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SENATE BILL No. 231

Proposed Changes to introduced printing by AM023101

DIGEST OF PROPOSED AMENDMENT

Veterans' benefits. Provides veteran empowerment protections. Provides that a person may not represent a veteran regarding a veterans' benefits matter unless the person meets certain requirements. Provides that a person that advises, assists, or consults with an individual regarding veterans' benefits matters for a fee: (1) may not use international call centers or data centers for processing veterans' personal information; (2) may not use a veteran's personal log-in, username, or password information to access the veteran's medical, financial, or government benefits information; (3) must ensure that before any individual may have access to veterans' medical or financial information the individual must undergo a national criminal history background check; and (4) shall comply with certain federal regulations. Provides that a violation of the act constitutes a prohibited consumer sale.

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>~~ [Veteran Empowerment Protections
12 Sec. 1]. As used in this chapter, "compensation" means ~~<the~~
13 ~~payment of:~~

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- 1 ~~(1) money;~~
 2 ~~(2) a thing of value; or~~
 3 ~~(3) a financial benefit.~~
 4 ~~Sec. 3>~~[any money, thing of value, or economic benefit
 5 conferred on, or received by, any person in return for services
 6 rendered, or to be rendered.
 7 Sec. 2]. As used in this chapter, "person" means<<
 8 ~~(1) an individual;~~
 9 ~~(2) a corporation;~~
 10 ~~(3) a business trust;~~
 11 ~~(4) an estate;~~
 12 ~~(5) a trust;~~
 13 ~~(6) a partnership;~~
 14 ~~(7) a limited liability company;~~
 15 ~~(8) an association;~~
 16 ~~(9) a joint venture;~~
 17 ~~(10) a public corporation;~~
 18 ~~(11) a government or governmental subdivision, agency, or~~
 19 ~~instrumentality; or~~
 20 ~~(12) any other legal or commercial>~~[any natural person,
 21 corporation, trust, partnership, incorporated or
 22 unincorporated association, or any other legal] entity.
 23 Sec. <<[3]. As used in this chapter, "veterans' benefits
 24 matter" means the preparation, presentation, or prosecution of
 25 any claim affecting any person who has filed, or expressed an
 26 intent to file, a claim for any benefit, program, service, commodity,
 27 function, status, or entitlement for which veterans, their
 28 dependents, their survivors, or any other individuals are eligible
 29 under the laws and regulations administered by the United States
 30 Department of Veterans Affairs or the <United States Department
 31 of Defense pertaining to veterans, their dependents, their survivors,
 32 and any other individual eligible for those benefits.
 33 ~~Sec. 5. A>~~[Indiana department of veterans' affairs.
 34 Sec. 4. (a) Unless a person complies with section 7 of this
 35 chapter, the] person may not <do the following:
 36 ~~(1) Receive compensation for:~~
 37 ~~(A) the preparation, presentation, or prosecution of; or~~
 38 ~~(B) advising, consulting, or assisting an individual~~
 39 ~~regarding;~~
 40 ~~a veterans' benefits matter, except as permitted under~~
 41 ~~federal law.~~
 42 ~~(2) R>~~[r]eceive compensation for referring an[y] individual



to another person to~~;~~

~~(A) prepare;~~

~~(B) present, prosecute, or~~ advise~~on;~~ [, assist,] or~~;~~

~~(C)~~ consult ~~or assist~~ [with] the individual regarding~~;~~

[a] [ny] veterans' benefits matter.

~~(3) Receive, with respect to an individual's~~ (b) Unless a person complies with section 7 of this chapter, the person may not receive any compensation for any services rendered in connection with any claim filed within the one (1) year presumptive period of active duty release, unless the veteran acknowledges by signing a waiver acknowledging that the veteran is within this period and is choosing to forego free services available to the veteran.

Sec. 5. A person seeking to receive compensation for advising, assisting, or consulting with any individual in connection with any veterans' benefits matter must, before rendering any services, memorialize the specific terms under which the amount to be paid will be determined in a written agreement signed by both parties. Compensation must be purely contingent upon an increase in benefits awarded, and if successful, compensation ~~for services rendered before the date on which a notice of disagreement, decision review, or appeal is filed, whichever occurs first.~~

~~(4) Guarantee~~ [must not exceed five (5) times the amount of the monthly increase in benefits awarded based on the veterans' benefit matter. No initial or nonrefundable fee may be charged by a person advising, assisting, or consulting with an individual on a veterans' benefit matter.

Sec. 6. A person may not guarantee, either directly or by implication, [a successful outcome or] 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 [a] [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~~ [benefit.

