

# HOUSE BILL No. 1195

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-5-54.

**Synopsis:** Right to counsel eviction task force. Establishes the access to counsel in eviction task force (task force) to review matters related to the eviction process and potential funding sources to increase a tenant's access to counsel in an eviction proceeding. Sets forth membership, and requires the task force to issue a report to the legislative council not later than November 15, 2024. Provides that the task force expires December 31, 2024.

**Effective:** Upon passage.

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## Shackleford

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January 9, 2024, read first time and referred to Committee on Government and Regulatory Reform.

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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. 1195

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

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

- 1 SECTION 1. IC 2-5-54 IS ADDED TO THE INDIANA CODE AS
- 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
- 3 PASSAGE]:
- 4 **Chapter 54. Access to Counsel in Eviction Task Force**
- 5 **Sec. 1. As used in this chapter, "task force" refers to the access**
- 6 **to counsel in eviction task force established by section 2 of this**
- 7 **chapter.**
- 8 **Sec. 2. The access to counsel in eviction task force is established**
- 9 **as a temporary task force serving the general assembly.**
- 10 **Sec. 3. (a) The task force consists of the following twelve (12)**
- 11 **members, all of whom are voting members:**
- 12 **(1) A member of the house appointed by the speaker.**
- 13 **(2) A member of the house appointed by the minority leader**
- 14 **of the house.**
- 15 **(3) A member of the senate appointed by the president pro**
- 16 **tempore of the senate.**
- 17 **(4) A member of the senate appointed by the minority leader**



- 1 of the senate.
- 2 (5) A member representing the Indiana Public Defender
- 3 Council, appointed by the governor.
- 4 (6) A member representing the Indiana State Bar Association,
- 5 appointed by the governor.
- 6 (7) A member representing the Fair Housing Center of
- 7 Central Indiana, appointed by the governor.
- 8 (8) A member representing the Indiana Apartment
- 9 Association, appointed by the governor.
- 10 (9) A member representing a tenant advocacy group,
- 11 appointed by the speaker.
- 12 (10) A member who is a judge who presides over eviction
- 13 cases in Indiana, appointed by the president pro tempore of
- 14 the senate.
- 15 (11) Two (2) members whose income does not exceed fifty
- 16 percent (50%) of the state median income adjusted for
- 17 household size, appointed as follows:
- 18 (A) One (1) member appointed by the minority leader of
- 19 the house.
- 20 (B) One (1) member appointed by the minority leader of
- 21 the senate.
- 22 (b) The members appointed under subsection (a)(1) and (a)(3)
- 23 shall serve as co-chairs of the task force for the duration of the task
- 24 force.
- 25 (c) A member of the task force serves for the duration of the
- 26 task force. However, a member of the task force, including each
- 27 co-chair of the task force, serves at the will of the member's
- 28 appointing authority.
- 29 (d) Appointing authorities shall appoint the members of the task
- 30 force not later than June 1, 2024.
- 31 Sec. 4. (a) The task force shall meet at the call of the co-chairs.
- 32 (b) The task force shall meet for the first time not later than
- 33 August 1, 2024.
- 34 (c) Seven (7) members of the task force constitute a quorum.
- 35 (d) The affirmative votes of a majority of the members of the
- 36 task force are required for the task force to take action on any
- 37 measure, including adoption of the report under section 7(2) of this
- 38 chapter.
- 39 (e) All meetings of the task force are open to the public in
- 40 accordance with and subject to IC 5-14-1.5. All records of the task
- 41 force are subject to the requirements of IC 5-14-3.
- 42 Sec. 5. (a) A lay or legislative member of the task force is



1 entitled to receive the same per diem, mileage, and travel  
 2 allowances paid to legislative members of interim study committees  
 3 established by the legislative council.

4 (b) A member of the task force who is:

5 (1) a state employee; and

6 (2) not a member of the general assembly;

7 is not entitled to a per diem. However, the member is entitled to  
 8 reimbursement for traveling expenses as provided under  
 9 IC 4-13-1-4 and other expenses actually incurred in connection  
 10 with the member's duties as provided in the state policies and  
 11 procedures established by the Indiana department of  
 12 administration and approved by the budget agency.

13 **Sec. 6. The legislative services agency shall staff the task force.**  
 14 **The task force shall operate under the policies and rules of the**  
 15 **legislative council.**

16 **Sec. 7. The task force shall do the following:**

17 (1) Conduct a study of:

18 (A) the eviction process throughout Indiana and the  
 19 performance of designated organizations and community  
 20 groups that provide eviction relief services; and

21 (B) potential funding sources to increase access to counsel  
 22 to represent a tenant subject to an eviction proceeding.

23 (2) Not later than November 15, 2024, adopt and submit to the  
 24 executive director of the legislative services agency, for  
 25 distribution to the legislative council, a report that includes  
 26 the following:

27 (A) The results of the task force's study under subdivision  
 28 (1).

29 (B) The task force's recommendations with regard to state  
 30 policies, including any recommended legislation, to provide  
 31 a tenant with increased access to counsel in an eviction  
 32 proceeding.

33 **The report must be submitted in an electronic format under**  
 34 **IC 5-14-6.**

35 **Sec. 8. This chapter expires December 31, 2024.**

36 **SECTION 2. An emergency is declared for this act.**

