



Reprinted
February 6, 2019

HOUSE BILL No. 1625

DIGEST OF HB 1625 (Updated February 5, 2019 1:56 pm - DI 87)

Citations Affected: IC 4-22; IC 5-20; IC 36-1.

Synopsis: Housing cost information. Amends the statute concerning state rulemaking procedures to provide that if a state agency intends to adopt a rule that may increase or decrease the costs of housing in Indiana, the agency shall prepare a housing impact analysis (analysis) for the rule. Provides that: (1) the full text of the analysis must be published in the Indiana Register; and (2) the rule must be referenced in the required newspaper notice of the rule; under state rulemaking procedures. Requires a county or a municipality to prepare an analysis if a proposed regulation may increase or decrease the cost of housing in the county or municipality. Requires the analysis to be submitted to the members of the legislative body not less than 30 days before the legislative body considers the regulation. Sets forth the required information for an analysis prepared by a state agency or by a county or municipality. Requires the Indiana housing and community
(Continued next page)

Effective: Upon passage; July 1, 2019.

Clere, Eberhart, Hatfield, Manning

January 22, 2019, read first time and referred to Committee on Government and Regulatory Reform.

January 31, 2019, amended, reported — Do Pass.

February 5, 2019, read second time, amended, ordered engrossed.

HB 1625—LS 7532/DI 101



Digest Continued

development authority (authority) to prepare a comprehensive five year state housing strategy plan (plan). Sets forth required elements of the plan. Requires the authority to: (1) annually update the plan; and (2) submit the plan to the governor and the legislative council before October 1 of each year. Requires a municipality to annually prepare: (1) a housing analysis report; and (2) a housing fee report. Sets forth the required elements for each report. Requires the municipality to post the reports on the municipality's Internet web site (or on the county's Internet web site if the municipality does not maintain an Internet web site). Provides that a municipality may not impose any housing related fee that is not: (1) included in the fee report; or (2) posted on the municipality's Internet web site.

HB 1625—LS 7532/DI 101



Reprinted
February 6, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

HOUSE BILL No. 1625

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 4-22-2-24, AS AMENDED BY P.L.1-2006,
2 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 24. (a) An agency shall notify the public of its
4 intention to adopt a rule by complying with the publication
5 requirements in subsections (b) and (c).
6 (b) The agency shall cause a notice of a public hearing to be
7 published once in one (1) newspaper of general circulation in Marion
8 County, Indiana. To publish the newspaper notice, the agency shall
9 directly contract with the newspaper. An agency may not contract for
10 the publication of a notice under this chapter until the agency has
11 received a written or an electronic authorization to proceed from the
12 publisher under subsection (g).
13 (c) The agency shall cause:
14 (1) a notice of public hearing; **and**
15 (2) the full text of the agency's proposed rule (excluding the full
16 text of a matter incorporated by reference under section 21 of this
17 chapter); **and**

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1 **(3) the full text of any housing impact analysis prepared under**
 2 **section 28.3 of this chapter with respect to the rule;**

3 to be published once in the Indiana Register. To publish the notice and
 4 proposed rule in the Indiana Register, the agency shall submit the text
 5 to the publisher in accordance with subsection (g). The agency shall
 6 submit the rule in the form required by section 20 of this chapter and
 7 with the documents required by section 21 of this chapter. The
 8 publisher shall determine the number of copies of the rule and other
 9 documents to be submitted under this subsection.

10 (d) The agency shall include the following in the notice required by
 11 subsections (b) and (c):

12 (1) A statement of the date, time, and place at which the public
 13 hearing required by section 26 of this chapter will be convened.

14 (2) A general description of the subject matter of the proposed
 15 rule.

16 (3) In a notice published after June 30, 2005, a statement
 17 justifying any requirement or cost that is:

18 (A) imposed on a regulated entity under the rule; and

19 (B) not expressly required by:

20 (i) the statute authorizing the agency to adopt the rule; or

21 (ii) any other state or federal law.

22 The statement required under this subdivision must include a
 23 reference to any data, studies, or analyses relied upon by the
 24 agency in determining that the imposition of the requirement or
 25 cost is necessary.

26 (4) an explanation that:

27 (A) the proposed rule; ~~and~~

28 (B) any data, studies, or analysis referenced in a statement
 29 under subdivision (3); ~~and~~

30 **(C) any housing impact analysis prepared under section**
 31 **28.3 of this chapter with respect to the rule;**

32 may be inspected and copied at the office of the agency.

