

Priority Legislation Report
Prosperity Indiana
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Report created on January 24, 2020

HB1012 REPEAL OF HOUSING RESTRICTION ON LOCAL GOVERNMENT. (CHYUNG C) Repeals a statute that prohibits a county, city, town, or township from requiring a landlord to participate in a federal Section 8 housing assistance program or similar housing program.

Current Status: 1/7/2020 - Referred to House Local Government

Position: Support

State Bill Page: [HB1012](#)

HB1018 STUDENT HUNGER AND HOMELESSNESS. (HARRIS JR. E) Establishes the student hunger and homelessness study committee (committee) for the purposes of: (1) studying the prevalence of homelessness, housing insecurity, and food insecurity among students at Indiana colleges and universities during the 2020 academic year; and (2) providing suggestions for eliminating these issues. Provides that the committee must determine, as accurately as practicable, the number of Indiana college and university students who are homeless, housing insecure, or food insecure. Provides that the committee consists of: (1) an employee of the family and social services administration; (2) an employee of the department of child services; (3) an employee of the department of education; (4) an employee of the commission for higher education; (5) an employee of the Indiana housing and community development authority; (6) a member of the commission on improving the status of children in Indiana; and (7) an employee of each state educational institution. Provides that the committee may solicit assistance from private groups, colleges, and universities in performing the study. Requires the committee to report the results of the study to the governor and the legislative council not later than July 31, 2021.

Current Status: 1/13/2020 - added as coauthor Representative Macer

Position: Support

State Bill Page: [HB1018](#)

HB1103 TENANT'S RIGHTS. (SHACKLEFORD R) Extends the time period for a "pay-or-quit" notice from 10 to 14 days, and removes a provision permitting termination of a rental agreement without notice. Allows a prevailing tenant in a landlord-tenant case to expunge records relating to the action. Establishes a procedure permitting a tenant to withhold rent from a landlord and deposit it with a court if the landlord has failed to comply with the landlord's statutory obligations, or if the rental unit is in violation of an ordinance, rule, code or other law, and the violation may materially affect the health or safety of a tenant. Specifies the circumstances under which withheld rent may be returned, and authorizes a court to release some or all of the withheld rent to the tenant to permit the tenant to remedy the violation. Establishes a rental escrow fee of 1% of the amount of the withheld rent to be deposited in the clerk's record perpetuation fund. Makes other changes and conforming amendments.

Current Status: 1/7/2020 - Referred to House Judiciary

Position: Support

State Bill Page: [HB1103](#)

HB1104 HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY. (CLERE E) Repeals the laws governing the microenterprise partnership program fund and microenterprise partnership program. Requires the governing body of an eligible entity to notify the Indiana housing and community development authority of the creation of an affordable housing fund. Replaces the member of the low income housing trust fund advisory committee appointed by and representing the Indianapolis Coalition for Neighborhood Development with one member appointed by and representing the Indiana housing and community development authority.

Current Status: 1/23/2020 - added as coauthors Representatives Pressel, Miller, Bartlett

State Bill Page: [HB1104](#)

HB1133 REQUIRED NOTICES TO MOBILE HOME COMMUNITIES. (MOED J) Requires a mobile home community operator (operator) to notify affected owners in writing not later than 30 days before the operator lists for sale or petitions for the rezoning of any parcel on which a mobile home or manufactured home in the mobile home community (community) is located. Requires an operator to provide all owners of mobile homes or manufactured homes in the community with written notice not less than 120 days prior to its closure. Provides that an operator who violates these requirements commits a deceptive act that is actionable by the attorney general or a consumer.

Current Status: 1/16/2020 - added as coauthor Representative Macer

Position: Support

State Bill Page: [HB1133](#)

HB1134 RESIDENTIAL HOUSING DEVELOPMENT PROGRAM. (MOED J) Defines "residential housing" as housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment. Revises the requirements an allocation area must meet for the redevelopment commission to establish a program for housing. Allows the redevelopment commission of a consolidated city to establish a program for residential housing development and a tax increment funding allocation area for the program if the average of new, residential houses constructed in the consolidated city in each of the preceding three years is less than 1% of the total number of residential houses located in the consolidated city. Requires the department of local government finance, in cooperation with the appropriate agency of the consolidated city, to determine eligibility for the program. Specifies the findings the redevelopment commission must make before adopting the residential housing development program. Provides that all of the rights, powers, privileges, and immunities that may be exercised by the redevelopment commission in blighted, deteriorated, or deteriorating areas may be exercised by the redevelopment commission in implementing its program for residential housing development, including levying a special tax, issuing bonds, or entering into leases and allocating incremental property tax revenue.

