

IC 10-17

ARTICLE 17. VETERANS' AFFAIRS

IC 10-17-1

Chapter 1. Indiana Veterans' Affairs

IC 10-17-1-0.1

Application of certain amendments to chapter

Sec. 0.1. The amendments made to sections 5 and 9 of this chapter and the addition of section 11 of this chapter by P.L.144-2007 apply to employees who begin employment with the Indiana department of veterans' affairs or a county or a city under section 9 of this chapter as amended by P.L.144-2007, as applicable, after June 30, 2007.

As added by P.L.220-2011, SEC.238.

IC 10-17-1-1

Purpose of chapter

Sec. 1. The purpose of this chapter is to create a department with full authority to aid and assist veterans of the armed forces of the United States entitled to benefits or advantages provided on or after March 3, 1945, by the United States, the state, or another state or government.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-1.5

"Commission"

Sec. 1.5. As used in this chapter, "commission" refers to the Indiana veterans' affairs commission established by IC 10-17-13-4.

As added by P.L.113-2010, SEC.72.

IC 10-17-1-2

Establishment of department

Sec. 2. (a) The Indiana department of veterans' affairs is established. The:

- (1) department;
- (2) commission;
- (3) director of veterans' affairs;
- (4) county and city officers; and
- (5) assistants and employees of persons described in subdivisions (1) through (4);

acting under the supervision of and under the rules of the department may act at the request of any veteran of the armed forces or a veteran's spouse, surviving spouse, or dependent as necessary or reasonably incident to obtaining or attempting to obtain for the person making the request any advantage, benefit, or compensation accruing, due, or believed to be accruing or due to the person under any law of the United States, Indiana, or any other state or government by reason of the service of the veteran in the armed

forces of the United States.

(b) The:

- (1) commission shall supervise and control the department; and
- (2) director of veterans' affairs shall administer the department under the commission's supervision and control;

as provided in this article.

(c) The domicile of the department is in Indianapolis. Suitable offices and quarters shall be provided in Indianapolis.

As added by P.L.2-2003, SEC.8. Amended by P.L.113-2010, SEC.73.

IC 10-17-1-3

Repealed

(As added by P.L.2-2003, SEC.8. Repealed by P.L.113-2010, SEC.170.)

IC 10-17-1-4

Powers of commission

Sec. 4. The commission shall do acts necessary or reasonably incident to the fulfillment of the purposes of this chapter, including the following:

- (1) Adopt rules under IC 4-22-2 to administer this chapter.
- (2) Advise the veterans' state service officer in problems concerning the welfare of veterans.
- (3) Determine general administrative policies within the department.
- (4) Establish standards for certification of county and city service officers.
- (5) Establish and administer a written examination for renewal of the certification of county and city service officers.

As added by P.L.2-2003, SEC.8. Amended by P.L.169-2013, SEC.2.

IC 10-17-1-5

Director of commission

Sec. 5. (a) The position of director of veterans' affairs is established. The governor shall appoint the director for a four (4) year term. However, the term of office of the director terminates when the term of office of the governor terminates or when a successor to the director is appointed and qualified. The director must be:

- (1) an honorably discharged veteran who has at least six (6) months active service in the armed forces of the United States; and
- (2) a citizen of Indiana and a resident of Indiana for at least five (5) years immediately preceding the director's appointment.

(b) The director is entitled to reimbursement for necessary traveling and other expenses.

(c) The governor may remove the director if the governor considers the director guilty of misconduct, incapability, or neglect of duty.

(d) The governor shall appoint an assistant director of veterans'

affairs. The assistant director is entitled to receive reimbursement for necessary traveling and other expenses. The assistant director has the same qualifications as the director of veterans' affairs and shall assist the director in carrying out this chapter.

As added by P.L.2-2003, SEC.8. Amended by P.L.144-2007, SEC.6.

IC 10-17-1-6

Duties of director

Sec. 6. (a) The director of veterans' affairs:

(1) is the executive and administrative head of the Indiana department of veterans' affairs; and

(2) shall direct and supervise the administrative and technical activities of the department;

subject to the general supervision of the commission.

(b) The duties of the director include the following:

(1) To attend all meetings of the commission and to act as secretary and keep minutes of the commission's proceedings.

(2) To appoint the employees of the department necessary to carry out this chapter and to fix the compensation of the employees. Employees of the department must qualify for the job concerned.

(3) To carry out the program for veterans' affairs as directed by the governor and the commission.

