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SENATE BILL No. 231

Proposed Changes to introduced printing by AM023102

DIGEST OF PROPOSED AMENDMENT

Qualified consultant. Defines "qualified consultant". Establishes procedures for registering as a veteran benefits consultant. Makes conforming changes.

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>[~~

12 Sec. 1]. As used in this chapter, "compensation" means the
13 payment of:

14 (1) money;

15 (2) a thing of value; or

16 (3) a financial benefit.

17 [Sec. ~~<3>~~[2]. As used in this chapter, "person" means:

18 (1) an individual;

19 (2) a corporation;

20 (3) a business trust;

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

Sec. 3. As used in this chapter, "qualified consultant" means

a:

(1) person accredited under 38 CFR 14.629 (as in effect July 1, 2025), including:

(A) a representative of a recognized organization;

(B) an agent; or

(C) an attorney; or

(2) registered veteran benefits consultant, as described in IC 25-45.

Sec. 4. As used in this chapter, "veterans' benefits matter" means the preparation, presentation, or prosecution of any claim affecting any person who has filed, or expressed an intent to file, a claim for any 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 Defense pertaining to veterans, their dependents, their survivors, and any other individual eligible for those benefits.

Sec. 5. (a) This subsection does not apply to a qualified consultant. A person may not ~~<do the following>~~:

~~(1) R>~~ [r]ceive compensation for:

~~<<A>~~ [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>~~ [.]

(b) A person may not do the following:

[1] (<2> [1]) Receive compensation for referring an individual to another person to:

(A) prepare;



- 1 (B) present, prosecute, or advise on; or
 2 (C) consult or assist the individual regarding;
 3 a veterans' benefits matter.
 4 (~~↔~~[2]) Receive, with respect to an individual's veterans'
 5 benefits matter, compensation for services rendered before
 6 the date on which a notice of disagreement, decision review,
 7 or appeal is filed, whichever occurs first.
 8 (~~↔~~[3]) Guarantee, either directly or by implication, that
 9 any individual is certain to receive specific veterans' benefits
 10 or that any individual is certain to receive a specific level,
 11 percentage, or amount of veterans' benefits.
 12 (~~↔~~[4]) Receive excessive or unreasonable fees as
 13 compensation for the preparation, presentation, or
 14 prosecution of, or advising, consulting, or assisting an
 15 individual regarding a veterans' benefits matter. The factors
 16 articulated in 38 CFR 14.636 (as in effect January 1, 2025)
 17 govern the determination of whether a fee is excessive or
 18 unreasonable.
 19 (~~↔~~[5]) Condition repayment of fees:
 20 (A) upon the opening of a joint account with the
 21 recipient of veterans' benefits from which the person
 22 may make withdrawals;
 23 (B) upon the use of electronic funds transfers (as defined
 24 in 15 U.S.C. 1693a(7)); or
 25 (C) by requiring an individual to act, in any manner, in
 26 violation of 12 CFR 1005.10(c)(1), regardless of whether
 27 the provision would otherwise be applicable to the
 28 transaction.
 29 (~~↔~~[6]) Collect, or attempt to collect, any fee for services
 30 rendered after receipt of benefits by a veteran, the veteran's
 31 dependents, the veteran's survivors, or any other individual
 32 eligible for the benefits, if the person participated in the
 33 veterans' benefits matter prior to the issuance of veterans'
 34 benefits, and if the transaction was structured with an intent
 35 to avoid any of the prohibitions of this chapter. There is a
 36 rebuttable presumption that any collection, or attempted
 37 collection, of the fees was in violation of this chapter.
 38 Sec. 6. A ~~person~~ qualified consultant seeking to receive
 39 compensation for:
 40 (1) the preparation, presentation, or prosecution of; or
 41 (2) advising, consulting, or assisting an individual regarding;
 42 a veterans' benefits matter shall, before rendering any services,



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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>~~ [qualified consultant] 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>~~ [Sec. 8. A qualified consultant 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~~



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~~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; and

(3) must ensure that before any individual may have access to a veteran's medical or financial information, the 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.

Sec. 9]. A violation of this chapter constitutes a deceptive act under IC 24-5-0.5.

Sec. ~~<9>~~[10]. 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. 1~~<0>~~[1]. 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



