

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 6244

BILL NUMBER: HB 1034

NOTE PREPARED: Feb 15, 2024

BILL AMENDED: Feb 15, 2024

SUBJECT: Insurance and Transfer on Death Deeds.

FIRST AUTHOR: Rep. Torr

FIRST SPONSOR: Sen. Koch

BILL STATUS: CR Adopted - 2nd House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: (Amended) This bill extends insurance coverage on property transferred by a transfer on death transfer following the death of the insured after December 31, 2024, for casualty and liability insurance other than title insurance and certain insurance relating to bonds and mortgages.

This bill allows certain warning language to be included in a transfer on death deed executed after December 31, 2024.

This bill provides that a failure by a beneficiary to file an affidavit in the office of the recorder of the county in which the real property is located or a delay by the county recorder in recording the affidavit does not affect the validity of the transfer on death transfer to the beneficiary. It also provides that until the affidavit is recorded, the transfer on death beneficiary or beneficiaries named in the transfer on death deed and the estate of the deceased owner are jointly and severally liable for property taxes assessed with respect to the real property for assessment years beginning with the assessment year in which the owner's death occurs.

Effective Date: July 1, 2024.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill's provisions may result in a potential minor increase in the administrative workload for county auditors to the extent they have to account for multiple owners in their

tax and billing software systems. Under this bill's provisions, this scenario might occur when the beneficiary fails to file an affidavit upon the death of the owner with the county recorder or there is a delay in recording the affidavit and both the beneficiary (or beneficiaries) of the real property and the estate of the deceased owner are jointly responsible for property taxes assessed on the real property.

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected: County auditors and county recorders.

Information Sources:

Fiscal Analyst: James Johnson, 317-232-9869.