

SENATE BILL No. 528

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8; IC 3-10-1; IC 4-3; IC 4-4; IC 4-12-1-14.5; IC 5-28; IC 6-1.1-24-17.5; IC 6-2.5-6-11; IC 6-3.1; IC 8-1-2; IC 8-23-28-7; IC 12-14-2; IC 12-20-16-3; IC 15-11-1-5; IC 16-39-11-4.5; IC 21-12-6; IC 24-4.4-1-202; IC 24-4.5-1-202; IC 36-7-14-22.2.

Synopsis: Election and duties of the lieutenant governor. Repeals a provision that requires a political party to nominate the candidate for the office of lieutenant governor at a state convention and instead requires the candidate for the office of lieutenant governor to be elected jointly in a primary election with a candidate for the office of governor. Specifies that the lieutenant governor shall discharge the powers and duties of the lieutenant governor's office that are designated to the lieutenant governor by the governor. Repeals all statutory duties of the lieutenant governor and designates these duties to the governor. Makes conforming changes.

Effective: July 1, 2025.

Randolph Lonnie M

January 16, 2025, read first time and referred to Committee on Elections.



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. 528

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

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

- 1 SECTION 1. IC 3-8-2-8, AS AMENDED BY P.L.169-2015,
2 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 8. (a) A declaration of candidacy for the office of
4 United States Senator, ~~or~~ for the office of governor, **or for the office**
5 **of lieutenant governor**, must be accompanied by a petition signed by
6 at least four thousand five hundred (4,500) voters of the state, including
7 at least five hundred (500) voters from each congressional district.
8 (b) Each petition must contain the following:
9 (1) The signature of each petitioner.
10 (2) The name of each petitioner legibly printed.
11 (3) The residence address of each petitioner as set forth on the
12 petitioner's voter registration record.
13 (c) Except as provided in this subsection, the signature, printed
14 name, and residence address of the petitioner must be made in writing
15 by the petitioner. If a petitioner with a disability is unable to write this
16 information on the petition, the petitioner may authorize an individual
17 to do so on the petitioner's behalf. The individual acting under this



1 subsection shall execute an affidavit of assistance for each such
 2 petitioner, in a form prescribed by the election division. The form must
 3 set forth the name and address of the individual providing assistance,
 4 and the date the individual provided the assistance. The form must be
 5 submitted with the petition.

6 (d) This subsection applies to a petition filed during the period:

7 (1) beginning on the date that a congressional district plan has
 8 been adopted under IC 3-3; and

9 (2) ending on the date that the part of the act or order issued under
 10 IC 3-3-2 establishing the previous congressional district plan is
 11 repealed or superseded.

12 The petition must be signed by at least four thousand five hundred
 13 (4,500) voters of Indiana, including at least five hundred (500) voters
 14 from each congressional district created by the most recent
 15 congressional district plan adopted under IC 3-3.

16 SECTION 2. IC 3-8-2-9, AS AMENDED BY P.L.194-2013,
 17 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2025]: Sec. 9. (a) A petition required by section 8 of this
 19 chapter must request that the name of the candidate be placed on the
 20 ballot at the primary election.

21 (b) The county voter registration office in the county where a
 22 petitioner is registered must certify whether each petitioner is a voter
 23 at the residence address listed in the petition at the time the petition is
 24 being processed, and whether that address is located within the election
 25 district for the office. The certification must accompany and be part of
 26 the petition.

27 (c) If a county is part of more than one (1) congressional district, the
 28 certificate must indicate the number of petitioners from that county
 29 who reside in each congressional district.

