

SENATE BILL No. 242

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-17-2.

Synopsis: Motor vehicle title fraud. Defines "nonqualified individual" as a person who is not eligible to receive a Social Security number or federal identification number. Provides that a nonqualified individual who establishes a business entity for the purpose of obtaining a certificate of title for a vehicle commits title application fraud, a Level 6 felony. Specifies that a person who establishes a business entity for the purpose of obtaining a federal identification number to enable a nonqualified individual to obtain a certificate of title commits assisting title application fraud, a Level 6 felony.

Effective: July 1, 2015.

Young R Michael

January 6, 2015, read first time and referred to Committee on Corrections & Criminal Law.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 242



A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

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

1 SECTION 1. IC 9-17-2-2, AS AMENDED BY P.L.125-2012,
2 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 2. (a) A person applying for a certificate of title
4 for a vehicle must submit an application on a form furnished by the
5 bureau and provide the following information:
6 (1) A full description of the vehicle, including the make, model,
7 and year of manufacture of the vehicle.
8 (2) A statement of any lien or encumbrance on the vehicle.
9 (3) The vehicle identification number or special identification
10 number of the vehicle.
11 (4) The former title number, if applicable.
12 (5) The purchase or acquisition date.
13 (6) The name, residence address and, if different from the
14 residence address, mailing address, and Social Security number
15 or, **subject to section 2.5 of this chapter**, federal identification
16 number of the person.



- 1 (7) Other information that the bureau requires.
- 2 (b) This subsection applies only to an individual who receives an
- 3 interest in a vehicle under IC 9-17-3-9. To obtain a certificate of title
- 4 for the vehicle, the individual must do the following:
- 5 (1) Surrender the certificate of title designating the individual as
- 6 a transfer on death beneficiary.
- 7 (2) Submit proof of the transferor's death.
- 8 (3) Submit an application for a certificate of title on a form
- 9 furnished by the bureau that meets the requirements of subsection
- 10 (a).
- 11 SECTION 2. IC 9-17-2-2.5 IS ADDED TO THE INDIANA CODE
- 12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 13 1, 2015]: **Sec. 2.5. (a) The following definitions apply throughout**
- 14 **this section:**
- 15 (1) **"Business entity" means:**
- 16 (A) **a sole proprietorship;**
- 17 (B) **a corporation;**
- 18 (C) **a limited liability company;**
- 19 (D) **an association;**
- 20 (E) **a partnership;**
- 21 (F) **a joint stock company;**
- 22 (G) **a joint venture;**
- 23 (H) **a trust; or**
- 24 (I) **another, similar form of business organization;**
- 25 **whether organized for profit or nonprofit.**
- 26 (2) **"Nonqualified individual" means an individual who is not**
- 27 **eligible to receive a Social Security number or federal**
- 28 **identification number.**
- 29 (b) **A nonqualified individual who, with the intent of using a**
- 30 **federal identification number to obtain a certificate of title for a**
- 31 **vehicle:**
- 32 (1) **establishes; or**
- 33 (2) **requests another person to establish;**
- 34 **a business entity for the purpose of obtaining a federal**
- 35 **identification number commits title application fraud, a Level 6**
- 36 **felony.**
- 37 (c) **A person who, with the intent of enabling a nonqualified**
- 38 **individual to obtain a certificate of title for a vehicle, establishes a**
- 39 **business entity for the purpose of obtaining a federal identification**
- 40 **number to enable a nonqualified individual to obtain a certificate**
- 41 **of title for a vehicle commits assisting title application fraud, a**
- 42 **Level 6 felony.**



1 SECTION 3. IC 9-17-2-14, AS AMENDED BY P.L.217-2014,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 14. (a) Except as: **provided in:**
4 (1) **provided in** subsection (b); ~~and or~~
5 (2) ~~section 15 of otherwise specified in~~ this chapter;
6 a person who violates this chapter commits a Class C infraction.
7 (b) A person who violates section 6 of this chapter commits a Class
8 B infraction.