33 However, inadequacy or insufficiency of the subject matter description
 34 under subdivision (2) or a statement of justification under subdivision
 35 (3) in a notice does not invalidate a rulemaking action.

36 (e) Although the agency may comply with the publication
 37 requirements in this section on different days, the agency must comply
 38 with all of the publication requirements in this section at least
 39 twenty-one (21) days before the public hearing required by section 26
 40 of this chapter is convened.

41 (f) This section does not apply to the solicitation of comments under
 42 section 23 of this chapter.



1 (g) The publisher shall review materials submitted under this
 2 section and determine the date that the publisher intends to include the
 3 material in the Indiana Register. After:

4 (1) establishing the intended publication date; and

5 (2) receiving the public hearing information specified in
 6 subsection (d) from the agency;

7 the publisher shall provide a written or an electronic mail authorization
 8 to proceed to the agency.

9 SECTION 2. IC 4-22-2-28, AS AMENDED BY P.L.237-2017,
 10 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 28. (a) The following definitions apply
 12 throughout this section:

13 (1) "Ombudsman" refers to the small business ombudsman
 14 designated under IC 5-28-17-6.

15 (2) "Total estimated economic impact" means the direct annual
 16 economic impact of a rule on all regulated persons after the rule
 17 is fully implemented under subsection (g).

18 (b) The ombudsman:

19 (1) shall review a proposed rule that:

20 (A) imposes requirements or costs on small businesses (as
 21 defined in IC 4-22-2.1-4); and

22 (B) is referred to the ombudsman by an agency under
 23 IC 4-22-2.1-5(c); and

24 (2) may review a proposed rule that imposes requirements or
 25 costs on businesses other than small businesses (as defined in
 26 IC 4-22-2.1-4).

27 After conducting a review under subdivision (1) or (2), the ombudsman
 28 may suggest alternatives to reduce any regulatory burden that the
 29 proposed rule imposes on small businesses or other businesses. The
 30 agency that intends to adopt the proposed rule shall respond in writing
 31 to the ombudsman concerning the ombudsman's comments or
 32 suggested alternatives before adopting the proposed rule under section
 33 29 of this chapter.

34 (c) Subject to subsection (e) and not later than fifty (50) days before
 35 the public hearing for a proposed rule required by section 26 of this
 36 chapter, an agency shall submit the proposed rule to the office of
 37 management and budget for a review under subsection (d), if the
 38 agency proposing the rule determines that the rule will have a total
 39 estimated economic impact greater than five hundred thousand dollars
 40 (\$500,000) on all regulated persons. In determining the total estimated
 41 economic impact under this subsection, the agency shall consider any
 42 applicable information submitted by the regulated persons affected by



1 the rule. To assist the office of management and budget in preparing
 2 the fiscal impact statement required by subsection (d), the agency shall
 3 submit, along with the proposed rule, the data used and assumptions
 4 made by the agency in determining the total estimated economic
 5 impact of the rule.

6 (d) Except as provided in subsection (e), before the adoption of the
 7 rule, and not more than forty-five (45) days after receiving a proposed
 8 rule under subsection (c), the office of management and budget shall
 9 prepare, using the data and assumptions provided by the agency
 10 proposing the rule, along with any other data or information available
 11 to the office of management and budget, a fiscal impact statement
 12 concerning the effect that compliance with the proposed rule will have
 13 on:

14 (1) the state; and

15 (2) all persons regulated by the proposed rule.

16 The fiscal impact statement must contain the total estimated economic
 17 impact of the proposed rule and a determination concerning the extent
 18 to which the proposed rule creates an unfunded mandate on a state
 19 agency or political subdivision. The fiscal impact statement is a public
 20 document. The office of management and budget shall make the fiscal
 21 impact statement available to interested parties upon request and to the
 22 agency proposing the rule. The agency proposing the rule shall
 23 consider the fiscal impact statement as part of the rulemaking process
 24 and shall provide the office of management and budget with the
 25 information necessary to prepare the fiscal impact statement, including
 26 any economic impact statement prepared by the agency under
 27 IC 4-22-2.1-5. The office of management and budget may also receive
 28 and consider applicable information from the regulated persons
 29 affected by the rule in preparation of the fiscal impact statement.

