HOUSE BILL No. 1530

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-46; IC 5-20-1-4.

Synopsis: Housing stability task force and eviction data. Establishes the Indiana housing stability task force (task force). Provides that the task force consists of the following 15 members: (1) Four members of the house of representatives, with two of those members appointed by the speaker, and two appointed by the minority leader. (2) Four members of the senate, with two of those members appointed by the president pro tempore, and two appointed by the minority leader. (3) Seven members appointed by the governor and representing the interests of landlords, tenants, the housing market, and a homelessness prevention organization. Provides that: (1) all meetings of the task force shall be open to the public in accordance with the state's open door law; and (2) all records of the task force are subject to the requirements of the state's public records law. Sets forth specific issues that the task force must examine with respect to the availability of safe and affordable housing in Indiana. Authorizes the task force to collaborate with or seek guidance, testimony, or information from certain state agencies, units of local government, service providers, and other specified entities. Requires the task force to: (1) develop recommendations for the general assembly and the governor concerning the issues examined; (2) issue a report setting forth the recommendations developed; and (3) not later than December 1, 2022, report to the assertion director of the Levilleting. submit the report to the executive director of the legislative services agency and the governor. Provides that these provisions expire December 2, 2022. Requires the Indiana housing and community development authority to develop and maintain a data base and mapping tool to compile accurate and current data on: (1) residential (Continued next page)

Effective: Upon passage.

Errington, Pressel, Hamilton

January 14, 2021, read first time and referred to Committee on Government and Regulatory Reform.



Digest Continued

eviction actions filed; and (2) eviction mediation or dispute resolution proceedings entered into. Authorizes the authority to consult or collaborate with certain agencies, trial courts, and other persons having the data or expertise necessary for the authority to implement the data base and mapping tool. Specifies certain requirements as to how the required information must be made available, including that the information must be viewable as an Internet dashboard on the authority's Internet web site. Provides that the required information on eviction actions and proceedings must be available on the authority's Internet web site in the required format before January 1, 2022. Provides that at any time before or after January 1, 2022, the authority, in collaboration or consultation with other parties having the necessary data or expertise, may include on the Internet dashboard certain additional information or data concerning the availability of housing and rental assistance programs and funding.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1530

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:

SECTION 1. IC 2-5-46 IS ADDED TO THE INDIANA CODE AS
A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
PASSAGE]:
Chapter 46. Indiana Housing Stability Task Force
Sec. 1. As used in this chapter, "task force" refers to the Indiana
housing stability task force established by section 2 of this chapter
Sec. 2. The Indiana housing stability task force is established.
Sec. 3. (a) The task force consists of the following fifteen (15)
members:
(1) Four (4) members of the senate, appointed as follows:
(A) Two (2) members appointed by the president pro
tempore, one (1) of whom shall serve as co-chair of the task
force.
(B) Two (2) members appointed by the minority leader.
(2) Four (4) members of the house of representatives



1	appointed as follows:
2	(A) Two (2) members appointed by the speaker, one (1) of
3	whom shall serve as co-chair of the task force.
4	(B) Two (2) members appointed by the minority leader.
5	(3) Two (2) members representing the interests of landlords
6	of residential properties in Indiana, including:
7	(A) one (1) member representing the interests of landlords
8	of multiunit apartment complexes; and
9	(B) one (1) member representing the interests of landlords
10	of single family dwellings, duplexes, or multifamily housing
11	units with fewer than five (5) units;
12	appointed by the governor.
13	(4) Two (2) members representing the interests of tenants of
14	residential properties in Indiana, including:
15	(A) one (1) member representing the interests of tenants of
16	multiunit apartment complexes; and
17	(B) one (1) member representing the interests of tenants of
18	single family dwellings, duplexes, or multifamily housing
19	units with fewer than five (5) units;
20	appointed by the governor.
21	(5) Two (2) members representing the housing market,
22	including:
23	(A) one (1) member representing nonprofit affordable
24	housing providers; and
25	(B) one (1) member representing affordable housing
26	builders, investors, or realtors;
27	appointed by the governor.
28	(6) One (1) member representing a homelessness prevention
29	organization, appointed by the governor.
30	(b) The members of the task force shall be appointed so as to
31	give representation to the various geographical areas of Indiana.
32	(c) Initial appointments to the task force under this section shall
33	be made by the appropriate appointing authority not later than
34	July 1, 2021.
35	Sec. 4. (a) Eight (8) members of the task force constitute a
36	quorum.
37	(b) The affirmative vote of at least a majority of the members at
38	a meeting at which a quorum is present is necessary for the task
39	force to take official action other than to meet and take testimony.
40	(c) The task force shall meet at the call of the co-chairs.
41	Sec. 5. All meetings of the task force shall be open to the public
42	in accordance with and subject to IC 5-14-1.5. All records of the



