

# HOUSE BILL No. 1236

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 32-21-13-7.

**Synopsis:** Political activity on homeowners association property. Provides that the statute that prohibits a homeowners association from adopting or enforcing a rule or covenant that prohibits candidates and officeholders from entering the property to conduct political activity does not apply to homeowners association property if: (1) access to the property from the outside is controlled; and (2) the common areas, including roads and sidewalks, are privately owned and maintained.

**Effective:** July 1, 2015.

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**Slager, Olthoff**

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January 13, 2015, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session of the 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.

# HOUSE BILL No. 1236

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

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

1 SECTION 1. IC 32-21-13-7, AS ADDED BY P.L.73-2014,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2015]: Sec. 7. **(a) This section does not apply to**  
4 **homeowners association property if:**  
5 **(1) access to the property from the outside is controlled by**  
6 **gates or other means; and**  
7 **(2) the common areas, including roads and sidewalks, are**  
8 **privately owned and maintained.**  
9 ~~(a)~~ **(b)** As used in this section, "homeowners association property"  
10 refers to real property owned by any of the following:  
11 (1) A member of the homeowners association.  
12 (2) The homeowners association.  
13 (3) The members of the homeowners association in common.  
14 ~~(b)~~ **(c)** A homeowners association may not adopt or enforce a rule  
15 or covenant that prohibits, or has the effect of prohibiting:



- 1 (1) a candidate;
- 2 (2) an individual who holds an elected office;
- 3 (3) the spouse of a candidate or individual who holds an elected
- 4 office; or
- 5 (4) a volunteer worker of a candidate or individual who holds an
- 6 elected office;
- 7 from entering onto homeowners association property for purposes of
- 8 conducting political activity.