Current Status: 1/16/2020 - added as coauthor Representative Macer

Position: Support

State Bill Page: [HB1134](#)

HB1177 PROPERTY TAX RELIEF. (PRYOR C) Permits counties, cities, and towns (including Marion County) to establish a neighborhood enhancement property tax relief program (program) to provide an assessed value deduction for long time owner-occupants of homesteads having an assessed value of less than \$150,000 in certain designated areas. Authorizes the redevelopment commission (or the metropolitan development commission in the case of Marion County) to identify the areas for purposes of the program based on specified conditions. Requires the county auditor to make the deduction for the qualifying property under the program without the need for the owner to apply for the deduction. Provides a process by which an owner may opt out of the program, in which case the deduction would not apply. Provides a penalty for wrongly receiving the deduction that is the same as the penalty for wrongly receiving the homestead standard deduction.

Current Status: 1/8/2020 - Referred to House Ways and Means

Position: Support

State Bill Page: [HB1177](#)

HB1191 LAND CONTRACTS AND LANDLORD-TENANT MATTERS. (CLERE E) Defines "principal dwelling land contract" (contract) as a land contract for the sale of real property: (1) designed for the occupancy of one to two families; and (2) that is or will be occupied by the buyer as the buyer's principal dwelling. Provides that the seller under a contract must provide the buyer with certain disclosures at least 10 days before the contract is executed. Sets forth disclosures that must be included in a contract. Provides a three day cancellation period for both the buyer and seller. Provides that a violation of disclosure provisions constitutes a deceptive act under the deceptive consumer sales act. Requires notice to a tenant regarding lease termination to include a statement about failure to pay fees. Provides that notice is not required to terminate a formal or informal lease in certain situations. Requires a landlord to give a tenant at least 60 days written notice before modifying the rental agreement or increasing the rent.

Current Status: 1/27/2020 - House Judiciary, (Bill Scheduled for Hearing)

Position: Support

State Bill Page: [HB1191](#)

SB26 SMALL LOAN FINANCE CHARGES. (WALKER G) Changes the current incremental finance charge limits that

apply to a small loan to a maximum annual rate. Prohibits making, or taking other actions with respect to, a small loan with a greater rate or amount of interest, or other fees and charges, than allowed under the statute governing small loans. Prohibits a credit services organization from providing certain functions with respect to a small loan and makes a violation a deceptive act.

Current Status: 1/21/2020 - added as coauthor Senator Lanane

Position: Support

State Bill Page: [SB26](#)

SB67 TOWNSHIP HOMELESS ASSISTANCE. (SANDLIN J) Provides that a township trustee of a township that has a population of more than 10,000, shall, if the trustee considers it advisable, place in the county home or provide township assistance to a homeless person whose legal residence: (1) is not in the township; or (2) cannot be ascertained. Provides that a township trustee of a township that has a population of less than 10,000, may, if the trustee considers it advisable, place in the county home or provide township assistance to a homeless person whose legal residence: (1) is not in the township; or (2) cannot be ascertained. Requires each township trustee in a county to collaborate and prepare a list of public and known private resources that is: (1) available to the homeless population for each township in the county; and (2) distributed and published on the county's Internet web site not later than March 1 of each year.

Current Status: 1/21/2020 - added as coauthor Senator Taylor G

State Bill Page: [SB67](#)

SB123 HOUSING TAX CREDITS. (HOLDMAN T) Provides an affordable and workforce housing state tax credit against state tax liability to a taxpayer for each taxable year in the state tax credit period of a qualified project in an aggregate amount that does not exceed the product of a percentage between 40% and 100% and the amount of the taxpayer's aggregate federal tax credit for the qualified project. Provides that an eligible applicant must apply to the Indiana housing and community development authority for an award of an affordable and workforce housing state tax credit. Provides that a holder of an affordable and workforce housing state tax credit may transfer, sell, or assign all or part of the holder's right to claim the state tax credit for a taxable year.

