

HOUSE BILL No. 1087

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-25-2.

Synopsis: Military survivor exemption from licensing fees. Provides that the surviving spouse or child of an honorably discharged veteran is entitled to obtain a vending and peddling license on the same terms that would apply to the veteran, including a waiver of the license fee. Requires documentation showing that the veteran (or the surviving spouse or child of the veteran) has at least a 51% ownership interest in the entity operating under the license before the license fee is waived. Repeals a provision that exempts a county having a consolidated city from the veterans' fee exemption.

Effective: July 1, 2009.

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January 16, 2009, read first time and referred to Committee on Local Government.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1087



A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-25-2-1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) This section
 3 applies to:
 4 (1) any veteran described in IC 10-17-5-2 or IC 10-17-5-1; or
 5 (2) any other veteran to whom this chapter applies because of the
 6 provisions of any other statute;
 7 who holds an honorable discharge from ~~such~~ **the veteran's** service
 8 issued by the proper authorities. **This section also applies to the**
 9 **surviving spouse or child of a veteran described in subdivision (1)**
 10 **or (2).**
 11 (b) ~~Such~~ **A person to whom this section applies** shall be entitled to
 12 a license to vend, hawk, and peddle goods, wares, fruits, and
 13 merchandise in any county, city, or town in Indiana without the
 14 payment of any fee for the license.
 15 (c) Upon the presentation **by a person to whom this section**
 16 **applies** of:
 17 (1) the ~~person's~~ certificate and papers of discharge, properly



1 executed, to the auditor of any county of a veteran described in
 2 subsection (a)(1) or (a)(2);
 3 **(2) documentation showing that:**
 4 **(A) the person; or**
 5 **(B) the surviving spouse or child of the person;**
 6 **has at least a fifty percent (51%) ownership interest in**
 7 **the entity that will vend, hawk, or peddle goods, wares, fruits,**
 8 **and merchandise using the license; and**
 9 **(3) documentation** proving the person's identity as:
 10 **(A) the person veteran** named in the ~~person's~~ certificate of
 11 honorable discharge; or
 12 **(B) the surviving spouse or child of the veteran named in**
 13 **the certificate of honorable discharge;**
 14 the auditor **of any county** shall issue to the ~~former soldier or sailor~~
 15 **person** a free license to vend, hawk, and peddle goods, wares, fruits,
 16 and merchandise in the county and in all cities and towns in the county.
 17 A fee may not be charged to the holder of the license by the auditor, by
 18 the authorities of any city or town in the county, or by any other officer.
 19 The license shall be full and complete authority to vend, hawk, and
 20 peddle without the payment of any sum of money.
 21 ~~(b)~~ **(d)** A person who acquires a license under this section is subject
 22 to all county, city, or town regulations and ordinances concerning
 23 vendors, hawkers, or peddlers, except for those provisions requiring
 24 payment of money for obtaining a license.
 25 SECTION 2. IC 25-25-2-3 IS REPEALED [EFFECTIVE JULY 1,
 26 2009].

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