30 **(d) A petition required by section 8 of this chapter for:**

31 **(1) a candidate for the office of governor must identify the**
 32 **name of the candidate for the office of lieutenant governor**
 33 **who should appear jointly on the ballot for the primary**
 34 **election with this candidate for the office of governor; and**

35 **(2) a candidate for the office of lieutenant governor must**
 36 **identify the name of the candidate for the office of governor**
 37 **who should appear jointly on the ballot for the primary**
 38 **election with this candidate for the office of lieutenant**
 39 **governor.**

40 **The candidates for the offices of governor and lieutenant governor**
 41 **identified on the respective petitions required by section 8 of this**
 42 **chapter must identify the same candidates in order to be placed**



1 **jointly on the ballot together.**

2 SECTION 3. IC 3-8-4-2, AS AMENDED BY P.L.8-2019,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2025]: Sec. 2. (a) A political party shall conduct a state
5 convention to nominate the candidates of the political party for the
6 following offices to be voted on at the next general election:

- 7 ~~(1) Lieutenant governor.~~
8 ~~(2) (1) Secretary of state.~~
9 ~~(3) (2) Auditor of state.~~
10 ~~(4) (3) Treasurer of state.~~
11 ~~(5) (4) Attorney general.~~

12 (b) The convention may also:

- 13 (1) nominate candidates for presidential electors and alternate
14 presidential electors; and
15 (2) elect the delegates and alternate delegates to the national
16 convention of the political party.

17 (c) If a political party's state convention does not:

- 18 (1) nominate candidates for presidential electors and alternate
19 presidential electors; or
20 (2) elect the delegates and alternate delegates to the national
21 convention of the political party;

22 the candidates shall be nominated or the delegates elected as provided
23 in the state party's rules.

24 SECTION 4. IC 3-10-1-4 IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) At a primary election each
26 political party subject to section 2 of this chapter shall nominate its
27 candidates for the following offices to be voted for at the general
28 election:

- 29 (1) United States Senator.
30 (2) Governor **and lieutenant governor.**
31 (3) United States Representative.
32 (4) Legislative offices.
33 (5) Local offices.

34 (b) In addition, each political party subject to section 2 of this
35 chapter shall:

- 36 (1) vote on candidates for nomination as President of the United
37 States;
38 (2) elect delegates from each county to the party's state
39 convention; and
40 (3) elect a precinct committeeman for each precinct in the county
41 if precinct committeemen are to be elected under section 4.5 of
42 this chapter.



1 SECTION 5. IC 3-10-1-19, AS AMENDED BY P.L.227-2023,
 2 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 19. (a) The ballot for a primary election shall be
 4 printed in substantially the form described in this section for all the
 5 offices for which candidates have qualified under IC 3-8.

6 (b) The following shall be printed as the heading for the ballot for
 7 a political party:

8 "OFFICIAL PRIMARY BALLOT

9 _____ Party (insert the name of the political party)".
 10 (c) The following shall be printed immediately below the heading
 11 required by subsection (b) or be posted in each voting booth as
 12 provided in IC 3-11-2-8(b):

13 (1) For paper ballots, print: To vote for a person, make a voting
 14 mark (X or ✓) on or in the box before the person's name in the
 15 proper column.

16 (2) For optical scan ballots, print: To vote for a person, darken or
 17 shade in the circle, oval, or square (or draw a line to connect the
 18 arrow) that precedes the person's name in the proper column.

19 (3) For optical scan ballots that do not contain a candidate's name,
 20 print: To vote for a person, darken or shade in the oval that
 21 precedes the number assigned to the person's name in the proper
 22 column.

23 (4) For electronic voting systems, print: To vote for a person,
 24 touch the screen (or press the button) in the location indicated.

25 (d) Local public questions shall be placed on the primary election
 26 ballot after the heading and the voting instructions described in
 27 subsection (c) (if the instructions are printed on the ballot) and before
 28 the offices described in subsection (g).

29 (e) The local public questions described in subsection (d) shall be
 30 placed as follows:

31 (1) In a separate column on the ballot if voting is by paper ballot.

32 (2) After the heading and the voting instructions described in
 33 subsection (c) (if the instructions are printed on the ballot) and
 34 before the offices described in subsection (g), in the form
 35 specified in IC 3-11-13-11 if voting is by ballot card.

36 (3) As provided by either of the following if voting is by an
 37 electronic voting system:

38 (A) On a separate screen for a public question.

39 (B) After the heading and the voting instructions described in
 40 subsection (c) (if the instructions are printed on the ballot) and
 41 before the offices described in subsection (g), in the form
 42 specified in IC 3-11-14-3.5.



1 (f) A public question shall be placed on the primary election ballot
2 in the following form:

3 (The explanatory text for the public question,
4 if required by law.)