Current Status: 1/13/2020 - Referred to Senate Appropriations

Position: Support

State Bill Page: [SB123](#)

SB204 NOTICE OF LEASE TERMINATION FOR FAILURE TO PAY RENT. (MESSMER M) Changes the notice period for the termination of a lease from 10 days to three days.

Current Status: 1/6/2020 - Referred to Senate Judiciary

Position: Oppose

State Bill Page: [SB204](#)

SB253 PRINCIPAL DWELLING LAND CONTRACTS. (FORD J) Defines "principal dwelling land contract" (contract) as a land contract for the sale of real property: (1) designed for the occupancy of one to two families; and (2) that is or will be occupied by the buyer as the buyer's principal dwelling. Provides that the seller under a contract must provide the buyer with certain disclosures at least 10 days before the contract is executed. Sets forth disclosures that must be included in a contract. Provides that a contract must permit a buyer to pay the balance owed and receive the deed at any time. Provides that a violation of these provisions constitutes an incurable deceptive act under the deceptive consumer sales act. Provides that a buyer in a principal dwelling land contract is entitled to the homestead deduction regardless of whether the seller has conveyed title.

Current Status: 1/9/2020 - Referred to Senate Judiciary

Position: Support

State Bill Page: [SB253](#)

SB327 REPORTING OF CONSUMER LOANS BY UNLICENSED LENDERS. (ZAY A) Requires a person that: (1) is required to file an annual notice with the department of financial institutions (department) because the person is engaged in Indiana in making certain consumer credit transactions; and (2) is not required to be licensed with the department under the Uniform Consumer Credit Code; to report to a private consumer credit reporting service identified by the department certain information concerning each consumer loan, refinancing of a consumer loan, or consolidation of a consumer loan that is made by the person after June 30, 2020. Authorizes the department to adopt rules to implement these provisions.

Current Status: 1/22/2020 - Senate Insurance and Financial Institutions, (Bill Scheduled for Hearing)

Position: Monitor

State Bill Page: [SB327](#)

SB329 SUPERVISED LOANS. (ZAY A) Provides that a supervised loan is a consumer loan in which the rate of the loan finance charge exceeds 36% per year (current law specifies 25%). Specifies actions that a supervised lender is prohibited from taking. Repeals current limitations on the charges that a supervised lender may contract for and receive. Specifies limits on fees and charges that a supervised lender may impose to replace the repealed limitations. Provides that a lender may not solicit a supervised loan using a negotiable check, facsimile, or other negotiable instrument that may be used by a consumer to activate a new supervised loan. Makes conforming changes.

Current Status: 1/13/2020 - Referred to Senate Insurance and Financial Institutions

Position: Oppose

State Bill Page: [SB329](#)

SB359 LANDLORD-TENANT RELATIONS. (MERRITT J) Amends the statute concerning landlord-tenant relations as follows: (1) Specifies that the notice from a landlord to a tenant of the 10 day period in which a tenant may cure a failure to pay past due rent before the landlord may terminate the lease must: (A) be in writing; and (B) specify the amount of rent and any late fees owed by the tenant to remedy the breach. (Current law does not require the notice of a tenant's right to cure to be in writing or to specify the amount of rent and late fees owed.) (2) Provides that with respect to a rental agreement that is subject to the residential landlord-tenant statutes, a landlord may not initiate an eviction proceeding or otherwise terminate a tenant's lease for certain alleged violations by the tenant unless the landlord provides the tenant with at least 10 days written notice and the opportunity to cure the alleged violation. (3) Specifies that a landlord that seeks to terminate for any reason a lease for: (A) a tenancy at will; or (B) a tenancy of not more than three months that extends from one period to the next; must serve advance written notice on the tenant within the statutory time frames for the determination of such tenancies. (4) With respect to a rental agreement that is subject to the residential landlord-tenant statutes, provides that: (A) before entering into or renewing a rental agreement with a tenant after June 30, 2020, the landlord shall reduce the rental agreement to writing and provide the tenant with a copy of the rental agreement that sets forth the terms and conditions concerning the use and occupancy of the rental unit, including certain specified information; and (B) at the time of consummation of the rental agreement, the landlord shall obtain the signature of each tenant responsible for paying rent under the rental agreement and shall furnish each such tenant with a copy of the written and signed rental agreement. (5) With respect to a rental agreement that is subject to the residential landlord-tenant statutes, requires a landlord to give a tenant at least 60 days written notice before: (A) modifying the rental agreement in any way; or (B) increasing the rent. (Current law requires a landlord to give at least 30 days written notice before modifying the rental agreement in any way.)