(4) To carry on field direction, inspection, and coordination of county and city service officers as provided in this chapter.

(5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.

(6) To maintain an information bulletin service to county and city service officers for the necessary dissemination of material pertaining to all phases of veterans' rehabilitation and service work, including information necessary to inform veterans of the provisions of IC 22-9-10.

(7) To perform the duties described in IC 10-17-11 for the Indiana state veterans' cemetery.

(8) To perform the duties described in IC 10-17-12 for the military family relief fund.

(9) To establish a program and set guidelines under which a medal of honor awardee may receive compensation when attending and participating in official ceremonies.

As added by P.L.2-2003, SEC.8. Amended by P.L.58-2006, SEC.7; P.L.144-2007, SEC.7; P.L.100-2012, SEC.25; P.L.136-2014, SEC.1.

IC 10-17-1-7

Powers of attorney

Sec. 7. (a) A power of attorney authorizing action on behalf of a veteran in obtaining a benefit or an advantage for a veteran provided under Indiana law must run to an authorized agency or individual recognized by the United States Department of Veterans Affairs.

(b) A rule contrary to this section is void.
As added by P.L.2-2003, SEC.8. Amended by P.L.144-2007, SEC.8.

IC 10-17-1-8

Commission contracts with the United States

Sec. 8. The commission may adopt rules necessary to:

- (1) obtain benefits under present and future enactments of the Congress of the United States concerning veterans' affairs; and
- (2) enter into on behalf of the state contracts or agreements with the government of the United States to receive benefits under present and future federal enactments concerning veterans' aid and benefits.

A contract or agreement entered into under subdivision (2) must first be approved by the governor and attorney general.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-9

County service officer, city service officer, and assistants

Sec. 9. (a) A county executive:

- (1) shall designate and may:
 - (A) appoint a county service officer for a four (4) year term; or
 - (B) employ a county service officer; and
- (2) may employ service officer assistants;

to serve the veterans of the county.

(b) The fiscal body of a city may provide for the employment by the mayor of a city service officer and service officer assistants to serve the veterans of the city.

(c) If the remuneration and expenses of a county or city service officer are paid from the funds of the county or city employing the service officer, the service officer shall:

- (1) have the same qualifications and be subject to the same rules as the director, assistant director, and state service officers of the Indiana department of veterans' affairs; and
- (2) serve under the supervision of the director of veterans' affairs.

A service officer assistant must have the same qualifications as an employee described in section 11(b) of this chapter. A rule contrary to this subsection is void.

(d) County and city fiscal bodies may appropriate funds necessary for the purposes described in this section.

As added by P.L.2-2003, SEC.8. Amended by P.L.144-2007, SEC.9; P.L.105-2014, SEC.1.

IC 10-17-1-10

Training courses; service officers

Sec. 10. (a) Within thirty (30) days of their appointment, new county or city service officers must attend a new service officer orientation presented by the Indiana department of veterans' affairs

and, according to the standards established under section 4(4) of this chapter, become certified to assist veterans and their dependents and survivors. The curriculum for the new service officer orientation presented under this subsection shall be determined by the director.

(b) Within one (1) year of appointment, new service officers must attend a course presented by a national organization and become accredited to represent veterans.

(c) An individual employed as a county or city service officer under this chapter on July 1, 2013, is required to become accredited not later than July 1, 2015, to represent veterans.

(d) Annually, all county or city service officers shall undergo a course of training to adequately address problems of discharged veterans in the service officer's county or city, including a thorough familiarization with laws, rules, and regulations of the federal government and the state that affect benefits to which the veterans and dependents of the veterans are entitled. After a service officer has undergone this sustainment training and successfully passed a written test, the service officer shall be recertified by the director to assist veterans for the following year.

As added by P.L.2-2003, SEC.8. Amended by P.L.169-2013, SEC.3.

IC 10-17-1-11

Employment requirements

Sec. 11. (a) The following employees of the Indiana department of veterans' affairs must satisfy the requirements set forth in section 5(a) of this chapter:

- (1) State service officers.
- (2) Director of the state approving agency.
- (3) Program directors of the state approving agency.
- (4) Director of the Indiana state veterans' cemetery established by IC 10-17-11-4.

(b) An employee of the Indiana department of veterans' affairs not described in subsection (a) must:

- (1) satisfy; or
- (2) be the spouse, surviving spouse, parent, or child of a person who satisfies;

the requirements set forth in section 5(a) of this chapter.

As added by P.L.144-2007, SEC.10.