



February 16, 2021

HOUSE BILL No. 1541

DIGEST OF HB 1541 (Updated February 16, 2021 12:38 pm - DI 123)

Citations Affected: IC 32-31.

Synopsis: Landlord-tenant relations. Eliminates the general restriction on the authority of a county, city, town, or township concerning regulation of landlord-tenant relationship matters not specifically described by state statute.

Effective: Upon passage.

Manning

January 14, 2021, read first time and referred to Committee on Judiciary.
February 16, 2021, amended, reported — Do Pass.

HB 1541—LS 6106/DI 137



February 16, 2021

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. 1541

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 32-31-1-20, AS AMENDED BY SEA 148-2020,
2 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 20. (a) Subject to IC 36-1-3-8.5, this section
4 does not apply to privately owned real property for which government
5 funds or benefits have been allocated from the United States
6 government, the state, or a political subdivision for the express purpose
7 of providing reduced rents to low or moderate income tenants.
8 (b) A unit (as defined in IC 36-1-2-23) may not regulate rental rates
9 for privately owned real property, through a zoning ordinance or
10 otherwise, unless the regulation is authorized by an act of the general
11 assembly.
12 (c) A unit (as defined in IC 36-1-2-23) may not regulate, through an
13 ordinance or otherwise, any of the following aspects of a
14 landlord-tenant relationship with respect to privately owned real
15 property located in the unit unless the regulation is authorized by an act
16 of the general assembly:
17 (1) The screening process used by a landlord in approving tenants

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- 1 to lease privately owned real property.
- 2 (2) Security deposits.
- 3 (3) Lease applications.
- 4 (4) Leasing terms and conditions.
- 5 (5) Disclosures concerning the:
 - 6 (A) property;
 - 7 (B) lease; or
 - 8 (C) rights and responsibilities of the parties;
 - 9 involved in a landlord-tenant relationship.
 - 10 (6) The rights of the parties to a lease.
 - 11 (7) Any fees charged by a landlord.
 - 12 ~~(8) Any other aspects of the landlord-tenant relationship.~~
- 13 Any ordinance or regulation that violates this subsection is void and
- 14 unenforceable.
- 15 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1541, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1541 as introduced.)

TORR

Committee Vote: yeas 8, nays 3.