1	task force are subject to the requirements of IC 5-14-3.
2	Sec. 6. (a) The task force shall do the following:
3	(1) Examine existing or potential strategies or programs
4	designed to provide stability to Indiana's statewide and local
5	economies by ensuring the availability of safe and affordable
6	housing in communities throughout Indiana.
7	(2) Examine existing or potential strategies or programs
8	designed to reduce the number of:
9	(A) eviction actions filed; and
10	(B) eviction judgments entered;
11	with respect to residential rental units in Indiana as a whole
12	and in particular regions, communities, and metropolitan
13	statistical areas within Indiana.
14	(3) Examine existing or potential strategies or programs
15	designed to encourage early contact and communications
16	among landlords and tenants when disputes arise:
17	(A) under rental agreements; or
18	(B) with respect to the legal duties owed by landlords and
19	tenants;
20	in order to engage in early negotiations that could avoid
21	eviction.
22	(4) Examine existing or potential strategies or programs to
23	facilitate the resolution of residential eviction actions through
24	mediation or other methods of alterative dispute resolution.
25	(5) Examine existing and potential strategies to increase the
26	housing stability of residents and tenants who have a high
27	degree of vulnerability with respect to obtaining or
28	maintaining safe and affordable housing.
29	(6) Examine the availability and adequacy of the data
30	necessary to make informed decisions with respect to the
31	existing or potential strategies or programs described in
32	subdivisions (1) through (5). The examination under this
33	subdivision must include an examination of the data available
34	for Indiana as a whole and for particular communities and
35	metropolitan statistical areas within Indiana.
36	(7) Examine the best uses of available:
37	(A) federal, state, and local governmental funding,
38	including funds available through appropriations, grants,
39	or loans; and
40	(B) private sources of funding, including funds available
41	through public-private partnerships;
42	to ensure the availability of safe and affordable housing in



1	communities throughout Indiana, and, if appropriate, to
2	implement, sustain, or supplement one (1) or more of the
3	strategies or programs described in subdivisions (1) through
4	(5).
5	(8) Examine the experience of other states and localities in
6	implementing affordable housing strategies and programs.
7	(9) Examine any other issues the task force considers
8	appropriate in developing policies to ensure housing security
9	and stability for all Indiana residents by ensuring the
10	availability of safe and affordable housing in communities
11	throughout Indiana.
12	(b) In examining the issues described in subsection (a), the task
13	force may collaborate with or seek guidance, testimony, or
14	information from any of the following:
15	(1) The Indiana housing and community development
16	authority created by IC 5-20-1-3.
17	(2) The office of judicial administration created by
18	IC 33-24-6-1.
19	(3) The office of the attorney general.
20	(4) The office of the secretary of family and social services
21	established by IC 12-8-1.5-1, or any division of the office.
22	(5) The state department of health established by
23 24	IC 16-19-1-1.
24	(6) The department of workforce development established by
25	IC 22-4.1-2-1.
26	(7) Units of local government.
27	(8) Public housing agencies.
28	(9) Social service providers.
29	(10) Nonprofit or faith based organizations providing
30	emergency housing services.
31	(11) Legal services agencies.
32	(12) Businesses.
33	(13) Law enforcement agencies.
34	(14) Universities and research institutions.
35	(15) Other public or private entities that the task force
36	considers appropriate to provide the guidance, testimony, or
37	information required by the task force to conduct its work
38	program under this chapter.
39	Sec. 7. The task force shall develop recommendations for the
40	general assembly and the governor concerning the following:
41	(1) Outcomes that must be achieved in order to overcome any