Current Status: 1/13/2020 - Referred to Senate Judiciary

Position: Support

State Bill Page: [SB359](#)

SB391 PROPERTY MATTERS. (BOHACEK M) Requires a local health officer to have information establishing probable cause of a public health law or rule violation before a court may issue certain orders concerning the property. (Current law requires reliable information.) Requires a health officer's order of abatement to include the name of the person making the complaint and requires the health officer to report to the county prosecutor certain information concerning a person who provided false information. Requires the health and hospital corporation of Marion County to post notice of an ordinance pending final action on the county's Internet web site. Requires a health officer to provide information concerning a person who made a false report concerning a communicable disease to the person against whom a false report was made. States that a dwelling is unfit for human habitation when the dwelling places a person's health or life in danger. (Current law states that the dwelling is dangerous or detrimental to life or health.) Requires a health officer to provide notice concerning an unfit dwelling and provide a reasonable amount of time to comply with the notice, and removes language providing that each day the dwelling remains unfit is a separate offense. Specifies language to be included in a notice to quit concerning personal property left on the property after eviction. Repeals the chapter requiring a landlord to transfer a tenant's abandoned personal property to a warehouseman or storage facility, and adds language providing that a landlord is not responsible for a tenant's personal property once it is abandoned. Specifies that

a landlord is not responsible for a health code violation by a tenant. Reduces the fines for certain ordinance violations from: (1) \$2,500 to \$250; and (2) \$7,500 to \$750.

Current Status: 1/22/2020 - Senate Judiciary, (Bill Scheduled for Hearing)

State Bill Page: [SB391](#)