30 (e) With respect to a proposed rule subject to IC 13-14-9:

31 (1) the department of environmental management shall give
 32 written notice to the office of management and budget of the
 33 proposed date of preliminary adoption of the proposed rule not
 34 less than sixty-six (66) days before that date; and

35 (2) the office of management and budget shall prepare the fiscal
 36 impact statement referred to in subsection (d) not later than
 37 twenty-one (21) days before the proposed date of preliminary
 38 adoption of the proposed rule.

39 (f) In determining whether a proposed rule has a total estimated
 40 economic impact greater than five hundred thousand dollars
 41 (\$500,000), the agency proposing the rule shall consider the impact of
 42 the rule on any regulated person that already complies with the



- 1 standards imposed by the rule on a voluntary basis.
- 2 (g) For purposes of this section, a rule is fully implemented after:
- 3 (1) the conclusion of any phase-in period during which:
- 4 (A) the rule is gradually made to apply to certain regulated
- 5 persons; or
- 6 (B) the costs of the rule are gradually implemented; and
- 7 (2) the rule applies to all regulated persons that will be affected
- 8 by the rule.

9 In determining the total estimated economic impact of a proposed rule

10 under this section, the agency proposing the rule shall consider the

11 annual economic impact on all regulated persons beginning with the

12 first twelve (12) month period after the rule is fully implemented. The

13 agency may use actual or forecasted data and may consider the actual

14 and anticipated effects of inflation and deflation. The agency shall

15 describe any assumptions made and any data used in determining the

16 total estimated economic impact of a rule under this section.

17 (h) An agency shall provide the legislative council in an electronic

18 format under IC 5-14-6 with any analysis, data, and description of

19 assumptions submitted to the office of management and budget under

20 this section or section 40 of this chapter at the same time the agency

21 submits the information to the office of management and budget. The

22 office of management and budget shall provide the legislative council

23 in an electronic format under IC 5-14-6 any fiscal impact statement and

24 related supporting documentation prepared by the office of

25 management and budget under this section or section 40 of this chapter

26 at the same time the office of management and budget provides the

27 fiscal impact statement to the agency proposing the rule. Information

28 submitted under this subsection must identify the rule to which the

29 information is related by document control number assigned by the

30 publisher.

31 (i) An agency shall provide the legislative council in an electronic

32 format under IC 5-14-6 with any economic impact or fiscal impact

33 statement, including any supporting data, studies, or analysis, prepared

34 for a rule proposed by the agency or subject to readoption by the

35 agency to comply with:

- 36 (1) a requirement in section 19.5 of this chapter to minimize the
- 37 expenses to regulated entities that are required to comply with the
- 38 rule;
- 39 (2) a requirement in section 24 of this chapter to publish a
- 40 justification of any requirement or cost that is imposed on a
- 41 regulated entity under the rule;
- 42 (3) a requirement in IC 4-22-2.1-5 to prepare a statement that



1 describes the annual economic impact of a rule on all small
2 businesses after the rule is fully implemented;

3 (4) a requirement in IC 4-22-2.5-3.1 to conduct a review to
4 consider whether there are any alternative methods of achieving
5 the purpose of the rule that are less costly or less intrusive, or that
6 would otherwise minimize the economic impact of the proposed
7 rule on small businesses;

8 (5) a requirement in IC 13-14-9-3 or IC 13-14-9-4 to publish
9 information concerning the fiscal impact of a rule or alternatives
10 to a rule subject to these provisions; ~~or~~

11 **(6) a requirement in section 28.3 of this chapter to prepare a**
12 **housing impact analysis for the rule; or**

13 ~~(7)~~ (7) a requirement under any other law to conduct an analysis
14 of the cost, economic impact, or fiscal impact of a rule;

15 regardless of whether the total estimated economic impact of the
16 proposed rule is more than five hundred thousand dollars (\$500,000),
17 as soon as practicable after the information is prepared. Information
18 submitted under this subsection must identify the rule to which the
19 information is related by document control number assigned by the
20 publisher.

