:**
17 (1) an individual;



- 1 (2) a corporation;
- 2 (3) a business trust;
- 3 (4) an estate;
- 4 (5) a trust;
- 5 (6) a partnership;
- 6 (7) a limited liability company;
- 7 (8) an association;
- 8 (9) a joint venture;
- 9 (10) a public corporation;
- 10 (11) a government or governmental subdivision, agency, or
- 11 instrumentality; or
- 12 (12) any other legal or commercial entity.

13 **Sec. 4. As used in this chapter, "veterans' benefits matter"**
 14 **means the preparation, presentation, or prosecution of any claim**
 15 **affecting any person who has filed, or expressed an intent to file, a**
 16 **claim for any benefit, program, service, commodity, function,**
 17 **status, or entitlement for which veterans, their dependents, their**
 18 **survivors, or any other individuals are eligible under the laws and**
 19 **regulations administered by the United States Department of**
 20 **Veterans Affairs or the United States Department of Defense**
 21 **pertaining to veterans, their dependents, their survivors, and any**
 22 **other individual eligible for those benefits.**

23 **Sec. 5. A person may not do the following:**

- 24 (1) Receive compensation for:
 - 25 (A) the preparation, presentation, or prosecution of; or
 - 26 (B) advising, consulting, or assisting an individual
 - 27 regarding;
 - 28 a veterans' benefits matter, except as permitted under federal
 - 29 law.
- 30 (2) Receive compensation for referring an individual to
- 31 another person to:
 - 32 (A) prepare;
 - 33 (B) present, prosecute, or advise on; or
 - 34 (C) consult or assist the individual regarding;
 - 35 a veterans' benefits matter.
- 36 (3) Receive, with respect to an individual's veterans' benefits
- 37 matter, compensation for services rendered before the date on
- 38 which a notice of disagreement, decision review, or appeal is
- 39 filed, whichever occurs first.
- 40 (4) Guarantee, either directly or by implication, that any
- 41 individual is certain to receive specific veterans' benefits or
- 42 that any individual is certain to receive a specific level,



percentage, or amount of veterans' benefits.

(5) Receive excessive or unreasonable fees as compensation for the preparation, presentation, or prosecution of, or advising, consulting, or assisting an individual regarding a veterans' benefits matter. The factors articulated in 38 CFR 14.636 (as in effect January 1, 2025) govern the determination of whether a fee is excessive or unreasonable.

(6) Condition repayment of fees:

(A) upon the opening of a joint account with the recipient of veterans' benefits from which the person may make withdrawals;

(B) upon the use of electronic funds transfers (as defined in 15 U.S.C. 1693a(7)); or

(C) by requiring an individual to act, in any manner, in violation of 12 CFR 1005.10(c)(1), regardless of whether the provision would otherwise be applicable to the transaction.

(7) Collect, or attempt to collect, any fee for services rendered after receipt of benefits by a veteran, the veteran's dependents, the veteran's survivors, or any other individual eligible for the benefits, if the person participated in the veterans' benefits matter prior to the issuance of veterans' benefits, and if the transaction was structured with an intent to avoid any of the prohibitions of this chapter. There is a rebuttable presumption that any collection, or attempted collection, of the fees was in violation of this chapter.

Sec. 6. A person seeking to receive compensation for:

(1) the preparation, presentation, or prosecution of; or

(2) advising, consulting, or assisting an individual regarding a veterans' benefits matter shall, before rendering any services, enter into a written agreement signed by both parties that adheres to all criteria specified in 38 CFR 14.636 (as in effect July 1, 2025), including all terms regarding the individual's payment of fees for services rendered.

Sec. 7. (a) A person may not advise or assist for compensation any individual concerning any veterans' benefits matter without clearly providing, at the outset of the business relationship, the following disclosure, both orally and in writing:

"This business is not sponsored by, or affiliated with, the United States Department of Veterans Affairs or any other federally chartered veterans' service organization. Other organizations, including the Indiana Department of Veterans'



Affairs, your local county veterans service officer, and other federally chartered veterans' service organizations, may be able to provide you with this service free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You may qualify for other veterans' benefits beyond the benefits for which you are receiving services here."

The written disclosure shall appear in a least 12 point type and shall appear in a readily noticeable and identifiable place in the person's agreement with the individual seeking services. The individual shall verbally acknowledge understanding of the oral disclosure and shall sign the document in which the written disclosure appears to represent understanding of these provisions. The person offering services shall retain a copy of the written disclosure while providing veterans' benefits services for compensation to the individual and for at least one (1) year after the date on which the services relationship terminates.

(b) A person may not advertise for compensation services in veterans' benefits matters without including the following disclosure:

"This business is not sponsored by, or affiliated with, the United States Department of Veterans Affairs, the Indiana Department of Veterans' Affairs, or any other federally chartered veterans' service organization. Other organizations, including the Indiana Department of Veterans' Affairs, your local county veterans' service officer, and other federally chartered veterans' service organizations, may be able to provide you with these services free of charge. Products or services offered by this business are not necessarily endorsed by any of these organizations. You may qualify for other veterans' benefits beyond the benefits that this business offers through its services."

