

HOUSE BILL No. 1087

DIGEST OF INTRODUCED BILL

Citations Affected: IC 22-9.5.

Synopsis: Prohibited discrimination in housing. Expands the Indiana fair housing statute to prohibit discrimination on the basis of a person's: (1) source of income; (2) military active duty status; or (3) veteran status. Defines the terms "source of income", "active duty", and "veteran".

Effective: July 1, 2024.

Pack

January 8, 2024, read first time and referred to Committee on Financial Institutions.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1087

A BILL FOR AN ACT to amend the Indiana Code concerning property.

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

1 SECTION 1. IC 22-9.5-2-1.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 1.5. "Active duty" has the**
4 **meaning set forth in IC 22-9-9-1.**

5 SECTION 2. IC 22-9.5-2-12.5 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2024]: **Sec. 12.5. "Source of income" means**
8 **funds received from:**

9 (1) **a housing voucher provided under the Section 8 program**
10 **of the federal Housing Act of 1937 (42 U.S.C. 1437f); or**

11 (2) **another similar form of federal, state, or local housing**
12 **assistance provided to an individual or a family or provided**
13 **to a housing owner on behalf of an individual or a family,**
14 **including:**

- 15 (A) **rental vouchers;**
- 16 (B) **rental assistance; or**
- 17 (C) **rental subsidies from nongovernmental organizations.**



1 SECTION 3. IC 22-9.5-2-14 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2024]: **Sec. 14. "Veteran" has the meaning set forth in**
4 **IC 22-9-1-3.**

5 SECTION 4. IC 22-9.5-5-1 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) A person may not
7 refuse to sell or to rent after the making of a bona fide offer, refuse to
8 negotiate for the sale or rental of, or otherwise make unavailable or
9 deny a dwelling to any person because of race, color, religion, sex,
10 familial status, disability, ~~or~~ national origin, **source of income, active**
11 **duty status, or veteran status.**

12 (b) A person may not discriminate against any person in the terms,
13 conditions, or privileges of sale or rental of a dwelling, or in providing
14 services or facilities in connection with the sale or rental of a dwelling,
15 because of race, color, religion, sex, familial status, disability, ~~or~~
16 national origin, **source of income, active duty status, or veteran**
17 **status.**

18 (c) This section does not prohibit discrimination against a person
19 because the person has been convicted under federal law or the law of
20 any state of the illegal manufacture or distribution of a controlled
21 substance.

22 SECTION 5. IC 22-9.5-5-2 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. A person may not
24 make, print, or publish or cause to be made, printed, or published any
25 notice, statement, or advertisement with respect to the sale or rental of
26 a dwelling that indicates any preference, limitation, or discrimination
27 based on race, color, religion, sex, disability, familial status, ~~or~~ national
28 origin, **source of income, active duty status, or veteran status**, or an
29 intention to make such a preference, limitation, or discrimination.

30 SECTION 6. IC 22-9.5-5-3 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. A person may not
32 represent to any person because of race, color, religion, sex, disability,
33 familial status, ~~or~~ national origin, **source of income, active duty**
34 **status, or veteran status** that a dwelling is not available for inspection
35 for sale or rental when the dwelling is available for inspection.

36 SECTION 7. IC 22-9.5-5-4 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A person may not,
38 for profit, induce or attempt to induce a person to sell or rent a dwelling
39 by representations regarding the entry or prospective entry into a
40 neighborhood of a person of a particular race, color, religion, sex,
41 disability, familial status, ~~or~~ national origin, **source of income, active**
42 **duty status, or veteran status.**



1 SECTION 8. IC 22-9.5-5-6 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) As used in this
 3 section, "residential real estate related transaction" means the
 4 following:

5 (1) Making or purchasing loans or providing other financial
 6 assistance:

7 (A) to purchase, construct, improve, repair, or maintain a
 8 dwelling; or

9 (B) to secure residential real estate.

10 (2) Selling, brokering, or appraising residential real property.

11 (b) A person whose business includes engaging in residential real
 12 estate related transactions may not discriminate against a person in
 13 making a real estate related transaction available or in the terms or
 14 conditions of a real estate related transaction because of race, color,
 15 religion, sex, disability, familial status, ~~or~~ national origin, **source of**
 16 **income, active duty status, or veteran status.**

17 SECTION 9. IC 22-9.5-5-7 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. A person may not
 19 deny any person access to, or membership or participation in, a
 20 multiple-listing service, real estate brokers' organization or other
 21 service, organization, or facility relating to the business of selling or
 22 renting dwellings, or discriminate against a person in the terms or
 23 conditions of access, membership, or participation in such an
 24 organization, service, or facility because of race, color, religion, sex,
 25 disability, familial status, ~~or~~ national origin, **source of income, active**
 26 **duty status, or veteran status.**

27 SECTION 10. IC 22-9.5-10-1 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. A person commits
 29 a Class A misdemeanor if the person, whether or not acting under color
 30 of law, by force or threat of force intentionally intimidates or interferes
 31 with or attempts to intimidate or interfere with a person:

32 (1) because of the person's race, color, religion, sex, disability,
 33 familial status, ~~or~~ national origin, **source of income, active duty**
 34 **status, or veteran status** and because the person is or has been
 35 selling, purchasing, renting, financing, occupying, or contracting
 36 or negotiating for the sale, purchase, rental, financing, or
 37 occupation of any dwelling, or applying for or participating in a
 38 service, organization, or facility relating to the business of selling
 39 or renting dwellings; or

40 (2) because the person is or has been, or to intimidate the person
 41 from:

42 (A) participating, without discrimination because of race,



1 color, religion, sex, disability, familial status, ~~or~~ national
2 origin, **source of income, active duty status, or veteran**
3 **status** in an activity, a service, an organization, or a facility
4 described in subdivision (1);
5 (B) affording another person opportunity or protection to
6 participate in an activity, a service, an organization, or a
7 facility described in subdivision (1); or
8 (C) lawfully aiding or encouraging other persons to participate,
9 without discrimination because of race, color, religion, sex,
10 disability, familial status, ~~or~~ national origin, **source of income,**
11 **active duty status, or veteran status,** in an activity, a service,
12 an organization, or a facility described in subdivision (1).