21 SECTION 3. IC 4-22-2-28.3 IS ADDED TO THE INDIANA CODE
22 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
23 UPON PASSAGE]: **Sec. 28.3. (a) This section applies to a rule for**
24 **which the notice required by section 23 of this chapter is published**
25 **by an agency after June 30, 2019.**

26 **(b) As used in this section, "housing costs" means the following:**

27 **(1) For housing occupied by the owner, any of the following:**

28 **(A) Property insurance.**

29 **(B) Utility related costs.**

30 **(C) Property taxes.**

31 **(D) If the housing is owned and occupied by members of a**
32 **cooperative or an unincorporated cooperative association,**
33 **fees paid to a person for managing the housing.**

34 **(E) Estimated home value.**

35 **(2) For rental housing, any of the following:**

36 **(A) Rent.**

37 **(B) Utility related costs, if not included in the rent.**

38 **(c) As used in this section, "utility related costs" means costs**
39 **related to power, heat, gas, light, water, and sewage.**

40 **(d) If an agency intends to adopt a rule that may increase or**
41 **decrease, either directly or indirectly, the cost of the development,**
42 **construction, purchasing, sale, ownership, or availability of single**



1 family or multifamily housing in Indiana, the agency shall prepare
2 a housing impact analysis for the rule.

3 (e) The analysis required by subsection (d) must include
4 information about the effect of the rule on housing in Indiana,
5 including the effect of the rule on each of the following:

6 (1) The cost of developing, constructing, rehabilitating,
7 improving, maintaining, or owning single family or
8 multifamily dwellings.

9 (2) The purchase price of new homes or the fair market value
10 of existing homes.

11 (3) Housing costs.

12 (4) The density, location, setback, size, or height development
13 on a lot, parcel, land division, or subdivision.

14 (f) The following applies to information on housing costs
15 required to be included in the analysis under subsection (e)(3):

16 (1) The analysis must include reasonable estimates of the
17 effect of the rule on housing costs, expressed in dollar
18 amounts. The agency shall include a brief summary of, or
19 worksheet demonstrating, the computations used in
20 determining the dollar amounts. However, if the agency
21 determines that it is not possible to make an estimate
22 expressed in dollar amounts, the analysis must include a
23 statement setting forth the reasons for the agency's
24 determination.

25 (2) The analysis must include descriptions of both:

26 (A) the immediate effect; and

27 (B) to the extent ascertainable, the long term effect;
28 of the rule on housing costs.

29 (g) Except as otherwise provided in this section, a housing
30 impact analysis required under this section must be based on costs
31 associated with the development, construction, financing,
32 purchasing, sale, ownership, or availability of a median priced
33 single family or multifamily residence. However, the analysis may
34 include estimates for larger developments as part of an analysis of
35 the long term effect of the rule.

36 (h) An agency may request information from any state agencies,
37 local units of government, universities or colleges, organizations,
38 or individuals as necessary to prepare a housing impact analysis
39 under this section.

40 SECTION 4. IC 5-20-1-28 IS ADDED TO THE INDIANA CODE
41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
42 1, 2019]: Sec. 28. (a) As used in this section, "plan" refers to the



1 comprehensive state housing strategy plan developed under
2 subsection (b).

3 (b) The authority shall prepare a comprehensive five (5) year
4 state housing strategy plan.

5 (c) The plan must include the following:

6 (1) A statement by the authority of housing policies and
7 recommendations.

8 (2) An evaluation and summary of housing conditions and
9 trends in Indiana, including:

10 (A) housing stock and housing costs analyses;

11 (B) general population and household composition
12 demographic analyses; and

13 (C) housing and demographic forecasts.

14 (3) An evaluation of housing assistance needs that is based in
15 part on the evaluation described in subdivision (2).

16 (4) A discussion of major housing issues, including:

17 (A) housing production;

18 (B) housing and neighborhood conservation;

19 (C) housing for persons with special needs;

20 (D) fair housing and accessibility; and

21 (E) housing affordability.

22 (5) Housing policies that establish the general framework for
23 the state's housing efforts.

24 (6) Strategies for using federal funding and for coordinating
25 federal and state housing efforts.

26 (7) Specific recommendations for public and private action
27 that will contribute to the attainment of housing policies
28 under the plan.

29 (8) Strategies and specific recommendations for public and
30 private action that will facilitate the inclusion of bicycle
31 oriented and pedestrian oriented design in:

32 (A) residential developments; and

33 (B) mixed use developments that include residential
34 elements.

35 (d) In preparing the plan, the authority may obtain input from
36 housing authorities, community based organizations, the private
37 housing industry, and other persons interested in housing
38 assistance and development.

39 (e) The authority shall annually update the plan.

40 (f) Beginning in 2020, before October 1 of each year, the
41 authority shall submit the plan to the following:

42 (1) The governor.