- 1 commits the act.
- 2 (b) In an action brought against a person under this section, the
- 3 court may order the person to:
- 4 (1) return property or assets improperly obtained, controlled, or
- 5 used; and
- 6 (2) reimburse the senior consumer for any damages incurred or
- 7 for the value of the property or assets lost as a result of the
- 8 violation or violations of this chapter.
- 9 (c) In addition to the remedy provided in subsection (b), a court
- 10 may order the following:
- 11 (1) For knowing violations committed by a person who is not in
- 12 a position of trust and confidence:
- 13 (A) payment of two (2) times the amount of damages
- 14 incurred or value of property or assets lost; and
- 15 (B) payment of a civil penalty not exceeding five thousand
- 16 dollars (\$5,000).
- 17 (2) For knowing violations committed by a person in a position
- 18 of trust and confidence:
- 19 (A) payment of treble damages; and
- 20 (B) payment of a civil penalty not exceeding ten thousand
- 21 dollars (\$10,000).
- 22 (d) The court may award reasonable attorney's fees to a senior
- 23 consumer that prevails in an action under this section. Actual damages
- 24 awarded to a person under this section have priority over any civil
- 25 penalty imposed under this chapter.
- 26 (e) The burden of proof in proving that a person committed
- 27 financial exploitation of a senior consumer under section 4 of this
- 28 chapter is by a preponderance of the evidence.
- 29 (f) The attorney general may bring an action to enjoin an alleged
- 30 commission of financial exploitation of a senior consumer, **including**
- 31 **conduct in violation of IC 10-17-16**, and may petition the court to
- 32 freeze the assets of the person allegedly committing financial
- 33 exploitation of a senior consumer in an amount equal to but not greater
- 34 than the alleged value of lost property or assets for purposes of
- 35 restoring to the victim the value of the lost property or assets. The
- 36 burden of proof required to freeze the assets of a person allegedly
- 37 committing financial exploitation of a senior consumer is by a
- 38 preponderance of the evidence. In addition, the court may:
- 39 (1) issue an injunction;
- 40 (2) order the person to make payment of the money unlawfully
- 41 received from the senior consumer or senior consumers, to be
- 42 held in escrow for distribution to the aggrieved senior consumer



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or senior consumers;

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

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

(5) provide for the appointment of a receiver;

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

(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. 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



1 includes both implicit and explicit misrepresentations.

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

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

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

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

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

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

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

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

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

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

40 (10) That the supplier is able to deliver or complete the subject
41 of the consumer transaction within a stated period of time, when
42 the supplier knows or should reasonably know the supplier could



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not. If no time period has been stated by the supplier, there is a 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;



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



- 1 solicitations), as set forth in IC 24-5-12-23.
- 2 (26) A violation of IC 24-5-13.5 (concerning buyback motor
- 3 vehicles), as set forth in IC 24-5-13.5-14.
- 4 (27) A violation of IC 24-5-14 (concerning automatic
- 5 dialing-announcing devices), as set forth in IC 24-5-14-13.
- 6 (28) A violation of IC 24-5-15 (concerning credit services
- 7 organizations), as set forth in IC 24-5-15-11.
- 8 (29) A violation of IC 24-5-16 (concerning unlawful motor
- 9 vehicle subleasing), as set forth in IC 24-5-16-18.
- 10 (30) A violation of IC 24-5-17 (concerning environmental
- 11 marketing claims), as set forth in IC 24-5-17-14.
- 12 (31) A violation of IC 24-5-19 (concerning deceptive
- 13 commercial solicitation), as set forth in IC 24-5-19-11.
- 14 (32) A violation of IC 24-5-21 (concerning prescription drug
- 15 discount cards), as set forth in IC 24-5-21-7.
- 16 (33) A violation of IC 24-5-23.5-7 (concerning real estate
- 17 appraisals), as set forth in IC 24-5-23.5-9.
- 18 (34) A violation of IC 24-5-26 (concerning identity theft), as set
- 19 forth in IC 24-5-26-3.
- 20 (35) A violation of IC 24-5.5 (concerning mortgage rescue
- 21 fraud), as set forth in IC 24-5.5-6-1.
- 22 (36) A violation of IC 24-8 (concerning promotional gifts and
- 23 contests), as set forth in IC 24-8-6-3.
- 24 (37) A violation of IC 21-18.5-6 (concerning representations
- 25 made by a postsecondary credit bearing proprietary educational
- 26 institution), as set forth in IC 21-18.5-6-22.5.
- 27 (38) A violation of IC 24-5-15.5 (concerning collection actions
- 28 of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.
- 29 (39) A violation of IC 24-14 (concerning towing services), as set
- 30 forth in IC 24-14-10-1.
- 31 (40) A violation of IC 24-5-14.5 (concerning misleading or
- 32 inaccurate caller identification information), as set forth in
- 33 IC 24-5-14.5-12.
- 34 (41) A violation of IC 24-5-27 (concerning intrastate inmate
- 35 calling services), as set forth in IC 24-5-27-27.
- 36 (42) A violation of IC 15-21 (concerning sales of dogs by retail
- 37 pet stores), as set forth in IC 15-21-7-4.
- 38 (43) A violation of IC 24-4-23 (concerning the security of
- 39 information collected and transmitted by an adult oriented
- 40 website operator), as set forth in IC 24-4-23-14.
- 41 **(44) A violation of IC 10-17-16 (concerning the prohibition**
- 42 **of receiving compensation for assisting a person in obtaining**

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1 **veterans' benefits).**

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

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

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

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

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

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

37 SECTION 4. IC 25-45 IS ADDED TO THE INDIANA CODE AS
38 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
39 2026]:

40 ARTICLE 45. VETERAN BENEFITS CONSULTANT

41 Chapter 1. Definitions

42 Sec. 1. The definitions in this chapter apply throughout this



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1 article.