2021

identified challenges concerning the availability of safe and

affordable housing in communities throughout Indiana, along with a timeline for achieving those outcomes. (2) The effectiveness of existing strategies or programs described in section 6(a)(1) through 6(a)(5) of this chapter. (3) Recommendations concerning potential improvements to, or needed funding for, existing strategies or programs described in section 6(a)(1) through 6(a)(5) of this chapter. (4) Recommendations for new strategies or programs to address the issues described in section 6(a)(1) through 6(a)(5) of this chapter, including recommendations as to: (A) the appropriate agencies, entities, or partnerships to implement or administer such strategies or programs; (B) potential sources of funding for such strategies or programs; and (C) the timeline for implementation of such strategies or programs. (5) Recommendations for improving the availability and adequacy of the data necessary to make informed decisions concerning existing or potential strategies or programs described in section 6(a)(1) through 6(a)(5) of this chapter. (6) Recommendations as to how to maximize the amount and sources of funding available for, and dedicated to, strategies or programs to ensure the availability of safe and affordable housing in communities across Indiana. (7) Any other recommendations the task force considers appropriate in developing policies to ensure housing security and stability for all Indiana residents by ensuring the availability of safe and affordable housing in communities throughout Indiana. Sec. 8. The task force shall: (1) issue a report setting forth the recommendations required by section 7 of this chapter; and (2) not later than December 1, 2022, submit the report to the following: (A) The executive director of the legislative services agency for distribution to the members of the general assembly. The report submitted to the executive director of the legislative services agency under this clause must be in an electronic format under IC 5-14-6. (B) The governor.		
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to the task force.

1	Sec. 10. This chapter expires December 2, 2022.
2	SECTION 2. IC 5-20-1-4, AS AMENDED BY P.L.73-2020,
3	SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4	UPON PASSAGE]: Sec. 4. (a) The authority has all of the powers
5	necessary or convenient to carry out and effectuate the purposes and
6	provisions of this chapter, including the power:
7	(1) to make or participate in the making of construction loans for
8	multiple family residential housing under terms that are approved
9	by the authority;
10	(2) to make or participate in the making of mortgage loans for
11	multiple family residential housing under terms that are approved
12	by the authority;
13	(3) to purchase or participate in the purchase from mortgage
14	lenders of mortgage loans made to persons of low and moderate
15	income for residential housing;
16	(4) to make loans to mortgage lenders for the purpose of
17	furnishing funds to such mortgage lenders to be used for making
18	mortgage loans for persons and families of low and moderate
19	income. However, the obligation to repay loans to mortgage
20	lenders shall be general obligations of the respective mortgage
21	lenders and shall bear such date or dates, shall mature at such
22	time or times, shall be evidenced by such note, bond, or other
23	certificate of indebtedness, shall be subject to prepayment, and
24	shall contain such other provisions consistent with the purposes
25	of this chapter as the authority shall by rule or resolution
26	determine;
27	(5) to collect and pay reasonable fees and charges in connection
28	with making, purchasing, and servicing of its loans, notes, bonds,
29	commitments, and other evidences of indebtedness;
30	(6) to acquire real property, or any interest in real property, by
31	conveyance, including purchase in lieu of foreclosure, or
32	foreclosure, to own, manage, operate, hold, clear, improve, and
33	rehabilitate such real property and sell, assign, exchange, transfer,
34	convey, lease, mortgage, or otherwise dispose of or encumber
35	such real property where such use of real property is necessary or
36	appropriate to the purposes of the authority;
37	(7) to sell, at public or private sale, all or any part of any mortgage
38	or other instrument or document securing a construction loan, a
39	land development loan, a mortgage loan, or a loan of any type
40	permitted by this chapter;
41	(8) to procure insurance against any loss in connection with its
42	operations in such amounts and from such insurers as it may deem



1	necessary or desirable;
2	(9) to consent, subject to the provisions of any contract with
3	noteholders or bondholders which may then exist, whenever it
4	deems it necessary or desirable in the fulfillment of its purposes
5	to the modification of the rate of interest, time of payment of any
6	installment of principal or interest, or any other terms of any
7	mortgage loan, mortgage loan commitment, construction loan,
8	loan to lender, or contract or agreement of any kind to which the
9	authority is a party;
10	(10) to enter into agreements or other transactions with any
11	federal, state, or local governmental agency for the purpose of
12	providing adequate living quarters for such persons and families
13	in cities and counties where a need has been found for such
14	housing;
15	(11) to include in any borrowing such amounts as may be deemed
16	necessary by the authority to pay financing charges, interest on
17	the obligations (for a period not exceeding the period of
18	construction and a reasonable time thereafter or if the housing is
19	completed, two (2) years from the date of issue of the
20	obligations), consultant, advisory, and legal fees and such other
21	expenses as are necessary or incident to such borrowing;
22	(12) to make and publish rules respecting its lending programs
23	and such other rules as are necessary to effectuate the purposes of
24	this chapter;
25	(13) to provide technical and advisory services to sponsors,
26	builders, and developers of residential housing and to residents
27	and potential residents, including housing selection and purchase
28	procedures, family budgeting, property use and maintenance,
29	household management, and utilization of community resources;
30	(14) to promote research and development in scientific methods
31	of constructing low cost residential housing of high durability;
32	(15) to encourage community organizations to participate in
33	residential housing development;
34	(16) to make, execute, and effectuate any and all agreements or
35	other documents with any governmental agency or any person,
36	corporation, association, partnership, limited liability company,
37	or other organization or entity necessary or convenient to
38	accomplish the purposes of this chapter;
39	(17) to accept gifts, devises, bequests, grants, loans,
40	appropriations, revenue sharing, other financing and assistance
41	and any other aid from any source whatsoever and to agree to, and
1 1	and any other are mornany source whatsoever and to agree to, and

to comply with, conditions attached thereto;