- 1 **(2) The legislative council in an electronic format under**
 2 **IC 5-14-6.**
 3 SECTION 5. IC 36-1-24.3 IS ADDED TO THE INDIANA CODE
 4 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 5 UPON PASSAGE]:
 6 **Chapter 24.3. Housing Impact Analyses for Proposed**
 7 **Regulations**
 8 **Sec. 1. This chapter applies to a regulation that is introduced for**
 9 **consideration by the legislative body of a unit after June 30, 2019.**
 10 **Sec. 2. As used in this chapter, "housing costs" means the**
 11 **following:**
 12 **(1) For housing occupied by the owner, any of the following:**
 13 **(A) Property insurance.**
 14 **(B) Utility related costs.**
 15 **(C) For multifamily properties, the impact to area HUD**
 16 **fair market rents.**
 17 **(D) Property taxes.**
 18 **(E) If the housing is owned and occupied by members of a**
 19 **cooperative or an unincorporated cooperative association,**
 20 **fees paid to a person for managing the housing.**
 21 **(F) Estimated home value.**
 22 **(2) For rental housing, any of the following:**
 23 **(A) Rent.**
 24 **(B) Utility related costs, if not included in the rent.**
 25 **Sec. 3. As used in this chapter, "regulation" refers to any**
 26 **ordinance or regulation, including any:**
 27 **(1) zoning or land use ordinance or regulation; or**
 28 **(2) general or specific planning ordinance or regulation;**
 29 **that is proposed for adoption by a unit.**
 30 **Sec. 4. As used in this chapter, "unit" means a county or a**
 31 **municipality.**
 32 **Sec. 5. As used in this chapter, "utility related costs" means**
 33 **costs related to power, heat, gas, light, water, and sewage.**
 34 **Sec. 6. (a) If a unit intends to adopt a regulation that may**
 35 **increase or decrease, either directly or indirectly, the cost of the**
 36 **development, construction, purchasing, sale, ownership, or**
 37 **availability of housing in the unit, the unit shall prepare a housing**
 38 **impact analysis for the regulation before the regulation is**
 39 **submitted to the legislative body of the unit for consideration.**
 40 **(b) The analysis required by subsection (a) must include**
 41 **information about the effect of the regulation on housing in the**
 42 **unit, including the effect of the regulation on each of the following:**



- 1 **(1) The financial impact of developing, constructing,**
 2 **rehabilitating, improving, maintaining, or owning single**
 3 **family or multifamily dwellings.**
 4 **(2) The purchase price of new homes or the fair market value**
 5 **of existing homes.**
 6 **(3) For multifamily properties, the impact to area HUD fair**
 7 **market rents.**
 8 **(4) Housing costs.**
 9 **(5) The density, location, setback, size, or height development**
 10 **on a lot, parcel, land division, or subdivision.**
 11 **(c) The following applies to information on housing costs**
 12 **required to be included in the analysis under subsection (b)(4):**
 13 **(1) The analysis must include reasonable estimates of the**
 14 **effect of the regulation on housing costs, expressed in dollar**
 15 **amounts. The unit shall include a brief summary of, or**
 16 **worksheet demonstrating, the computations used in**
 17 **determining the dollar amounts. However, if the unit**
 18 **determines that it is not possible to make an estimate**
 19 **expressed in dollar amounts, the analysis must include a**
 20 **statement setting forth the reasons for the unit's**
 21 **determination.**
 22 **(2) The analysis must include descriptions of both:**
 23 **(A) the immediate effect; and**
 24 **(B) to the extent ascertainable, the long term effect;**
 25 **of the regulation on housing costs.**
 26 **(d) Except as otherwise provided in this section, a housing**
 27 **impact analysis required under this section must be based on costs**
 28 **associated with the development, construction, purchasing, sale,**
 29 **ownership, or availability of a median priced single family or**
 30 **multifamily residence. However, the analysis may include estimates**
 31 **for larger developments as part of an analysis of the long term**
 32 **effect of the regulation.**
 33 **(e) A unit may request information from any state agencies,**
 34 **local units of government, universities or colleges, organizations,**
 35 **or individuals as necessary to prepare a housing impact analysis**
 36 **under this section.**
 37 **(f) The unit shall provide the housing impact analysis for a**
 38 **regulation to the members of the legislative body of the unit not**
 39 **less than thirty (30) days before the regulation is considered by the**
 40 **legislative body.**
 41 **SECTION 6. IC 36-1-24.4 IS ADDED TO THE INDIANA CODE**
 42 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**



