

HOUSE BILL No. 1477

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-41-27; IC 36-7-4-1106.

Synopsis: Mobile home community matters. Provides that, for purposes of the Indiana department of health's enforcement of statutes governing mobile home communities, if the owner of a mobile home community receives written notice from a water utility that the mobile home community will be disconnected from water service, the mobile home community is in violation of the mobile home community's statutory obligation to provide water as of the date on which the owner receives the notice. Amends a provision restricting local government regulation of mobile homes, manufactured homes, and industrialized residential structures to provide that the restriction does not apply to the renovation of a mobile home, manufactured home, or industrialized residential structure. Specifies that a comprehensive plan or ordinance adopted by a county, city, or town may not categorically preclude installation of manufactured homes that meet specified requirements as permanent residences on a lot on which any other type of dwelling unit may be placed.

Effective: July 1, 2025.

Zimmerman, Miller D

January 21, 2025, read first time and referred to Committee on Local Government.



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. 1477



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

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

1 SECTION 1. IC 16-41-27-10, AS AMENDED BY P.L.113-2014,
2 SECTION 107, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) A mobile home community
4 shall provide a water supply through the use of a public water system
5 if the water supply is reasonably available within a reasonable distance
6 from the mobile home community. A mobile home community is not
7 required to use a public water system if the water system is more than
8 two thousand (2,000) feet from the mobile home community. If a
9 public water system is not available, water shall be provided by a
10 system approved by the environmental commissioner under rules
11 adopted by the environmental rules board.

12 (b) For purposes of state department enforcement of subsection
13 (a), if the owner of a mobile home community receives written
14 notice under 170 IAC 6-1-16 or IC 36-9-25-11.5 that the entire
15 mobile home community will be disconnected from water service,
16 the mobile home community is in violation of subsection (a) as of
17 the date on which the owner receives the notice.



1 SECTION 2. IC 16-41-27-32, AS AMENDED BY P.L.155-2024,
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 32. (a) As used in this section, "regulation" refers
 4 to any:

- 5 (1) ordinance, including any:
 6 (A) zoning or land use ordinance; or
 7 (B) general or specific planning ordinance;
 8 (2) regulation, including any:
 9 (A) zoning or land use regulation; or
 10 (B) general or specific planning regulation;
 11 (3) requirement; or
 12 (4) restriction;

13 that is adopted or imposed by a unit (as defined in IC 36-1-2-23).

14 (b) A governmental body other than the state department may not
 15 license or regulate mobile home communities, except for the following:

16 (1) Local boards may enforce the standards of health and
 17 sanitation prescribed for mobile homes, manufactured homes,
 18 industrialized residential structures, and mobile home
 19 communities by the state department.

20 (2) Subject to IC 36-7-2-12, IC 36-7-4-1019, IC 36-7-4-1106, and
 21 subsections (d) and (f), county and municipal authorities within
 22 their respective jurisdictions have jurisdiction regarding zoning
 23 and building codes and ordinances pertaining to mobile home
 24 communities.

25 (3) Local boards may regulate the construction and operation of
 26 groups of a combined total of not more than four (4) mobile
 27 homes, manufactured homes, and industrialized residential
 28 structures in accordance with standards that are compatible with
 29 standards set by the state department for mobile home
 30 communities.

31 (c) A governmental body other than the state department may not
 32 regulate mobile homes, manufactured homes, or industrialized
 33 residential structures regarding habitability or minimum housing
 34 conditions unless the regulation is applicable in the same manner to
 35 other forms of residential housing in the jurisdiction.

36 (d) Except as provided in IC 36-7-4-1106(d), IC 36-7-4-1106(e),
 37 and IC 36-7-4-1106(f) and unless required under IC 36-7-2-9, a
 38 governmental body may not regulate or restrict, by regulation or
 39 otherwise, the installation, continued residential use, occupancy,
 40 movement, ~~renovation~~, relocation, or replacement of a mobile home,
 41 a manufactured home, or an industrialized residential structure within
 42 a mobile home community based upon the age or size of the mobile



1 home, manufactured home, or industrialized residential structure or
 2 other private property based upon the age of the mobile home,
 3 manufactured home, or industrialized residential structure regardless
 4 of whether:

5 (1) the mobile home, manufactured home, or industrialized
 6 residential structure;

7 (2) the lot or site, or any part of the lot or site, on which the
 8 mobile home, manufactured home, or industrialized residential
 9 structure is located or installed, or will be located or installed; or

10 (3) the mobile home community or other private property, in
 11 whole or in part, in which the mobile home, manufactured home,
 12 or industrialized residential structure is located or installed, or
 13 will be located or installed;

14 constitutes a conforming structure or use, or a legal, nonconforming
 15 structure or use. Any mobile home, manufactured home, or
 16 industrialized residential structure on private property, which
 17 constitutes a legal, nonconforming use, may not be replaced with a
 18 mobile home, manufactured home, or industrialized residential
 19 structure that is older or smaller than the legal, nonconforming
 20 structure being replaced.

21 (e) A government body may not regulate or restrict the ability of a:

22 (1) mobile home community:

23 (A) owner; or

24 (B) manager; or

25 (2) manufactured home community:

26 (A) owner; or

27 (B) manager;

28 to obtain a dealer's license or to sell a mobile home, manufactured
 29 home, or industrialized residential structure located within the owner's
 30 or manager's mobile home community or manufactured housing
 31 community.