5 "Shall (insert public question)?"

6 YES

7 NO

8 (g) The offices with candidates for nomination shall be placed on
9 the primary election ballot in the following order:

10 (1) Federal and state offices:

11 (A) President of the United States.

12 (B) United States Senator.

13 (C) Governor **and lieutenant governor**.

14 (D) United States Representative.

15 (2) Legislative offices:

16 (A) State senator.

17 (B) State representative.

18 (3) Circuit offices and county judicial offices:

19 (A) Judge of the circuit court, and unless otherwise specified
20 under IC 33, with each division separate if there is more than
21 one (1) judge of the circuit court.

22 (B) Judge of the superior court, and unless otherwise specified
23 under IC 33, with each division separate if there is more than
24 one (1) judge of the superior court.

25 (C) Judge of the probate court.

26 (D) Prosecuting attorney.

27 (E) Circuit court clerk.

28 (4) County offices:

29 (A) County auditor.

30 (B) County recorder.

31 (C) County treasurer.

32 (D) County sheriff.

33 (E) County coroner.

34 (F) County surveyor.

35 (G) County assessor.

36 (H) County commissioner.

37 (I) County council member.

38 (5) Township offices:

39 (A) Township assessor (only in a township referred to in
40 IC 36-6-5-1(d)).

41 (B) Township trustee.

42 (C) Township board member.



- 1 (D) Judge of the small claims court.
 2 (E) Constable of the small claims court.
 3 (6) City offices:
 4 (A) Mayor.
 5 (B) Clerk or clerk-treasurer.
 6 (C) Judge of the city court.
 7 (D) City-county council member or common council member.
 8 (7) Town offices:
 9 (A) Clerk-treasurer.
 10 (B) Judge of the town court.
 11 (C) Town council member.
 12 (h) The political party offices with candidates for election shall be
 13 placed on the primary election ballot in the following order after the
 14 offices described in subsection (g):
 15 (1) Precinct committeeman.
 16 (2) State convention delegate.
 17 (i) The local offices to be elected at the primary election shall be
 18 placed on the primary election ballot after the offices described in
 19 subsection (h).
 20 (j) The offices described in subsection (i) shall be placed as follows:
 21 (1) In a separate column on the ballot if voting is by paper ballot.
 22 (2) After the offices described in subsection (h) in the form
 23 specified in IC 3-11-13-11 if voting is by ballot card.
 24 (3) Either:
 25 (A) on a separate screen for each office or public question; or
 26 (B) after the offices described in subsection (h) in the form
 27 specified in IC 3-11-14-3.5;
 28 if voting is by an electronic voting system.
 29 (k) If no candidate has filed to run for an office on the primary ballot
 30 then the county election board may print "NO CANDIDATE FILED"
 31 in the place on the ballot where a candidate's name would have been
 32 printed.
 33 SECTION 6. IC 4-3-28 IS ADDED TO THE INDIANA CODE AS
 34 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2025]:
 36 **Chapter 28. Governor as Secretary of Agriculture and Rural**
 37 **Development**
 38 **Sec. 1. The governor serves as secretary of agriculture and rural**
 39 **development by virtue of office.**
 40 **Sec. 2. The secretary is responsible for implementation of the**
 41 **following:**
 42 (1) IC 4-3-29.