1 JULY 1, 2019]:

2 **Chapter 24.4. Housing Analysis and Housing Fee Reports**

3 **Sec. 1. (a) Beginning in 2020, a municipality shall prepare, not**
 4 **later than January 31 of each year, a report concerning the**
 5 **municipality's implementation, during the immediately preceding**
 6 **calendar year, of the housing plans included in the municipality's**
 7 **comprehensive plan under IC 36-7-4.**

8 **(b) The report prepared under subsection (a) must include the**
 9 **following:**

10 **(1) The number of subdivision plats, certified survey maps,**
 11 **condominium plats, and building permit applications**
 12 **approved in the immediately preceding calendar year.**

13 **(2) The total number of new residential dwelling units**
 14 **proposed in all subdivision plats, certified survey maps,**
 15 **condominium plats, and building permit applications that**
 16 **were approved by the municipality in the immediately**
 17 **preceding calendar year.**

18 **(3) A list and map of undeveloped parcels in the municipality**
 19 **that are zoned for residential development.**

20 **(4) A list of all undeveloped parcels in the municipality that**
 21 **are suitable for, but not zoned for, residential development,**
 22 **including vacant sites and sites that have potential for**
 23 **redevelopment.**

24 **(5) A description of the zoning requirements and availability**
 25 **of public facilities and services for each property listed under**
 26 **subdivision (4).**

27 **(6) An analysis of the municipality's residential development**
 28 **regulations, such as land use controls, site improvement**
 29 **requirements, fees and land dedication requirements, and**
 30 **permit procedures. The analysis under this subdivision must:**

31 **(A) include a calculation of the financial impact that each**
 32 **regulation has on the cost of each new subdivision or**
 33 **multifamily development; and**

34 **(B) identify ways in which the municipality can modify its**
 35 **construction and development regulations, lot sizes,**
 36 **approval processes, and related fees to do each of the**
 37 **following:**

38 **(i) Meet existing and forecasted housing demand.**

39 **(ii) Reduce, by at least twenty percent (20%), the time**
 40 **and cost necessary to approve and develop a new**
 41 **residential subdivision or multifamily development in the**
 42 **municipality.**



1 (c) Except as provided in subsection (d), a municipality shall
 2 post the report prepared or updated by the municipality under this
 3 section on the municipality's Internet web site on a web page:

- 4 (1) dedicated solely to the report; and
 5 (2) titled "Housing Analysis".

6 (d) If a municipality does not maintain an Internet web site, the
 7 county in which the municipality is located shall post the
 8 information required under this section on the county's Internet
 9 web site on a web page dedicated solely to housing analysis
 10 information, as described in this section, for the municipality.

11 Sec. 2. (a) Beginning in 2020, a municipality shall prepare, not
 12 later than January 31 of each year, a report concerning the
 13 municipality's single family or multifamily development fees
 14 imposed during the immediately preceding calendar year for
 15 purposes related to single family or multifamily construction,
 16 remodeling, or development.

17 (b) The report required by subsection (a) must include the
 18 following:

19 (1) Information as to whether the municipality imposes any of
 20 the following fees or other requirements for purposes related
 21 to residential construction, remodeling, or development and,
 22 if so, the amount of each fee:

- 23 (A) Building permit fee.
 24 (B) Impact fee.
 25 (C) Park fee.
 26 (D) Land dedication requirement, or fee in lieu of land
 27 dedication requirement.
 28 (E) Plat approval fee.
 29 (F) Storm water management fee and other utility fees if
 30 charged by a municipal utility.
 31 (G) Water or sewer hook up fee.
 32 (H) Rental unit registration and inspection fees.
 33 (I) Any other fee or requirement.

34 (2) The total amount of fees described in subdivision (1) that
 35 the municipality imposed in the immediately preceding
 36 calendar year for purposes related to residential construction,
 37 remodeling, or development.