32 (f) Except as provided under IC 36-7-4-1106(d), IC 36-7-4-1106(e),
 33 and IC 36-7-4-1106(f) and unless required under IC 36-7-2-9, after
 34 March 14, 2022:

35 (1) a unit may not:

36 (A) adopt or impose a regulation that violates, or that includes
 37 a provision that violates, subsection (d);

38 (B) amend a regulation so that the regulation, after its
 39 amendment, includes a provision that violates subsection (d),
 40 regardless of when the regulation was originally adopted or
 41 imposed; or

42 (C) enforce a provision in a regulation adopted or imposed by



- 1 the unit if the provision violates subsection (d), regardless of
 2 when the regulation or provision was originally adopted or
 3 imposed; and
 4 (2) any provision that:
 5 (A) is included in a regulation adopted or imposed by a unit;
 6 and
 7 (B) violates subsection (d);
 8 is void and unenforceable regardless of when the regulation or
 9 provision was originally adopted or imposed.
- 10 SECTION 3. IC 36-7-4-1106, AS AMENDED BY P.L.155-2024,
 11 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2025]: Sec. 1106. (a) This section does not affect a
 13 requirement applicable to property that is subject to the jurisdiction of
 14 a preservation commission organized under any of the following:
- 15 (1) IC 36-7-11.
 - 16 (2) IC 36-7-11.1.
 - 17 (3) IC 36-7-11.2.
 - 18 (4) IC 36-7-11.3.
- 19 (b) As used in this section:
- 20 (1) "Manufactured home" means a dwelling unit, designed and
 21 built in a factory, which bears a seal certifying that it was built in
 22 compliance with the federal Manufactured Housing Construction
 23 and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).
 - 24 (2) "Underfloor space" means that space between the bottom of
 25 the floor joists and the earth.
 - 26 (3) "Occupied space" means the total area of earth horizontally
 27 covered by the structure, excluding accessory structures such as,
 28 but not limited to, garages, patios and porches.
 - 29 (4) "Permanent foundation system" includes a pier footing
 30 foundation system that is specified as suitable in the
 31 manufacturer's installation specifications for a manufactured
 32 home.
- 33 (c) Comprehensive plans and ordinances adopted under the
 34 provisions of this chapter may subject dwelling units and lots to
 35 identical standards and requirements, whether or not the dwelling unit
 36 to be placed on a lot is a manufactured home or some other type of
 37 dwelling unit. These standards and requirements may include but are
 38 not limited to the following:
- 39 (1) Setback distance.
 - 40 (2) Side and rear yard area.
 - 41 (3) Vehicle parking space and parking enclosures.
 - 42 (4) Minimum square footage of the dwelling unit.



- 1 (5) Underfloor space enclosure requirements.
- 2 (6) Aesthetics. However, aesthetic standards and requirements
- 3 pertaining to the home structure itself which are adopted under
- 4 this section may only pertain to the following:
- 5 (A) Roofing materials and siding.
- 6 (B) Roof pitch.
- 7 (C) Permanent foundation systems of manufactured homes that
- 8 are located outside of a mobile home community licensed
- 9 under IC 16-41-27. A unit may require compatibility of a
- 10 permanent foundation system with surrounding residential
- 11 structures. However, the unit may not require:
- 12 (i) a permanent foundation system that is incompatible with
- 13 the structural design of the manufactured home; or
- 14 (ii) more than one (1) permanent foundation system for a
- 15 manufactured home.
- 16 (d) METRO. Standards and requirements, specified in
- 17 comprehensive plans and ordinances, adopted under this section for
- 18 lots and dwelling units may not **categorically** preclude ~~at~~
- 19 manufactured homes that meet the requirements described in
- 20 subsection (c) and exceed:
- 21 (1) twenty-three (23) feet in width; and
- 22 (2) nine hundred fifty (950) square feet of occupied space;
- 23 from being installed as permanent residences on any lot on which any
- 24 other type of dwelling unit may be placed.
- 25 (e) ADVISORY—AREA. This subsection applies only to lots and
- 26 dwelling units that are within a city or town's planning and zoning
- 27 jurisdiction. Standards and requirements, specified in comprehensive
- 28 plans and ordinances, adopted under this section for lots and dwelling
- 29 units may not preclude manufactured homes that meet the requirements
- 30 described in subsection (c) and exceed nine hundred fifty (950) square
- 31 feet of occupied space from being installed as permanent residences on
- 32 any lot on which any other type of dwelling unit may be placed.
- 33 (f) ADVISORY—AREA. This subsection applies only to lots and
- 34 dwelling units that are within a county's planning and zoning
- 35 jurisdiction. Standards and requirements, specified in comprehensive
- 36 plans and ordinances, adopted under this section for lots and dwelling
- 37 units may not preclude manufactured homes that meet the requirements
- 38 described in subsection (c) and exceed:
- 39 (1) twenty-three (23) feet in width; and
- 40 (2) nine hundred fifty (950) square feet of occupied space;
- 41 from being installed as permanent residences on any lot on which any
- 42 other type of dwelling unit may be placed.

