

# SENATE BILL No. 258

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 5-20-11.

**Synopsis:** Rental assistance. Allows a landlord to apply for assistance from the COVID-19 rental assistance program (program) operated by the Indiana housing and community development authority (authority) on behalf of a tenant who: (1) is at least 30 days overdue on monthly rent; and (2) has not applied to the program. Provides that an amount paid by the program to a landlord is considered to be paid by the tenant. Prohibits a landlord that receives assistance from requiring a tenant to pay the difference between the maximum monthly benefit under the program and the monthly rent under the rental agreement. Requires the authority to provide a tenant with notice of assistance received by a landlord on the tenant's behalf.

**Effective:** Upon passage.

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## Niezgodski

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January 11, 2021, read first time and referred to Committee on Public Policy.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## SENATE BILL No. 258

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 5-20-11 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **Chapter 11. COVID-19 Rental Assistance Program**

5 **Sec. 1. As used in this chapter, "authority" means the Indiana**  
6 **housing and community development authority created by**  
7 **IC 5-20-1-3.**

8 **Sec. 2. As used in this chapter, "emergency period" means the**  
9 **period of time during which the COVID-19 public health**  
10 **emergency exists, as declared by the governor in Executive Order**  
11 **20-02 and renewed in subsequent executive orders.**

12 **Sec. 3. As used in this chapter, "landlord" means any person or**  
13 **that person's agent or assignee who rents or leases a rental unit to**  
14 **a tenant.**

15 **Sec. 4. As used in this chapter, "program" means the COVID-19**  
16 **rental assistance program established during the emergency period**  
17 **and administered by the authority.**



1           **Sec. 5. (a) A landlord may apply to the program during the**  
2 **emergency period for rental assistance on behalf of a tenant who**  
3 **is at least thirty (30) days overdue on a monthly rent installment:**  
4           **(1) with the tenant's consent; and**  
5           **(2) if the tenant has not already applied to the program.**  
6           **(b) Any amount a landlord receives from the program under**  
7 **this chapter is considered to be paid by the tenant for which the**  
8 **landlord applied. If a landlord receives the maximum monthly**  
9 **benefit the tenant could have received from the program, the**  
10 **month of rent is deemed paid in full, and the landlord may not seek**  
11 **the difference between the amount received from the program and**  
12 **the amount of rent due under the rental agreement from the**  
13 **tenant.**  
14           **(c) The authority must notify a tenant of any amount paid to the**  
15 **tenant's landlord on the tenant's behalf not later than ten (10) days**  
16 **after the amount is paid to the landlord.**  
17           **SECTION 2. An emergency is declared for this act.**

