

SENATE BILL No. 360

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-31-8-5; IC 36-1-20-6.

Synopsis: Landlord obligation to pay fines before rental. Requires a landlord to pay all penalties or fines imposed by a political subdivision for violation of the landlord's obligations with regard to a rental premises. Requires a landlord to pay all penalties or fines and make all repairs required by a political subdivision before the landlord may deliver the rental premises to a tenant.

Effective: July 1, 2025.

Niezgodski

January 13, 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.

SENATE BILL No. 360

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 32-31-8-5 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. A landlord shall do
- 3 the following:
- 4 (1) Deliver the rental premises to a tenant in compliance with the
- 5 rental agreement, and in a safe, clean, and habitable condition.
- 6 (2) Comply with all health and housing codes applicable to the
- 7 rental premises.
- 8 (3) Make all reasonable efforts to keep common areas of a rental
- 9 premises in a clean and proper condition.
- 10 (4) Provide and maintain the following items in a rental premises
- 11 in good and safe working condition, if provided on the premises
- 12 at the time the rental agreement is entered into:
- 13 (A) Electrical systems.
- 14 (B) Plumbing systems sufficient to accommodate a reasonable
- 15 supply of hot and cold running water at all times.
- 16 (C) Sanitary systems.
- 17 (D) Heating, ventilating, and air conditioning systems. A



1 heating system must be sufficient to adequately supply heat at
 2 all times.
 3 (E) Elevators, if provided.
 4 (F) Appliances supplied as an inducement to the rental
 5 agreement.
 6 **(5) Pay all penalties or fines imposed by a political subdivision**
 7 **for violation of an obligation under this section with regard to**
 8 **a rental premises. A landlord may not deliver rental premises**
 9 **to a tenant until all penalties or fines are paid and all repairs**
 10 **required by the political subdivision are completed.**
 11 SECTION 2. IC 36-1-20-6, AS ADDED BY P.L.193-2014,
 12 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2025]: Sec. 6. (a) This chapter does not prevent a political
 14 subdivision from imposing and collecting a penalty for an act or
 15 omission that is a nuisance or violation of the political subdivision's
 16 enforceable ordinances or codes, subject to subsection (b).
 17 (b) A penalty permitted under subsection (a) may not be imposed
 18 until after:
 19 (1) reasonable notice of the nuisance or violation has been given
 20 to the owner or the owner's designee;
 21 (2) passage of a reasonable time, which must be stated in the
 22 notice, for the nuisance or violation to be cured; and
 23 (3) failure of the nuisance or violation to be cured within the time
 24 stated in the notice.
 25 **(c) An owner or the owner's designee must pay all penalties**
 26 **assessed by the political subdivision for violation of an obligation**
 27 **under IC 32-31-8-5 with regard to a rental premises. All penalties**
 28 **must be paid and all repairs required by the political subdivision**
 29 **must be made before delivering the rental premises to a tenant.**