2 Sec. 2. "Agency" means the Indiana professional licensing
 3 agency established by IC 25-1-5-3.

4 Sec. 3. "Applicant" means a veteran benefits consultant who
 5 applies for a registration under this article.

6 Sec. 4. "Registered veteran benefits consultant" means a
 7 person registered under this article.

8 Sec. 5. "Veteran benefits consultant" means a person who:

9 (1) receives compensation for:

10 (A) the preparation of; or

11 (B) advising, assisting, or consulting an individual
 12 regarding;

13 a veterans' benefits matter; and

14 (2) is not a person accredited under 38 CFR 14.629 (as in
 15 effect July 1, 2025), including:

16 (A) a representative of a recognized organization;

17 (B) an agent; or

18 (C) an attorney.

19 Sec. 6. "Veterans' benefits matter" has the meaning set forth
 20 in IC 10-17-16-4.

21 Chapter 2. Registration Requirements

22 Sec. 1. (a) This article applies to a person who operates as a
 23 veteran benefits consultant after December 31, 2026.

24 (b) This article does not apply to:

25 (1) a representative of a recognized organization;

26 (2) an agent; or

27 (3) an attorney;

28 accredited under 38 CFR 14.629 (as in effect July 1, 2025).

29 Sec. 2. Under IC 25-1-5.5, the agency shall maintain an
 30 electronic registry of all veteran benefits consultants who:

31 (1) electronically apply for and meet the registration
 32 requirements under this article;

33 (2) swear or affirm under penalty of perjury that the veteran
 34 benefits consultant's representations and information
 35 provided to the agency are true; and

36 (3) pay the fees under IC 25-45-3.

37 Sec. 3. To qualify for registration under this article, an
 38 applicant must not have a violation:

39 (1) for a deceptive act under IC 24-5-0.5; or

40 (2) in connection with a senior customer (as defined in
 41 IC 24-4.6-6-3(5)) under IC 24-4.6-6.

42 Sec. 4. (a) The agency shall electronically register only an



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applicant who does the following:

(1) Electronically applies for the registration on a form prescribed by the agency.

(2) Meets the requirements of this article.

(3) Pays the registration fee under IC 25-40-3.

(b) The application must include the information the agency requires, including the following:

(1) The name and address of the applicant.

(2) Information pertaining to the applicant's military service.

(3) 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.

(4) Verification of the individual's lawful status through the United States Citizenship and Immigration Services.

(5) The applicant's education background and training.

(6) Information concerning whether the applicant is:

(A) part of a business; or

(B) acting in their individual capacity.

(7) An attestation that the applicant will act only in an advisory role as described in IC 25-45-1-4.

Sec. 5. The agency shall approve or deny an application for registration. The agency shall return an incomplete application with a notation as to omissions.

Sec. 6. A registered veteran benefits consultant who continues to operate as a veteran benefits consultant shall:

(1) renew the registration not more than ninety (90) days before the expiration of the registration; and

(2) pay the renewal fee under IC 25-45-3.

Chapter 3. Fees

Sec. 1. (a) The agency shall collect the following fees under this article:

(1) An initial registration fee of one hundred fifty dollars (\$150).

(2) A renewal fee every three (3) years of one hundred dollars (\$100).

(3) A restoration fee of one hundred dollars (\$100).



(b) The fees collected by the agency under this article shall be deposited by the agency in the same manner as other fees collected by the agency are deposited.

Chapter 4. Expiration of Registration

Sec. 1. A registered veteran benefits consultant who fails to renew the veteran benefits consultant certificate of registration for a period of not more than five (5) years after the date the registration expires may renew the registration at any time within the five (5) year period after the registration expires by:

(1) electronically applying to the agency for renewal of the registration; and

(2) paying the renewal fee and the restoration fee under IC 25-45-3-1.

Sec. 2. After the five (5) year period referred to in section 1 of this chapter, the following apply:

(1) The agency may not restore the expired registration of a veteran benefits consultant.

(2) To again be registered under this chapter, a veteran benefits consultant must:

(A) make the same application to the agency as an applicant who has not been previously registered; and

(B) meet all the requirements set forth in this article for an initial registration.

Chapter 5. Unlawful Practice

Sec. 1. (a) A person may not use the title "registered veteran benefits consultant" unless the person is registered with the agency under this article.

(b) A person may not:

(1) present as the person's own registration under this article the registration of another person;

(2) make any false statement or representation or make a material omission of fact of any kind in obtaining a registration;

(3) impersonate any other registered veteran benefits consultant; or

(4) use an expired, suspended, or revoked registration.

(c) A violation of this section constitutes a deceptive act under IC 24-5-0.5.

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