

# SENATE BILL No. 69

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 32-25.5.

**Synopsis:** Homeowners association child safety requirements. Requires certain homeowners associations to erect a barrier that: (1) is at least four feet in height; and (2) surrounds the perimeter of a retention pond or other pond or lake that is located on property owned or maintained by the homeowners association or owned in common by the members of the homeowners association.

**Effective:** July 1, 2025.

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## Ford J.D.

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

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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.

# SENATE BILL No. 69



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

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

1 SECTION 1. IC 32-25.5-1-1, AS AMENDED BY P.L.27-2017,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2025]: Sec. 1. (a) Subject to subsection (b), this article applies  
4 to the following:  
5 (1) A homeowners association established after June 30, 2009,  
6 that is authorized to impose mandatory dues on the homeowners  
7 association's members.  
8 (2) A homeowners association established before July 1, 2009:  
9 (A) if a majority of the members of the homeowners  
10 association elect to be governed by this article; or  
11 (B) if the number of members required by the homeowners  
12 association's governing documents elect to be governed by this  
13 article if a different number of members other than the number  
14 established in clause (A) is required by the governing  
15 documents.  
16 (b) The following apply to all homeowners associations, including  
17 a homeowners association described in subsection (a)(2), regardless of



- 1 whether the members of the homeowners association have elected
- 2 under subsection (a)(2)(A) or (a)(2)(B) to be governed by this article:
- 3 (1) IC 32-25.5-3-3(g) through IC 32-25.5-3-3(m).
- 4 (2) IC 32-25.5-3-9.
- 5 (3) IC 32-25.5-3-10.
- 6 (4) IC 32-25.5-3-11.
- 7 **(5) IC 32-25.5-3.9.**
- 8 ~~(6)~~ (6) IC 32-25.5-4.
- 9 ~~(7)~~ (7) IC 32-25.5-5.

10 SECTION 2. IC 32-25.5-3.9 IS ADDED TO THE INDIANA CODE  
 11 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2025]:

13 **Chapter 3.9. Homeowners Association Child Safety**  
 14 **Requirements**

15 **Sec. 1. This chapter applies to a homeowners association if a**  
 16 **child who is at least one (1) year of age and less than five (5) years**  
 17 **of age resides in a dwelling governed by the homeowners**  
 18 **association.**

19 **Sec. 2. A homeowners association shall erect a barrier that:**  
 20 **(1) is at least four (4) feet in height; and**  
 21 **(2) surrounds the perimeter of a retention pond or other pond**  
 22 **or lake that is located on property:**  
 23 **(A) owned or maintained by the homeowners association;**  
 24 **or**  
 25 **(B) owned in common by the members of the homeowners**  
 26 **association.**