SB442 RESIDENTIAL LANDLORD-TENANT MATTERS. (MELTON E) Makes the following changes to the residential landlord-tenant statute: (1) Increases from 10 days to 14 days the time in which a tenant has to cure a failure to pay past due rent before the landlord may terminate the lease. (2) Provides that a landlord may not initiate an eviction proceeding or otherwise terminate a tenant's lease for certain alleged violations by the tenant unless the landlord provides the tenant with at least 14 days notice and the opportunity to cure the alleged violation. (3) Specifies that a landlord that seeks to terminate for any reason a lease for: (A) a tenancy at will; or (B) a tenancy of not more than three months that extends from one period to the next; must serve advance written notice on the tenant within the statutory time frames for the determination of such tenancies. (4) In the case of a one-year rental agreement for an unfurnished rental unit, prohibits a landlord from requiring a tenant to pay as a security deposit an amount that exceeds one monthly installment of rent. (5) Requires a landlord to give a tenant at least 60 days written notice before: (A) modifying the rental agreement in any way; or (B) increasing the rent. (Current law requires a landlord to give at least 30 days written notice before modifying the rental agreement in any way.) (6) Requires a landlord to give a tenant at least 48 hours advance notice of the landlord's intent to enter the tenant's dwelling unit. (Current law requires a landlord to give reasonable notice of the landlord's intent to enter a dwelling unit.) (7) Provides that, before a landlord may bring a court action to enforce a statutory obligation of a tenant, the landlord must: (A) serve written notice on the tenant of the tenant's noncompliance with the obligation; and (B) give the tenant at least 14 days from the date the notice is served to remedy the noncompliance. (Current law does not require the notice to be written and provides that the tenant must be given a reasonable amount of time to remedy the noncompliance.) (8) Defines: (A) "essential services" as certain utility services needed for the safe and habitable occupation by a tenant of the tenant's rental unit; and (B) "essential systems" as certain systems used to deliver essential services to a rental unit. Requires a landlord to repair or replace an essential system not later than 24 hours after being notified by a tenant that the tenant's rental unit is without essential services as a result of: (A) a malfunction in the essential system; or (B) the landlord's failure to maintain the system in good and safe working condition. (9) Provides that a tenant may enforce a statutory obligation of a landlord by: (A) providing 30 days notice to the landlord of the landlord's noncompliance with the obligation; and (B) if the landlord fails to make the repairs necessary to remedy the noncompliance, withholding from the next regular rental payment the estimated cost of the repairs and using the amount withheld to make the repairs. (10) Provides that, during the pendency of a court action brought by a tenant to enforce a statutory obligation of a landlord, the court may order the tenant to make the regular rental payments otherwise due to the landlord under the rental agreement to: (A) the clerk of the court; or (B) an attorney trust account; to be held in trust for disbursement to the prevailing party, as ordered by the court. (11) Prohibits a court or the operator of a case management system from disclosing information relating to an eviction action: (A) if the case is dismissed, or if the tenant prevails in the action or upon appeal; or (B) upon order of the court after a petition to prohibit disclosure is made by the tenant: (i) not earlier than five years after a judgment of eviction against the tenant becomes final; or (ii) at least one year after the case was filed if the case remains pending with no judgment. (12) Establishes the Indiana eviction prevention and reduction program to: (A) avoid the filing of unnecessary eviction actions; and (B) reduce the number of eviction judgments entered; with respect to residential rental units. Provides that the Indiana housing and community development authority (authority) shall administer the program. Requires the authority to establish, not later than January 1, 2021, policies and procedures to implement and administer the program. (13) Provides that a landlord that knowingly: (A) advertises for rent in Indiana; or (B) enters, or offers to enter into, a rental agreement for the lease of; a rental unit for which an enforcement authority has issued an order under the unsafe building law commits fraudulent leasing, a Class A misdemeanor.

Current Status: 1/15/2020 - Referred to Committee on Judiciary

Position: Support

State Bill Page: [SB442](#)

Week In Review

Hands-Free Driving Law Unanimously Passes House Committee

A bill to ban drivers from holding cell phones while driving unanimously passed a House committee Wednesday.
Indiana Public Media

Bill would limit convicted Hoosier youths' gun buys when they turn 18

If a child younger than 18 in Indiana commits a crime with a gun, the child can legally buy a gun when they turn 18 or 21, says a state senator seeking to change that ability.

WISHTV

Bill advances to pause Indiana coal power plant closings

A proposal aimed at making it more difficult for Indiana electric companies to close additional coal-fired power plants faces objections from consumer and environmental groups who argue it could stifle growth in renewable energy such as wind and solar power.

The Republic

Indiana lawmakers want to extend statute of limitations on rape, child exploitation

One in three women and one in four men have experienced sexual violence involving physical contact during their lifetimes, according to the Centers for Disease Control.

WISHTV

Bill Decoupling ILEARN From Teacher Pay Sailed Through House Unanimously, but Senate Hasn't Tipped Its Hand

A bill decoupling teacher evaluations from ILEARN scores still faces an uncertain future in the Senate, even after sailing through the House.

WIBC

Indiana governor not yet backing attorney general challenger

Indiana Gov. Eric Holcomb isn't yet throwing his support behind a top official of his administration in challenging the state attorney general who is awaiting the outcome from an investigation into allegations of drunkenly groping four women.

The Republic

House Passes Tobacco 21 Bill

Tougher penalties for selling cigarettes to minors have overwhelmingly passed the House.

WIBC

Lawmakers hit the brakes on call for speed cameras in highway work zones

Holcomb's proposal to deploy automated speed enforcement cameras in highway construction zones across Indiana appeared to crash and burn Tuesday in the Senate Committee on Homeland Security and Transportation.

Northwest Indiana Times

Bill Would Help Smaller Utilities Address Lead In Drinking Water

A bill that will help smaller utilities address lead in drinking water passed out of a state Senate committee on Thursday. It would allow those utilities to replace lead pipes owned by their customers.

Indiana Public Media