1	(18) to sue and be sued in its own name, plead and be impleaded;
2	(19) to maintain an office in the city of Indianapolis and at such
3	other place or places as it may determine;
4	(20) to adopt an official seal and alter the same at pleasure;
5	(21) to adopt and from time to time amend and repeal bylaws for
6	the regulation of its affairs and the conduct of its business and to
7	prescribe rules and policies in connection with the performance
8	of its functions and duties;
9	(22) to employ fiscal consultants, engineers, attorneys, real estate
10	counselors, appraisers, and such other consultants and employees
11	as may be required in the judgment of the authority and to fix and
12	pay their compensation from funds available to the authority
13	therefor;
14	(23) notwithstanding IC 5-13, but subject to the requirements of
15	any trust agreement entered into by the authority, to invest:
16	(A) the authority's money, funds, and accounts;
17	(B) any money, funds, and accounts in the authority's custody;
18	and
19	(C) proceeds of bonds or notes;
20	in the manner provided by an investment policy established by
21	resolution of the authority;
22	(24) to make or participate in the making of construction loans,
23	mortgage loans, or both, to individuals, partnerships, limited
23 24 25 26	liability companies, corporations, and organizations for the
25	construction of residential facilities for individuals with a
26	developmental disability or for individuals with a mental illness
27	or for the acquisition or renovation, or both, of a facility to make
28	it suitable for use as a new residential facility for individuals with
29	a developmental disability or for individuals with a mental illness;
30	(25) to make or participate in the making of construction and
31	mortgage loans to individuals, partnerships, corporations, limited
32	liability companies, and organizations for the construction,
33	rehabilitation, or acquisition of residential facilities for children;
34	(26) to purchase or participate in the purchase of mortgage loans
35	from:
36	(A) public utilities (as defined in IC 8-1-2-1); or
37	(B) municipally owned gas utility systems organized under
38	IC 8-1.5;
39	if those mortgage loans were made for the purpose of insulating
10	and otherwise weatherizing single family residences in order to
11	conserve energy used to heat and cool those residences;

(27) to provide financial assistance to mutual housing



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1	associations (IC 5-20-3) in the form of grants, loans, or a
2	combination of grants and loans for the development of housing
3	for low and moderate income families;
4	(28) to service mortgage loans made or acquired by the authority
5	and to impose and collect reasonable fees and charges in
6	connection with such servicing;
7	(29) subject to the authority's investment policy, to enter into
8	swap agreements (as defined in IC 8-9.5-9-4) in accordance with
9	IC 8-9.5-9-5 and IC 8-9.5-9-7;
10	(30) to promote and foster community revitalization through
11	community services and real estate development;
12	(31) to coordinate and establish linkages between governmental
13	and other social services programs to ensure the effective delivery
14	of services to low income individuals and families, including
15	individuals or families facing or experiencing homelessness;
16	(32) to cooperate with local housing officials and plan
17	commissions in the development of projects that the officials or
18	commissions have under consideration;
19	(33) to prescribe, in accordance with IC 32-30-10.5-10(i), a list of
20	documents that must be included under IC 32-30-10.5 as part of
21	a debtor's loss mitigation package in a foreclosure action filed
22	after June 30, 2011;
23	(34) to take actions necessary to implement its powers that the
24	authority determines to be appropriate and necessary to ensure the
25	availability of state or federal financial assistance; and
26	(35) to administer any program or money designated by the state
27	or available from the federal government or other sources that is
28	consistent with the authority's powers and duties.
29	The omission of a power from the list in this subsection does not imply
30	that the authority lacks that power. The authority may exercise any
31	power that is not listed in this subsection but is consistent with the
32	powers listed in this subsection to the extent that the power is not
33	expressly denied by the Constitution of the State of Indiana or by
34	another statute.
35	(b) The authority shall ensure that a mortgage loan acquired by the
36	authority under subsection (a)(3) or made by a mortgage lender with
37	funds provided by the authority under subsection (a)(4) is not
38	knowingly made to a person whose adjusted family income, as

determined by the authority, exceeds one hundred twenty-five percent

(125%) of the median income for the geographic area involved.