If the advertisement is printed, including advertisements visible on the Internet, the disclosure shall appear in a readily visible place on the advertisement. If the advertisement is verbal, the statement of the disclosure shall be clear and intelligible.

Sec. 8. A violation of this chapter constitutes a deceptive act under IC 24-5-0.5.

Sec. 9. A violation of this chapter in connection with a senior customer (as defined in IC 24-4.6-6-3(5)) constitutes a violation under IC 24-4.6-6.

Sec. 10. If any clause, sentence, paragraph, or part of this



chapter or the application thereof is determined by any court of competent jurisdiction to be invalid, the judgment shall not affect, impair, or invalidate the remainder of the chapter, but shall be confined in its operation to the clause, sentence, paragraph, or part directly involved in the controversy in which the judgment shall be rendered.

SECTION 2. IC 24-4.6-6-5, AS ADDED BY P.L.250-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) A senior consumer who is a victim of an act described in section 4(a) or 4(b) of this chapter, **or conduct in violation of IC 10-17-16**, may bring an action against the person who commits the act.

(b) In an action brought against a person under this section, the court may order the person to:

- (1) return property or assets improperly obtained, controlled, or used; and
- (2) reimburse the senior consumer for any damages incurred or for the value of the property or assets lost as a result of the violation or violations of this chapter.

(c) In addition to the remedy provided in subsection (b), a court may order the following:

- (1) For knowing violations committed by a person who is not in a position of trust and confidence:
 - (A) payment of two (2) times the amount of damages incurred or value of property or assets lost; and
 - (B) payment of a civil penalty not exceeding five thousand dollars (\$5,000).
- (2) For knowing violations committed by a person in a position of trust and confidence:
 - (A) payment of treble damages; and
 - (B) payment of a civil penalty not exceeding ten thousand dollars (\$10,000).

(d) The court may award reasonable attorney's fees to a senior consumer that prevails in an action under this section. Actual damages awarded to a person under this section have priority over any civil penalty imposed under this chapter.

(e) The burden of proof in proving that a person committed financial exploitation of a senior consumer under section 4 of this chapter is by a preponderance of the evidence.

(f) The attorney general may bring an action to enjoin an alleged commission of financial exploitation of a senior consumer, **including conduct in violation of IC 10-17-16**, and may petition the court to



1 freeze the assets of the person allegedly committing financial
 2 exploitation of a senior consumer in an amount equal to but not greater
 3 than the alleged value of lost property or assets for purposes of
 4 restoring to the victim the value of the lost property or assets. The
 5 burden of proof required to freeze the assets of a person allegedly
 6 committing financial exploitation of a senior consumer is by a
 7 preponderance of the evidence. In addition, the court may:

8 (1) issue an injunction;

9 (2) order the person to make payment of the money unlawfully
 10 received from the senior consumer or senior consumers, to be
 11 held in escrow for distribution to the aggrieved senior consumer
 12 or senior consumers;

13 (3) for knowing violations, increase the amount of restitution
 14 ordered under subdivision (2) in any amount up to three (3) times
 15 the amount of damages incurred or value of property or assets
 16 lost;

17 (4) order the person to pay to the state the reasonable costs of the
 18 attorney general's investigation and prosecution related to the
 19 action;

20 (5) provide for the appointment of a receiver;

21 (6) for knowing violations by a person who is not in a position of
 22 trust and confidence, order the person to pay a civil penalty of up
 23 to five thousand dollars (\$5,000) per violation; and

24 (7) for knowing violations by a person in a position of trust and
 25 confidence, order the person to pay a civil penalty of up to ten
 26 thousand dollars (\$10,000) per violation.

27 (g) In an action under subsection (a) or (f), the court may void or
 28 limit the application of contracts or clauses resulting from the financial
 29 exploitation.

30 (h) In an action under subsection (a), upon the filing of the
 31 complaint or on the appearance of any defendant, claimant, or other
 32 party, or at any later time, the trial court, the supreme court, or the court
 33 of appeals may require the plaintiff, defendant, claimant, or other party
 34 or parties to give security, or additional security, in a sum the court
 35 directs to pay all costs, expenses, and disbursements that are awarded
 36 against that party or that the party may be directed to pay by any
 37 interlocutory order, by the final judgment, or on appeal.

38 (i) Any person who violates the terms of an injunction issued under
 39 subsection (f) shall forfeit and pay to the state a civil penalty of not
 40 more than fifteen thousand dollars (\$15,000) per violation. For the
 41 purposes of this section, the court issuing the injunction shall retain
 42 jurisdiction, the cause shall be continued, and the attorney general



1 acting in the name of the state may petition for recovery of civil
 2 penalties. Whenever the court determines that an injunction issued
 3 under subsection (f) has been violated, the court shall award reasonable
 4 costs to the state.