- 1 **(2) IC 15-11.**
 2 SECTION 7. IC 4-3-29 IS ADDED TO THE INDIANA CODE AS
 3 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 4 1, 2025]:
 5 **Chapter 29. Office of Community and Rural Affairs**
 6 **Sec. 1. As used in this chapter, "director" refers to the director**
 7 **of the office of community and rural affairs appointed under**
 8 **section 5 of this chapter.**
 9 **Sec. 2. As used in this chapter, "office" refers to the office of**
 10 **community and rural affairs established by section 4 of this**
 11 **chapter.**
 12 **Sec. 3. As used in this chapter, "secretary" refers to the**
 13 **governor as secretary of agriculture and rural development, as**
 14 **provided in IC 4-3-28.**
 15 **Sec. 4. The office of community and rural affairs is established.**
 16 **Sec. 5. (a) The secretary shall appoint an individual to be the**
 17 **director of the office.**
 18 **(b) The director:**
 19 **(1) serves at the secretary's pleasure;**
 20 **(2) is entitled to receive compensation in an amount set by the**
 21 **secretary subject to the approval of the budget agency under**
 22 **IC 4-12-1-13; and**
 23 **(3) is responsible to the secretary.**
 24 **(c) The director is the chief executive and administrative officer**
 25 **of the office.**
 26 **(d) The director may appoint employees in the manner provided**
 27 **by IC 4-15-2.2 and fix their compensation, subject to the approval**
 28 **of the budget agency under IC 4-12-1-13.**
 29 **(e) The director may delegate the director's authority to the**
 30 **appropriate office staff.**
 31 **Sec. 6. The office shall do the following:**
 32 **(1) Administer the rural economic development fund under**
 33 **section 8 of this chapter.**
 34 **(2) Administer the Indiana main street program under**
 35 **IC 4-3-30.**
 36 **(3) Administer the community development block grant**
 37 **program.**
 38 **Sec. 7. The office may adopt rules under IC 4-22-2 to carry out**
 39 **the duties, purposes, and functions of this chapter.**
 40 **Sec. 8. (a) The rural economic development fund is established**
 41 **for the purpose of enhancing and developing rural communities.**
 42 **The fund shall be administered by the office.**



1 (b) The expenses of administering the fund shall be paid from
2 the money in the fund.

3 (c) Notwithstanding IC 5-13, the treasurer of state shall invest
4 the money in the fund not currently needed to meet the obligations
5 of the fund under IC 5-10.3-5. The treasurer of state may contract
6 with investment management professionals, investment advisers,
7 and legal counsel to assist in the management of the fund and may
8 pay the state expenses incurred under those contracts.

9 (d) Money in the fund at the end of a state fiscal year does not
10 revert to the state general fund.

11 (e) Money in the fund may be used for the following purposes:

12 (1) To create, assess, and assist a pilot project to enhance the
13 economic and community development in a rural area.

14 (2) To establish a local revolving loan fund for:

15 (A) an industrial;

16 (B) a commercial;

17 (C) an agricultural; or

18 (D) a tourist;

19 venture.

20 (3) To provide a loan for an economic development project in
21 a rural area.

22 (4) To provide technical assistance to a rural organization.

23 (5) To assist in the development and creation of a rural
24 cooperative.

25 (6) To address rural workforce development challenges.

26 (7) To assist in addressing telecommunications needs in a
27 rural area.

28 (8) To provide funding for rural economic development
29 projects concerning the following issues:

30 (A) Infrastructure, including water, wastewater, and storm
31 water infrastructure needs.

32 (B) Housing.

33 (C) Health care.

34 (D) Local planning.

35 (E) Land use.

36 (F) Other rural economic development issues, as
37 determined by the office.

38 (9) To provide funding for the establishment of new regional
39 rural development groups and the operation of existing
40 regional rural development groups.

41 (f) Expenditures from the fund are subject to appropriation by
42 the general assembly and approval by the office.



1 SECTION 8. IC 4-3-30 IS ADDED TO THE INDIANA CODE AS
 2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2025]:

4 **Chapter 30. Indiana Main Street Program**

5 **Sec. 1. (a) The Indiana main street program is established to:**

- 6 (1) encourage the economic development, redevelopment, and
 7 improvement of downtown areas in Indiana cities and towns
 8 in all geographic regions of the state;
 9 (2) sponsor demonstration efforts in Indiana cities and towns
 10 in all geographic regions of the state; and
 11 (3) provide technical assistance and sponsor seminars and
 12 other educational programs on downtown area revitalization,
 13 development, and redevelopment.

14 (b) The program shall be administered by the office of
 15 community and rural affairs.

16 **Sec. 2. (a) The Indiana main street council is established. The**
 17 **council consists of:**

- 18 (1) the secretary of agriculture and rural development or a
 19 person designated by the secretary, who shall serve as
 20 chairperson; and
 21 (2) at least seven (7) but not more than ten (10) persons
 22 appointed by the secretary, who represent organizations
 23 concerned with the purposes of the program established by
 24 this chapter and who represent all geographic regions of the
 25 state.

