

HOUSE BILL No. 1030

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1-20-5.

Synopsis: Registration of rental units. Allows a political subdivision to impose an annual registration fee of up to \$10 per rental unit that is not part of a rental unit community. (Current law allows for an annual registration fee of up to \$5 per rental unit that is not a part of a rental unit community.) Provides that a political subdivision may impose an additional fee or penalty on an owner or landlord for failure to pay a registration fee for a rental unit or to register a rental unit in an amount not greater than: (1) \$50 per rental unit, if at least 30 days but not more than 90 days have passed since the owner or landlord was given notice of the violation; and (2) \$100 per rental unit, if more than 90 days have passed since the owner or landlord was given notice of the violation. Caps the total amount of additional fees or penalties imposed on an owner or landlord at \$7,500. Requires a political subdivision with a rental registration program to provide notice to each owner or landlord that registered a rental unit for the previous year not later than 60 days before the current year's registration deadline.

Effective: July 1, 2023.

Olthoff

January 9, 2023, read first time and referred to Committee on Local Government.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1030

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

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

1 SECTION 1. IC 36-1-20-5, AS ADDED BY P.L.193-2014,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 5. (a) This section does not apply to a political
4 subdivision with a rental registration or inspection program created
5 before July 1, 1984.
6 (b) This chapter does not prohibit a political subdivision from
7 establishing and enforcing a registration program for rental units within
8 the political subdivision.
9 (c) A political subdivision may impose on an owner or landlord of
10 a rental unit an annual registration fee of not more than:
11 **(1) for a rental unit community, five dollars (\$5); and**
12 **(2) for a rental unit, ten dollars (\$10).**
13 (d) A registration fee imposed under subsection (c) **covers and an**
14 **additional fee or penalty imposed per rental unit under subsection**
15 **(f) cover** all the rental units in a rental unit community. However, if a
16 rental unit is not part of a rental unit community, a registration fee **and**
17 **an additional fee or penalty** may be imposed for each separate parcel



1 of real property on which a rental unit is located.

2 (e) If the ownership of a rental unit community or the ownership of
3 a parcel of real property on which a rental unit is located changes, a
4 political subdivision may require the new owner of the rental unit
5 community or new owner of the real estate parcel to:

6 (1) pay an annual registration fee of not more than five dollars
7 (\$5) for a rental unit community or not more than ten dollars
8 (\$10) for a rental unit; and

9 (2) provide updated registration information to the political
10 subdivision;
11 not later than thirty (30) days after the change of ownership.

12 (f) A political subdivision may impose an additional fee or
13 penalty on an owner or landlord of a rental unit for failure to pay
14 an annual registration fee for a rental unit or to register a rental
15 unit as required by a registration program adopted under this
16 section as follows:

17 (1) If an annual registration fee is unpaid or a registration is
18 incomplete at least thirty (30) days but not more than ninety
19 (90) days after a notice meeting the requirements of section 6
20 of this chapter is given by personal service or sent by first
21 class United States mail, the additional fee or penalty may not
22 exceed fifty dollars (\$50) per rental unit.

23 (2) If an annual registration fee is unpaid or a registration is
24 incomplete more than ninety (90) days after a notice meeting
25 the requirements of section 6 of this chapter is given by
26 personal service or sent by first class United States mail, the
27 additional fee or penalty may not exceed one hundred dollars
28 (\$100) per rental unit.

29 Notice of an additional fee or penalty on an owner or landlord of
30 a rental unit under this subsection must be provided not less than
31 thirty (30) days but not more than sixty (60) days after the
32 additional fee or penalty is assessed.

33 (g) A political subdivision may not impose a total of more than
34 seven thousand five hundred dollars (\$7,500) in additional fees or
35 penalties under subsection (f) on an owner or landlord of a rental
36 unit.

37 (h) Not later than sixty (60) days before a rental unit is required
38 to be registered under a registration program, a political
39 subdivision must provide notice of the registration deadline to the
40 owner or landlord listed in the registration for the rental unit for
41 the previous year. This notice may be provided by:

42 (1) hand delivery;



- 1 **(2) first class United States mail; or**
- 2 **(3) electronic mail, if an electronic mail address has been**
- 3 **provided by the owner or landlord.**