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

13 (b) Without limiting the scope of subsection (a), the following acts,
 14 and the following representations as to the subject matter of a
 15 consumer transaction, made orally, in writing, or by electronic
 16 communication, by a supplier, are deceptive acts:

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

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

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

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

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

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

36 (7) That the supplier has a sponsorship, approval, or affiliation in
 37 such consumer transaction the supplier does not have, and which
 38 the supplier knows or should reasonably know that the supplier
 39 does not have.

40 (8) That such consumer transaction involves or does not involve
 41 a warranty, a disclaimer of warranties, or other rights, remedies,
 42 or obligations, if the representation is false and if the supplier



1 knows or should reasonably know that the representation is false.

2 (9) That the consumer will receive a rebate, discount, or other
3 benefit as an inducement for entering into a sale or lease in return
4 for giving the supplier the names of prospective consumers or
5 otherwise helping the supplier to enter into other consumer
6 transactions, if earning the benefit, rebate, or discount is
7 contingent upon the occurrence of an event subsequent to the time
8 the consumer agrees to the purchase or lease.

9 (10) That the supplier is able to deliver or complete the subject of
10 the consumer transaction within a stated period of time, when the
11 supplier knows or should reasonably know the supplier could not.
12 If no time period has been stated by the supplier, there is a
13 presumption that the supplier has represented that the supplier
14 will deliver or complete the subject of the consumer transaction
15 within a reasonable time, according to the course of dealing or the
16 usage of the trade.

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

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

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

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

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

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

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

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

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

42 (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 directory; and

(D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

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

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

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.



- 1 (22) A violation of IC 24-5-8 (concerning business opportunity
- 2 transactions), as set forth in IC 24-5-8-20.
- 3 (23) A violation of IC 24-5-10 (concerning home consumer
- 4 transactions), as set forth in IC 24-5-10-18.
- 5 (24) A violation of IC 24-5-11 (concerning real property
- 6 improvement contracts), as set forth in IC 24-5-11-14.
- 7 (25) A violation of IC 24-5-12 (concerning telephone
- 8 solicitations), as set forth in IC 24-5-12-23.
- 9 (26) A violation of IC 24-5-13.5 (concerning buyback motor
- 10 vehicles), as set forth in IC 24-5-13.5-14.
- 11 (27) A violation of IC 24-5-14 (concerning automatic
- 12 dialing-announcing devices), as set forth in IC 24-5-14-13.
- 13 (28) A violation of IC 24-5-15 (concerning credit services
- 14 organizations), as set forth in IC 24-5-15-11.
- 15 (29) A violation of IC 24-5-16 (concerning unlawful motor
- 16 vehicle subleasing), as set forth in IC 24-5-16-18.
- 17 (30) A violation of IC 24-5-17 (concerning environmental
- 18 marketing claims), as set forth in IC 24-5-17-14.
- 19 (31) A violation of IC 24-5-19 (concerning deceptive commercial
- 20 solicitation), as set forth in IC 24-5-19-11.
- 21 (32) A violation of IC 24-5-21 (concerning prescription drug
- 22 discount cards), as set forth in IC 24-5-21-7.
- 23 (33) A violation of IC 24-5-23.5-7 (concerning real estate
- 24 appraisals), as set forth in IC 24-5-23.5-9.
- 25 (34) A violation of IC 24-5-26 (concerning identity theft), as set
- 26 forth in IC 24-5-26-3.
- 27 (35) A violation of IC 24-5.5 (concerning mortgage rescue fraud),
- 28 as set forth in IC 24-5.5-6-1.
- 29 (36) A violation of IC 24-8 (concerning promotional gifts and
- 30 contests), as set forth in IC 24-8-6-3.
- 31 (37) A violation of IC 21-18.5-6 (concerning representations
- 32 made by a postsecondary credit bearing proprietary educational
- 33 institution), as set forth in IC 21-18.5-6-22.5.
- 34 (38) A violation of IC 24-5-15.5 (concerning collection actions of
- 35 a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.
- 36 (39) A violation of IC 24-14 (concerning towing services), as set
- 37 forth in IC 24-14-10-1.
- 38 (40) A violation of IC 24-5-14.5 (concerning misleading or
- 39 inaccurate caller identification information), as set forth in
- 40 IC 24-5-14.5-12.
- 41 (41) A violation of IC 24-5-27 (concerning intrastate inmate
- 42 calling services), as set forth in IC 24-5-27-27.



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

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

6 **(44) A violation of IC 10-17-16 (concerning the prohibition of**
7 **receiving compensation for assisting a person in obtaining**
8 **veterans' benefits).**

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

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

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

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

32 (g) For purposes of subsection (b)(15) and (b)(16), a telephone
33 company or other provider of a telephone directory or directory
34 assistance service or its officer or agent is immune from liability for
35 publishing the listing of an alternate business name or assumed
36 business name of a supplier in its directory or directory assistance data
37 base unless the telephone company or other provider of a telephone
38 directory or directory assistance service is the same person as the
39 supplier who has committed the deceptive act.

40 (h) For purposes of subsection (b)(18), it is an affirmative defense
41 to any action brought under this chapter that the product has been
42 altered by a person other than the defendant to render the product



1 completely incapable of serving its original purpose.

