

PRINTING CODE. Deletions appear in ~~this style type~~. Insertions appear in this style type. Typeface changes are shown in **this** *this* this style **type** or in **this** *this* this style **type**.

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** ~~as in effect July 1, 2025~~

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 **II** Sec. ~~2.~~ As used in this chapter, "person" means:

18 (1) an individual;
19 (2) a corporation;
20 (3) a business trust;

2026

IN 231—LS 6559/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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. 5.1 (a) This subsection does not apply to a qualified consultant.] A person may not ~~do the following:~~

— (1) **R** → [r]eceive compensation for:

←→(←→[1]) the preparation, presentation, or prosecution
of; or

→(←B>[2]) advising, consulting, or assisting an individual regarding;

→ a veterans' benefits matter ←, except

federal law.> [

(b) A person may not do the following:]

(1) Receive compensation for ref

another person to:
(A) prepare;



(B) present, prosecute, or advise on; or
(C) consult or assist the individual regarding; a veterans' benefits matter.

(~~↔~~ [2]) Receive, with respect to an individual's veterans' benefits matter, compensation for services rendered before the date on which a notice of disagreement, decision review, or appeal is filed, whichever occurs first.

(~~↔~~ [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 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.

(~~↔~~ [5]) 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.

(~~↔~~ [6]) 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~~ [qualified consultant] 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,



1 enter into a written agreement signed by both parties that adheres
 2 to all criteria specified in 38 CFR 14.636 (as in effect July 1, 2025),
 3 including all terms regarding the individual's payment of fees for
 4 services rendered.

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

10 "This business is not sponsored by, or affiliated with, the
 11 United States Department of Veterans Affairs or any other
 12 federally chartered veterans' service organization. Other
 13 organizations, including the Indiana Department of
 14 Veterans' Affairs, your local county veterans service officer,
 15 and other federally chartered veterans' service
 16 organizations, may be able to provide you with this service
 17 free of charge. Products or services offered by this business
 18 are not necessarily endorsed by any of these organizations.
 19 You may qualify for other veterans' benefits beyond the
 20 benefits for which you are receiving services here.".

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

31 ~~(b) A person may not advertise for compensation services~~
 32 ~~in~~ Sec. 8. A qualified consultant that advises, assists, or consults
 33 an individual regarding veterans' benefits matters ~~without~~
 34 ~~including the following disclosure:~~

35 ~~This business is not sponsored by, or affiliated with, the~~
 36 ~~United States Department of Veterans Affairs, the Indiana~~
 37 ~~Department of Veterans' Affairs, or any other federally~~
 38 ~~chartered veterans' service organization. Other~~
 39 ~~organizations, including the Indiana Department of~~
 40 ~~Veterans' Affairs, your local county veterans' service officer,~~
 41 ~~and other federally chartered veterans' service~~
 42 ~~organizations, may be able to provide you with these services~~



1 **free of charge. Products or services offered by this business**
 2 **are not necessarily endorsed by any of these organizations.**
 3 **You may qualify for other veterans' benefits beyond the**
 4 **benefits that this business offers through its services."**
 5 **If the advertisement is printed, including advertisements visible on**
 6 **the Internet, the disclosure shall appear in a readily visible place**
 7 **on the advertisement. If the advertisement is verbal, the statement**
 8 **of the disclosure shall be clear and intelligible.**

9 **Sec. 8>[for compensation:**

- 10 **(1) may not use international call centers or data centers for**
 processing veterans' personal information;
- 11 **(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
- 12 **(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:
- 13 **(A) verification of the applicant's identity;**
- 14 **(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
- 15 **(C) multistate criminal data base search.**

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

18 **Sec. <9>[10]. A violation of this chapter in connection with a**
 19 **senior customer (as defined in IC 24-4.6-6-3(5)) constitutes a**
 20 **violation under IC 24-4.6-6.**

21 **Sec. 1<0>[1]. If any clause, sentence, paragraph, or part of this**
 22 **chapter or the application thereof is determined by any court of**
 23 **competent jurisdiction to be invalid, the judgment shall not affect,**
 24 **impair, or invalidate the remainder of the chapter, but shall be**
 25 **confined in its operation to the clause, sentence, paragraph, or part**
 26 **directly involved in the controversy in which the judgment shall be**
 27 **been rendered.**

28 **SECTION 2. IC 24-4.6-6-5, AS ADDED BY P.L.250-2013,**
 29 **SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE**
 30 **JULY 1, 2026]: Sec. 5. (a) A senior consumer who is a victim of an act**
 31 **described in section 4(a) or 4(b) of this chapter, **or conduct in****
 32 ****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



1 or senior consumers;
 2 (3) for knowing violations, increase the amount of restitution
 3 ordered under subdivision (2) in any amount up to three (3)
 4 times the amount of damages incurred or value of property or
 5 assets lost;
 6 (4) order the person to pay to the state the reasonable costs of the
 7 attorney general's investigation and prosecution related to the
 8 action;
 9 (5) provide for the appointment of a receiver;
 10 (6) for knowing violations by a person who is not in a position of
 11 trust and confidence, order the person to pay a civil penalty of up
 12 to five thousand dollars (\$5,000) per violation; and
 13 (7) for knowing violations by a person in a position of trust and
 14 confidence, order the person to pay a civil penalty of up to ten
 15 thousand dollars (\$10,000) per violation.

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

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

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

36 SECTION 3. IC 24-5-0.5-3, AS AMENDED BY P.L.104-2024,
 37 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]: Sec. 3. (a) A supplier may not commit an unfair,
 39 abusive, or deceptive act, omission, or practice in connection with a
 40 consumer transaction. Such an act, omission, or practice by a supplier
 41 is a violation of this chapter whether it occurs before, during, or after
 42 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



1 not. If no time period has been stated by the supplier, there is a
 2 presumption that the supplier has represented that the supplier
 3 will deliver or complete the subject of the consumer transaction
 4 within a reasonable time, according to the course of dealing or
 5 the usage of the trade.

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

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

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

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

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

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

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

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

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

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

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

41 (A) the name misrepresents the supplier's geographic
 42 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.

(22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.

(23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.

(24) A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.

(25) A violation of IC 24-5-12 (concerning telephone

2026

IN 231—LS 6559/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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**

2026

IN 231—LS 6559/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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.

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.

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

ARTICLE 45. VETERAN BENEFITS CONSULTANT

Chapter 1. Definitions

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

2026

IN 231—LS 6559/DI 116



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

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



1 applicant who does the following:

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

4 (2) Meets the requirements of this article.

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

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

8 (1) The name and address of the applicant.

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

10 (3) A national criminal history background check by a
 11 consumer reporting agency regulated under 15 U.S.C. 1681
 12 et seq. that includes a:

13 (A) verification of the applicant's identity;

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

18 (C) multistate criminal data base search.

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

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

22 (6) Information concerning whether the applicant is:

23 (A) part of a business; or

24 (B) acting in their individual capacity.

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

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

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

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

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

35 Chapter 3. Fees

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

38 (1) An initial registration fee of one hundred fifty dollars
 39 (\$150).

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

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



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

4 **Chapter 4. Expiration of Registration**

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

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

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

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

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

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

20 **(A) make the same application to the agency as an**
 21 **applicant who has not been previously registered; and**
 22 **(B) meet all the requirements set forth in this article for**
 23 **an initial registration.**

24 **Chapter 5. Unlawful Practice**

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

28 **(b) A person may not:**

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

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

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

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

37 **(c) A violation of this section constitutes a deceptive act under**

38 **IC 24-5-0.5.**

39 **1**