Sec. 7. Any person advising, assisting, or consulting on 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:~~



- 1 ~~— (A) upon the opening of a joint account with the~~
 2 ~~recipient of veterans' benefits from which the person~~
 3 ~~may make withdrawals;~~
 4 ~~— (B) upon the use of electronic funds transfers (as defined~~
 5 ~~in 15 U.S.C. 1693a(7)); or~~
 6 ~~— (C) by requiring an individual to act, in any manner, in~~
 7 ~~violation of 12 CFR 1005.10(c)(1), regardless of whether~~
 8 ~~the provision would otherwise be applicable to the~~
 9 ~~transaction.~~
 10 ~~— (7) Collect, or attempt to collect, any fee for services~~
 11 ~~rendered after receipt of benefits by a veteran, the veteran's~~
 12 ~~dependents, the veteran's survivors, or any other individual~~
 13 ~~eligible for the benefits, if the person participated in the~~
 14 ~~veterans' benefits matter prior to the issuance of veterans'~~
 15 ~~benefits, and if the transaction was structured with an intent~~
 16 ~~to avoid any of the prohibitions of this chapter. There is a~~
 17 ~~rebuttable presumption that any collection, or attempted~~
 18 ~~collection, of the fees was in violation of this chapter.~~
 19 ~~— Sec. 6. A person seeking to receive compensation for:~~
 20 ~~— (1) the preparation, presentation, or prosecution of; or~~
 21 ~~— (2) advising, consulting, or assisting an individual regarding;~~
 22 ~~a veterans' benefits matter shall, before rendering any services,~~
 23 ~~enter into a written agreement signed by both parties that adheres~~
 24 ~~to all criteria specified in 38 CFR 14.636 (as in effect July 1, 2025),~~
 25 ~~including all terms regarding the individual's payment of fees for~~
 26 ~~services rendered.~~
 27 ~~— Sec. 7. (a) A person may not advise or assist~~ [matters] ~~for~~
 28 ~~compensation~~ <any individual concerning any veterans' benefits
 29 ~~matter without clearly providing,~~ [must provide the following
 30 disclosure] ~~at the outset of the business relationship~~ <the following
 31 disclosure, both orally and in writing>:
 32 "This business is not sponsored by, or affiliated with, the
 33 United States Department of Veterans Affairs [or the
 34 Indiana Department of Veterans' Affairs,] or any other
 35 federally chartered veterans' service organization. Other
 36 organizations, including the Indiana Department of
 37 Veterans' Affairs, <your>[a] local <county> veterans []
 38 service <officer>[organization], and other federally
 39 chartered veterans' service organizations, may be able to
 40 provide you with this service free of charge. Products or
 41 services offered by this business are not necessarily endorsed
 42 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~~ must appear in a at least twelve (12) point ~~type and shall appear~~ font in a ~~readily noticeable and~~ in easily identifiable place in the person's agreement with the individual seeking services. The individual ~~shall verbally acknowledge understanding of the oral disclosure and shall~~ must sign the document in which the written disclosure appears to represent understanding of these provisions. The person offering services ~~shall~~ must retain a copy of the written disclosure while providing services related to a veterans' benefit ~~services~~ matter for compensation to the individual and for at least one (1) year after the date on which the service ~~relationship~~ relations terminate~~s~~.

~~(b)~~ Sec. 8. A person ~~may not advertise for compensation services in~~ that advises, assists, or consults an individual regarding 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.~~ for compensation:

- (1) may not use international call centers or data centers for processing veterans' personal information;
- (2) may not use a veteran's personal log-in, username, or password information to access the veteran's medical, financial, or government benefits information;
- (3) must ensure that before any individual may have access to a veteran's medical or financial information, the



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individual must undergo a national criminal history background check by a consumer reporting agency regulated under 15 U.S.C. 1681 et seq. that includes a:

(A) verification of the applicant's identity;

(B) search of the records maintained by all counties in Indiana or similar governmental units in another state, if the individual who is the subject of the background check resided in another state; and

(C) multistate criminal data base search; and

(4) shall comply with 38 CFR Part 14.

Sec. 9. (a) A violation of this chapter constitutes a ~~deceptive act~~ violation 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 been 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~~



