

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 ENROLLED ACT No. 1541

AN ACT to amend the Indiana Code concerning property.

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

SECTION 1. IC 32-31-1-20, AS AMENDED BY P.L.168-2020, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE FEBRUARY 17, 2021 (RETROACTIVE)]: Sec. 20. (a) Subject to IC 36-1-3-8.5, this section does not apply to privately owned real property for which government funds or benefits have been allocated from the United States government, the state, or a political subdivision for the express purpose of providing reduced rents to low or moderate income tenants.

(b) A unit (as defined in IC 36-1-2-23) may not regulate rental rates for privately owned real property, through a zoning ordinance or otherwise, unless the regulation is authorized by an act of the general assembly.

(c) A unit (as defined in IC 36-1-2-23) may not regulate, through an ordinance or otherwise, any of the following aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by an act of the general assembly:

- (1) The screening process used by a landlord in approving tenants to lease privately owned real property.
- (2) Security deposits.
- (3) Lease applications.
- (4) Leasing terms and conditions.

HEA 1541 — Concur



- (5) Disclosures concerning the:
 - (A) property;
 - (B) lease; or
 - (C) rights and responsibilities of the parties;
involved in a landlord-tenant relationship.
- (6) The rights of the parties to a lease.
- (7) Any fees charged by a landlord.
- ~~(8) Any other aspects of the landlord-tenant relationship.~~

Any ordinance or regulation that violates this subsection is void and unenforceable.

SECTION 2. IC 32-31-8.5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. A waiver of this chapter by a landlord or tenant, including a former tenant, by contract or otherwise, is void.**

SECTION 3. **An emergency is declared for this act.**



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

HEA 1541 — Concur