38 (3) The calculation of an amount that equals:

- 39 (A) the total amount of fees that the municipality imposed
 40 as described in subdivision (2); divided by
 41 (B) the number of new residential dwelling units approved
 42 in the municipality in the immediately preceding calendar



1 year.
2 (c) Except as provided in subsection (d), a municipality shall
3 post the report prepared by the municipality under this section on
4 the municipality's Internet web site on a web page:
5 (1) dedicated solely to the report; and
6 (2) titled "New Housing Fee Report".
7 (d) If a municipality does not maintain an Internet web site, the
8 county in which the municipality is located shall post the
9 information required under this section on the county's Internet
10 web site on a web page dedicated solely to development fee
11 information, as described in this section, for the municipality.
12 (e) A municipality shall provide a copy of the report to each
13 member of the legislative body of the municipality.
14 (f) Notwithstanding any other law, if a municipality does not:
15 (1) include in the municipality's report under this section:
16 (A) a fee described in subsection (b)(1); and
17 (B) the amount of the fee; or
18 (2) post the report with the fee and amount of the fee on:
19 (A) the municipality's web site under subsection (c); or
20 (B) the county's web site under subsection (d);
21 as required under this section;
22 the municipality may not impose the fee.
23 SECTION 7. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1625, 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:

Page 6, line 39, delete "rented" and insert "**rental**".

Page 7, line 5, after "of" insert "**single family or multifamily**".

Page 8, line 1, after "family" insert "**or multifamily**".

Page 9, line 34, delete "rented" and insert "**rental**".

Page 11, line 4, after "family" insert "**or multifamily**".

Page 11, line 12, after "unit" insert "**not less than thirty (30) days**".

Page 12, line 5, delete "subdivision;" and insert "**subdivision or multifamily development;**".

Page 12, line 13, after "subdivision" insert "**or multifamily development**".

Page 12, line 26, delete "residential" and insert "**single family or multifamily**".

Page 12, line 28, delete "residential" and insert "**single family or multifamily**".

Page 12, line 41, delete "fee." and insert "**fee and other utility fees if charged by a municipal utility.**".

Page 12, after line 42, begin a new line double block indented and insert:

"(H) Rental unit registration and inspection fees."

Page 13, line 1, delete "(H)" and insert "**(I)**".

and when so amended that said bill do pass.

(Reference is to HB 1625 as introduced.)

MAHAN

Committee Vote: yeas 11, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1625 be amended to read as follows:

Page 6, delete lines 28 through 38, begin a new line double block indented and insert:

"(A) Property insurance.

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- (B) Utility related costs.**
- (C) Property taxes.**
- (D) If the housing is owned and occupied by members of a cooperative or an unincorporated cooperative association, fees paid to a person for managing the housing.**
- (E) Estimated home value."**

Page 7, line 4, delete "financing,".

Page 7, delete lines 7 through 23, begin a new paragraph and insert:

"(e) The analysis required by subsection (d) must include information about the effect of the rule on housing in Indiana, including the effect of the rule on each of the following:

- (1) The cost of developing, constructing, rehabilitating, improving, maintaining, or owning single family or multifamily dwellings.**
- (2) The purchase price of new homes or the fair market value of existing homes.**
- (3) Housing costs.**
- (4) The density, location, setback, size, or height development on a lot, parcel, land division, or subdivision."**

Page 7, line 25, delete "(e)(1)(D):" and insert "(e)(3):".

Page 9, delete lines 23 through 33, begin a new line double block indented and insert:

- "(A) Property insurance.**
- (B) Utility related costs.**
- (C) For multifamily properties, the impact to area HUD fair market rents.**
- (D) Property taxes.**
- (E) If the housing is owned and occupied by members of a cooperative or an unincorporated cooperative association, fees paid to a person for managing the housing.**
- (F) Estimated home value."**

Page 10, line 6, delete "financing,".

Page 10, delete lines 10 through 26, begin a new paragraph AND insert:

"(b) The analysis required by subsection (a) must include information about the effect of the regulation on housing in the unit, including the effect of the regulation on each of the following:

- (1) The financial impact of developing, constructing, rehabilitating, improving, maintaining, or owning single family or multifamily dwellings.**
- (2) The purchase price of new homes or the fair market value of existing homes.**



(3) For multifamily properties, the impact to area HUD fair market rents.

(4) Housing costs.

(5) The density, location, setback, size, or height development on a lot, parcel, land division, or subdivision."

Page 10, line 28, delete "(b)(1)(D):" and insert "**(b)(4):**".

Page 11, line 2, delete "financing,".

Page 11, line 18, delete "Affordability" and insert "**Analysis**".

Page 12, line 21, delete "Affordability".

Page 12, line 25, delete "affordability" and insert "**analysis**".

(Reference is to HB 1625 as printed February 1, 2019.)

CLERE