- 1 thousand dollars (\$5,000);
- 2 ~~— (2) For knowing violations committed by a person in a~~
- 3 ~~position of trust and confidence:~~
- 4 ~~— (A) payment of treble damages; and~~
- 5 ~~— (B) payment of a civil penalty not exceeding ten~~
- 6 ~~thousand dollars (\$10,000);~~
- 7 ~~— (d) The court may award reasonable attorney's fees to a senior~~
- 8 ~~consumer that prevails in an action under this section. Actual~~
- 9 ~~damages awarded to a person under this section have priority over~~
- 10 ~~any>]~~
- 11 (b) Any civil penalty ~~<imposed under this chapter.~~
- 12 ~~— (e) The burden of proof in proving that a person committed~~
- 13 ~~financial exploitation of a senior consumer under section 4 of this~~
- 14 ~~chapter is by a preponderance of the evidence.~~
- 15 ~~— (f) The attorney general may bring an action to enjoin an~~
- 16 ~~alleged commission of financial exploitation of a senior consumer;~~
- 17 ~~including conduct in violation of IC 10-17-16, and may petition the~~
- 18 ~~court to freeze the assets of the person allegedly committing~~
- 19 ~~financial exploitation of a senior consumer in an amount equal to~~
- 20 ~~but not greater than the alleged value of lost property or assets for~~
- 21 ~~purposes of restoring to the victim the value of the lost property or~~
- 22 ~~assets. The burden of proof required to freeze the assets of a person~~
- 23 ~~allegedly committing financial exploitation of a senior consumer is~~
- 24 ~~by a preponderance of the evidence. In addition, the court may:~~
- 25 ~~— (1) issue an injunction;~~
- 26 ~~— (2) order the person to make payment of the money~~
- 27 ~~unlawfully received from the senior consumer or senior~~
- 28 ~~consumers, to be held in escrow for distribution to the~~
- 29 ~~aggrieved senior consumer or senior consumers;~~
- 30 ~~— (3) for knowing violations, increase the amount of restitution~~
- 31 ~~ordered under subdivision (2) in any amount up to three (3)~~
- 32 ~~times the amount of damages incurred or value of property~~
- 33 ~~or assets lost;~~
- 34 ~~— (4) order the person to pay to the state the reasonable costs~~
- 35 ~~of>[collected by] the attorney <general's investigation and~~
- 36 ~~prosecution related to the action;~~
- 37 ~~— (5) provide for the appointment of a receiver;~~
- 38 ~~— (6) for knowing violations by a person who is not in a~~
- 39 ~~position of trust and confidence, order the person to pay a~~
- 40 ~~civil penalty of up to five thousand dollars (\$5,000) per~~
- 41 ~~violation; and~~
- 42 ~~— (7) for knowing violations by a person in a position of trust~~



and confidence, order the person to pay a civil penalty of up to ten thousand dollars (\$10,000) per violation.

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

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

—(i) Any person who violates the terms of an injunction issued under subsection (f) shall forfeit and pay to the state a civil penalty of not more than fifteen thousand dollars (\$15,000) per violation. For the purposes of this section, the court issuing the injunction shall retain jurisdiction, the cause shall be continued, and the attorney general acting in the name of the state may petition for recovery of civil penalties. Whenever the court determines that an injunction issued under subsection (f) has been violated, the court shall award reasonable costs to the state.

—~~SECTION 3~~ [general under IC 24-5-0.5-4 shall be deposited in the veterans' affairs trust fund established by IC 10-17-13-3.]

Sec. 10. Nothing in this chapter shall be construed as applying to, limiting, or expanding the requirements imposed on agents, attorneys, or other representatives accredited and regulated by the United States Department of Veterans Affairs.

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

(1) That such subject of a consumer transaction has sponsorship,



1 approval, performance, characteristics, accessories, uses, or
 2 benefits it does not have which the supplier knows or should
 3 reasonably know it does not have.

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

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

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

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

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

19 (7) That the supplier has a sponsorship, approval, or affiliation
 20 in such consumer transaction the supplier does not have, and
 21 which the supplier knows or should reasonably know that the
 22 supplier does not have.

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

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

34 (10) That the supplier is able to deliver or complete the subject
 35 of the consumer transaction within a stated period of time, when
 36 the supplier knows or should reasonably know the supplier could
 37 not. If no time period has been stated by the supplier, there is a
 38 presumption that the supplier has represented that the supplier
 39 will deliver or complete the subject of the consumer transaction
 40 within a reasonable time, according to the course of dealing or
 41 the usage of the trade.

42 (11) That the consumer will be able to purchase the subject of



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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 directory; and



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- 1 (D) the supplier's business location is located in a county
 2 that is not contiguous to a county in the calling area covered
 3 by the local telephone directory.
- 4 (16) The act of listing an alternate business name or assumed
 5 business name (as described in IC 23-0.5-3-4) in a directory
 6 assistance data base if:
- 7 (A) the name misrepresents the supplier's geographic
 8 location;
- 9 (B) calls to the local telephone number are routinely
 10 forwarded or otherwise transferred to a supplier's business
 11 location that is outside the local calling area; and
- 12 (C) the supplier's business location is located in a county
 13 that 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),
 29 as 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 the ~~prohibition of receiving compensation for assisting a person in obtaining veterans' benefits~~;

>[veteran empowerment act].

(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,



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1 and such other suppliers who shall state orally or in writing that such
2 representation is true if such other supplier shall know or have reason
3 to know that such representation was false.

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

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

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

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

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

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