

IC 36-1-8.5

Chapter 8.5. Restricted Addresses

IC 36-1-8.5-1

Applicability

Sec. 1. This chapter applies to all units. This chapter applies after June 30, 2014.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-2

"Covered person"

Sec. 2. As used in this chapter, "covered person" means:

- (1) a judge;
- (2) a law enforcement officer; or
- (3) a victim of domestic violence;

who submits a written request to have the person's home address restricted from disclosure under this chapter.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-3

"Judge"

Sec. 3. As used in this chapter, "judge" means an individual who is employed or was formerly employed as a judge of the supreme court, court of appeals, tax court, circuit court, superior court, municipal court, county court, or small claims court.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-4

"Law enforcement officer"

Sec. 4. As used in this chapter, "law enforcement officer" means an individual who is employed or was formerly employed as:

- (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
- (2) a deputy of any of the persons specified in subdivision (1);
- (3) an investigator for a prosecuting attorney or for the inspector general;
- (4) a conservation officer;
- (5) an enforcement officer of the alcohol and tobacco commission; or
- (6) an enforcement officer of the securities division of the office of the secretary of state.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-5

"Public property data base web site"

Sec. 5. As used in this chapter, "public property data base web site" means an Internet web site that:

- (1) is available to the general public over the Internet;

- (2) does not require registration, subscription, or the creation of a user name and password to search the web site; and
- (3) connects a covered person's home address to the covered person's name, so that a search of the web site for the covered person's name discloses the covered person's home address.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-6

"Victim of domestic violence"

Sec. 6. As used in this chapter, "victim of domestic violence" means a victim of domestic violence who is certified as a program participant in the address confidentiality program established by the attorney general under IC 5-26.5-2.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-7

Restricting home address access through web site

Sec. 7. (a) A unit that operates a public property data base web site, directly or through a third party, may establish a process to prevent a member of the general public from gaining access to the home address of a covered person by means of the public property data base web site.

(b) A process established by a unit under subsection (a) must meet the requirements of this chapter.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-8

Request for restricted access

Sec. 8. A covered person who wants to restrict access to the covered person's home address by means of the public property data base web site must submit a written request to the unit. As part of the process developed by the unit under section 7 of this chapter, the unit may:

- (1) determine the form of the written request;
- (2) specify any information or verification required by the unit to process the request; and
- (3) charge a covered person a reasonable fee to make a written request under this section.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-9

Responsibilities of the unit to restrict access

Sec. 9. (a) This section applies to a covered person who has submitted a written request under section 8 of this chapter.

(b) A unit shall restrict access to the home address of a covered person until the covered person submits a written request to the unit to allow public access to the person's home address on the public property data base web site. As part of the process developed by the unit under section 7 of this chapter, the unit may:

- (1) determine the form of the written request;

- (2) specify any information or verification required by the unit to process the request; and
- (3) charge a covered person a reasonable fee to make a written request under this section.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-10

Change of name

Sec. 10. (a) This section applies to a covered person who:

- (1) after submitting a written request under section 8 of this chapter, obtains a change of name under IC 34-28-2; and
- (2) notifies the unit in writing of the name change.

(b) The unit shall prevent a search by the general public of the public property data base web site from disclosing or otherwise associating the covered person's home address with the covered person's former name and new name. The unit may charge a reasonable fee to process a name change under this section.

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-11

Confidentiality of information submitted to unit

Sec. 11. A written request, notification of name change, or any other information submitted to the unit by a covered person under this chapter is confidential under IC 5-14-3-4(a).

As added by P.L.106-2013, SEC.2.

IC 36-1-8.5-12

Immunity

Sec. 12. A unit may not be held civilly liable for failure to timely restrict disclosure of an address under this chapter unless the unit's act or omission constitutes gross negligence or willful or wanton misconduct.

As added by P.L.106-2013, SEC.2.