26 (b) Members appointed to the council by the secretary shall
 27 serve for a term of three (3) years, beginning on July 1 after their
 28 appointment. However, a member appointed to fill a vacancy on
 29 the council shall serve for the remainder of the unexpired term.

30 (c) The council shall:

- 31 (1) develop and direct policy;
 32 (2) coordinate administrative techniques; and
 33 (3) provide assistance;

34 to carry out the purposes of the Indiana main street program.

35 (d) Each member of the council who is not a state employee is
 36 entitled to the minimum salary per diem provided by
 37 IC 4-10-11-2.1(b). Each member is entitled to reimbursement for
 38 traveling expenses and other expenses actually incurred in
 39 connection with the member's duties, as provided in the state travel
 40 policies and procedures established by the department of
 41 administration and approved by the budget agency.

42 **Sec. 3. To carry out the purposes described in section 1 of this**



1 chapter, the office of community and rural affairs, acting for and
 2 on behalf of the Indiana main street council and the Indiana main
 3 street program, may:

- 4 (1) execute contractual agreements;
 5 (2) receive money from any source;
 6 (3) expend money for an activity appropriate to the purposes
 7 of this chapter; and
 8 (4) execute agreements and cooperate with:
 9 (A) any other state or federal department or agency;
 10 (B) Indiana political subdivisions; or
 11 (C) any private person or corporation.

12 SECTION 9. IC 4-3-31 IS ADDED TO THE INDIANA CODE AS
 13 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2025]:

15 **Chapter 31. Individual Development Accounts**

16 **Sec. 1.** As used in this chapter, "account" refers to an individual
 17 development account.

18 **Sec. 2.** As used in this chapter, "authority" refers to the Indiana
 19 housing and community development authority established under
 20 IC 5-20-1.

21 **Sec. 3. (a)** As used in this chapter, "community based
 22 organization" means a private, nonprofit corporation whose board
 23 of directors is comprised of business, civic, and community leaders,
 24 and whose principal purpose includes the provision of low income
 25 housing.

26 **(b)** A community based organization shall not be construed to
 27 have the same powers as a community development corporation.

28 **Sec. 4.** As used in this chapter, "community development
 29 corporation" means a private, nonprofit corporation:

- 30 (1) whose board of directors consists primarily of community
 31 representatives and business, civic, and community leaders;
 32 and
 33 (2) whose principal purpose includes the provision of:
 34 (A) housing;
 35 (B) community based economic development projects; or
 36 (C) social services;

37 that primarily benefit low income individuals and
 38 communities.

39 **Sec. 5.** As used in this chapter, "financial institution" means a
 40 bank, savings association, credit union, or any other institution
 41 regulated under IC 28 or federal law.

42 **Sec. 6.** As used in this chapter, "fund" refers to an individual



1 development account fund established by a community
 2 development corporation or community based organization under
 3 section 16 of this chapter.

4 Sec. 7. As used in this chapter, "individual development
 5 account" means an account in a financial institution administered
 6 by a community development corporation or community based
 7 organization that allows a qualifying individual to deposit money:

8 (1) to be matched by the state, financial institutions,
 9 corporations, and other entities; and

10 (2) that will be used by the qualifying individual for one (1) or
 11 more of the following:

12 (A) To pay for costs (including tuition, laboratory costs,
 13 books, computer costs, and other costs associated with
 14 attendance) at an accredited postsecondary educational
 15 institution or a vocational school that is not a
 16 postsecondary educational institution, for the individual or
 17 for a dependent of the individual.

18 (B) To pay for the costs (including tuition, laboratory costs,
 19 books, computer costs, and other costs) associated with an
 20 accredited or a licensed training program that may lead to
 21 employment for the individual or for a dependent of the
 22 individual.

23 (C) To purchase a primary residence located in Indiana for
 24 the individual or for a dependent of the individual or to
 25 reduce the principal amount owed on a primary residence
 26 located in Indiana that was purchased by the individual or
 27 a dependent of the individual with money from an
 28 individual development account.