However, if the authority determines that additional encouragement is

needed for the development of the geographic area involved, a



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1	mortgage loan acquired or made under subsection (a)(3) or (a)(4) may
2	be made to a person whose adjusted family income, as determined by
3	the authority, does not exceed one hundred forty percent (140%) of the
4	median income for the geographic area involved. The authority shall
5	establish procedures that the authority determines are appropriate to
6	structure and administer any program conducted under subsection
7	(a)(3) or (a)(4) for the purpose of acquiring or making mortgage loans
8	to persons of low or moderate income. In determining what constitutes
9	low income, moderate income, or median income for purposes of any
10	program conducted under subsection (a)(3) or (a)(4), the authority shall
11	consider:
12	(1) the appropriate geographic area in which to measure income
13	levels; and
14	(2) the appropriate method of calculating low income, moderate
15	income, or median income levels including:
16	(A) sources of;
17	(B) exclusions from; and
18	(C) adjustments to;
19	income.
20	(c) The authority, when directed by the governor, shall administer
21	programs and funds under 42 U.S.C. 1437 et seq.
22	(d) The authority shall identify, promote, assist, and fund:
23	(1) home ownership education programs; and
24	(2) mortgage foreclosure counseling and education programs
25	under IC 5-20-6;
26	conducted throughout Indiana by nonprofit counseling agencies that the
27	authority has certified, or by any other public, private, or nonprofit
28	entity in partnership with a nonprofit agency that the authority has
29	certified, using funds appropriated under section 27 of this chapter. The
30	attorney general and the entities listed in IC 4-6-12-4(a)(1) through
31	IC 4-6-12-4(a)(10) shall cooperate with the authority in implementing
32	this subsection.
33	(e) The authority shall:
34	(1) oversee and encourage a regional homeless delivery system
35	that:
36	(A) considers the need for housing and support services;
37	(B) implements strategies to respond to gaps in the delivery
38	system; and
39	(C) ensures individuals and families are matched with optimal
40	housing solutions;
41	(2) facilitate the dissemination of information to assist individuals



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and families accessing local resources, programs, and services

1	related to homelessness, housing, and community development
2	and
3	(3) each year, estimate and reasonably determine the number of
4	the following:
5	(A) Individuals in Indiana who are homeless.
6	(B) Individuals in Indiana who are homeless and less than
7	eighteen (18) years of age.
8	(C) Individuals in Indiana who are homeless and not residents
9	of Indiana.
10	(f) Subject to subsections (g) and (h), the authority shall develop
11	and maintain a data base and mapping tool to compile accurate
12	and current data on:
13	(1) residential eviction actions filed in Indiana, including the
14	case status or outcome of those actions, as applicable; and
15	(2) eviction mediation or dispute resolution proceedings
16	entered into in Indiana, including the case status or outcome
17	of those proceedings, as applicable;
18	organized by the county in which the actions or proceedings are
19	initiated, and by the census tract in which the residential properties
20	involved in those actions or proceedings are located, to the extent
21	such information is known or available. In compiling the data
22	required by this subsection, the authority may consult or
23 24 25	collaborate with the office of the lieutenant governor, the office of
24	judicial administration created by IC 33-24-6-1, trial courts, the
25	office of technology established by IC 4-13.1-2-1, or any other
26	person having the data or expertise necessary for the authority to
27	implement this section.
28	(g) The information required to be compiled and maintained
29	under subsection (f) must be presented in a manner that
30	accomplishes the following:
31	(1) The information must be conveniently and easily accessed
32	from a single Internet web page on the authority's Internet
33	web site.
34	(2) The information must be viewable in a format commonly
35	known as an Internet dashboard.
36	(3) The information must be viewable in both numerical and
37	graphical forms, and represented on state and county maps.
38	(4) The information must be easily searchable.
39	(5) The underlying data must be downloadable in a formation
10	that can be imported into standard spreadsheet computer
11	software

(h) The information required under subsection (f) must be



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1	available on the authority's Internet web site in the format
2	required by subsection (g) before January 1, 2022. At any time
3	before or after January 1, 2022, the authority, in collaboration or
4	consultation with any person described in subsection (f) having the
5	necessary data or expertise, may include on the Internet dashboard
6	described in subsection (g) additional information or data:
7	(1) on the availability of housing assistance or rental
8	assistance programs;
9	(2) on the availability of housing assistance or rental
10	assistance funding;
11	(3) on requests for housing or rental assistance made to
12	various agencies or service providers; or
13	(4) otherwise relevant to housing affordability and stability;
14	to the extent such information is known or available.
15	SECTION 3. An emergency is declared for this act.

