



Reprinted
March 22, 2019

ENGROSSED HOUSE BILL No. 1086

DIGEST OF HB 1086 (Updated March 21, 2019 3:01 pm - DI 75)

Citations Affected: IC 36-1.

Synopsis: Local licensing and permitting. Provides that if a political subdivision requires a person to post a surety bond as a condition that the political subdivision issue a license or permit to the person, a surety bond posted by the person is considered sufficient if the following are satisfied: (1) The bond is written by a surety company authorized to transact business in Indiana. (2) The obligation on the bond is for an amount that is at least the amount required by the political subdivision for the issuance of the particular license or permit. (3) The obligee or obligees named on the bond are any of the following: (A) The political
(Continued next page)

Effective: July 1, 2019.

Pressel, Miller D, Engleman, Boy

(SENATE SPONSORS — GARTEN, BOHACEK, RANDOLPH LONNIE M)

January 3, 2019, read first time and referred to Committee on Local Government.
January 14, 2019, reported — Do Pass.
January 17, 2019, read second time, ordered engrossed. Engrossed.
January 22, 2019, read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 27, 2019, read first time and referred to Committee on Local Government.
March 11, 2019, reported favorably — Do Pass.
March 21, 2019, read second time, amended, ordered engrossed.

EH 1086—LS 6777/DI 75



Digest Continued

subdivision that requires the bond. (B) Specifically named political subdivisions in the county that include the name of the political subdivision that requires the bond. (C) All political subdivisions in the county in which the political subdivision that requires the bond is located. (D) All political subdivisions of the same kind as the political subdivision that requires the bond located in the county. (4) The conditions of the bond otherwise comply with the requirements of the ordinance that imposes the bond condition. Provides that a political subdivision may not require the obligation on a license bond to be more than \$15,000. Provides that a person required to post a bond satisfies the posting requirement if the person files a copy of the bond with the political subdivision or appropriate agency of the political subdivision that requires the bond. Provides that a political subdivision may not require that the person record the license bond.



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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.

ENGROSSED HOUSE BILL No. 1086

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 36-1-4-22 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2019]: **Sec. 22. (a) As used in this section, "license bond" refers**
4 **to a surety bond required by a political subdivision as a condition**
5 **that the political subdivision issue a license or a permit to a person.**
6 **(b) If a political subdivision requires a person to post a license**
7 **bond, a surety bond posted by the person is considered sufficient**
8 **if the following conditions are satisfied:**
9 **(1) The bond is written by a surety company authorized to**
10 **transact business in Indiana.**
11 **(2) The obligation on the bond is for an amount that is at least**
12 **the amount required by the political subdivision for the**
13 **issuance of the particular license or permit. A political**
14 **subdivision may not require the obligation on a license bond**
15 **to be more than fifteen thousand dollars (\$15,000).**
16 **(3) The obligee or obligees named on the bond are any of the**
17 **following:**

EH 1086—LS 6777/DI 75



- 1 **(A) The political subdivision that requires the license bond.**
- 2 **(B) Specifically named political subdivisions in the county**
- 3 **that include the name of the political subdivision that**
- 4 **requires the license bond.**
- 5 **(C) All political subdivisions in the county in which the**
- 6 **political subdivision that requires the license bond is**
- 7 **located.**
- 8 **(D) All political subdivisions of the same kind as the**
- 9 **political subdivision that requires the license bond located**
- 10 **in the county.**
- 11 **(4) The conditions of the bond otherwise comply with the**
- 12 **requirements of the ordinance that imposes the license bond**
- 13 **condition.**
- 14 **(c) A person required to post a license bond satisfies the posting**
- 15 **requirement if the person files a copy of the license bond with the**
- 16 **political subdivision or appropriate agency of the political**
- 17 **subdivision that requires the license bond. A political subdivision**
- 18 **may not require that the person record the license bond.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1086, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1086 as introduced.)

ZENT

Committee Vote: Yeas 13, Nays 0

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill No. 1086, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1086 as printed January 15, 2019.)

BUCK, Chairperson

Committee Vote: Yeas 9, Nays 0

SENATE MOTION

Madam President: I move that Engrossed House Bill 1086 be amended to read as follows:

Page 1, line 13, after "permit." insert "**A political subdivision may not require the obligation on a license bond to be more than fifteen thousand dollars (\$15,000).**".

(Reference is to EHB 1086 as printed March 12, 2019.)

BOHACEK

