

# HOUSE BILL No. 1017

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-30-26-5.

**Synopsis:** Tax sale procedures. Provides immunity from civil liability and civil and criminal trespass to a person who is a tax sale certificate holder or an applicant for a tax deed who enters an abandoned or vacant property during the statutory redemption period to perform routine maintenance in order to remedy an existing or anticipated ordinance violation imposed by a political subdivision.

**Effective:** January 1, 2026.

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January 8, 2025, read first time and referred to Committee on Judiciary.

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First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

# HOUSE BILL No. 1017

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

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

1 SECTION 1. IC 34-30-26-5, AS AMENDED BY P.L.203-2013,  
2 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2026]: Sec. 5. (a) Except as provided in subsection (d),  
4 a person who is not the owner of real property or who is a creditor, and  
5 who suspects that the property may be vacant or abandoned, may enter  
6 upon the premises of the real property to do the following:  
7 (1) Without entering any structure located on the real property,  
8 visually inspect the real property to determine whether the real  
9 property may be vacant or abandoned.  
10 (2) Perform any of the following actions:  
11 (A) Secure the real property.  
12 (B) Remove trash or debris from the grounds of the real  
13 property.  
14 (C) Landscape, maintain, or mow the grounds of the real  
15 property.  
16 (D) Remove or paint over graffiti on the real property.  
17 (E) **For either a tax sale certificate holder or an applicant**



1           **for a tax deed, maintenance described in clauses (A)**  
 2           **through (D), or any other routine maintenance, required**  
 3           **to remedy an existing or anticipated ordinance violation**  
 4           **imposed by a political subdivision (as defined in**  
 5           **IC 34-6-2-110) during a tax sale redemption period (as**  
 6           **specified in IC 6-1.1-25-4) with regard to:**

- 7           **(i) an abandoned structure (as defined in IC 36-7-36-1);**  
 8           **(ii) vacant real property (as defined in IC 36-7-36-5); or**  
 9           **(iii) a vacant structure (as defined in IC 36-7-36-6).**

10          (b) A person who:

11           (1) enters upon the premises of real property to visually inspect  
 12           the property, as permitted under subsection (a)(1); and

13           (2) after inspecting the real property, determines that the real  
 14           property may be vacant or abandoned;

15          may notify the appropriate enforcement authority of the suspected  
 16          vacant or abandoned status of the property and request that the  
 17          enforcement authority inspect the property to determine whether the  
 18          property is in fact vacant or abandoned.

19          (c) A person that enters upon the premises of real property as  
 20          permitted under this section:

21           (1) is immune from civil liability for an act or omission related to  
 22           the entry or to any action described in subsection (a)(2), unless  
 23           the act or omission constitutes gross negligence or willful,  
 24           wanton, or intentional misconduct; and

25           (2) shall be held harmless from and against all claims of civil or  
 26           criminal trespass.

27          (d) In the case of real property that is subject to a mortgage, the  
 28          creditor in the mortgage transaction may not enter upon the premises  
 29          of the real property under subsection (a) if entry is barred by an  
 30          automatic stay issued by a bankruptcy court.