29 (D) To pay for the rehabilitation (as defined in
 30 IC 6-3.1-11-11) of the individual's primary residence
 31 located in Indiana.

32 (E) To begin or to purchase part or all of a business based
 33 in Indiana or to expand an existing small business based in
 34 Indiana.

35 (F) Subject to section 11(b) of this chapter, to purchase a
 36 motor vehicle.

37 Sec. 8. As used in this chapter, "motor vehicle" has the meaning
 38 set forth in IC 9-13-2-105(a).

39 Sec. 9. As used in this chapter, "qualifying individual" means an
 40 individual or a member of an individual's household who may
 41 establish an individual development account because the
 42 individual:



- 1 (1) is an Indiana resident; and
 2 (2) either:
 3 (A) receives or is a member of a household that receives
 4 assistance under IC 12-14-2; or
 5 (B) is a member of a household with an annual household
 6 income that is less than two hundred percent (200%) of the
 7 federal income poverty level.
- 8 **Sec. 10. (a) A qualifying individual, including an individual who:**
 9 (1) established an individual development account under this
 10 chapter before July 1, 2001; and
 11 (2) held the account described in subdivision (1) for less than
 12 four (4) years;
 13 may establish an account by applying at a community development
 14 corporation or community based organization after June 30, 2001.
 15 (b) At the time of establishing an account under this section, the
 16 qualifying individual must name a beneficiary to replace the
 17 qualifying individual as the holder of the account if the qualifying
 18 individual dies. If the beneficiary:
 19 (1) is a member of the qualifying individual's family, all funds
 20 in the account remain in the account; and
 21 (2) is not a member of the qualifying individual's family, all
 22 funds in the account provided by the state revert to the state.
 23 The qualifying individual may change the name of the beneficiary
 24 at the qualifying individual's discretion. A beneficiary who
 25 becomes the holder of an account under this subsection is subject
 26 to this chapter and rules adopted under this chapter regarding
 27 withdrawals from the account.
 28 (c) Only one (1) member of a qualifying individual's household
 29 may establish an account.
 30 (d) A qualifying individual shall maintain residency in Indiana
 31 until the individual development account is closed.
- 32 **Sec. 11. (a) A community development corporation or**
 33 **community based organization shall do the following:**
 34 (1) Determine whether an individual who wants to establish
 35 an account is a qualifying individual.
 36 (2) Administer, through a financial institution, and act as
 37 trustee for each account established through the community
 38 development corporation or community based organization.
 39 (3) Approve or deny an individual's request to make a
 40 withdrawal from the individual's account.
 41 (4) Provide or arrange for training in money management,
 42 budgeting, and related topics for each individual who



1 establishes an account.

2 (b) A community development corporation or community based
3 organization may approve a qualifying individual's request to
4 make a withdrawal from an account to purchase a motor vehicle
5 if the purpose of the purchase is primarily to transport the
6 individual to and from work, postsecondary education, or an
7 accredited or licensed training program intended to lead to
8 employment of the individual or a dependent of the individual.

9 Sec. 12. (a) An individual may deposit money from the
10 individual's earned income into the individual's account.

11 (b) An individual may deposit an unlimited amount of money
12 into the individual's account, of which the first one thousand five
13 hundred dollars (\$1,500) is eligible for a state deposit as provided
14 in section 15 of this chapter.

15 Sec. 13. (a) Not more than eight hundred (800) accounts may be
16 established in the state each state fiscal year beginning before July
17 1, 2009.

18 (b) Not more than one thousand (1,000) accounts may be
19 established in the state each state fiscal year beginning after June
20 30, 2009.

21 (c) A community development corporation or community based
22 organization shall use money that is in an individual development
23 account fund established under section 16 of this chapter to allow
24 a qualified individual on a waiting list maintained by the
25 community development corporation or community based
26 organization to establish an account.

27 Sec. 14. (a) Each community development corporation or
28 community based organization shall annually provide the authority
29 with information needed to determine:

- 30 (1) the number of accounts administered by the community
31 development corporation or community based organization;
32 (2) the length of time each account under subdivision (1) has
33 been established; and
34 (3) the amount of money an individual has deposited into each
35 account under subdivision (1).

36 (b) The authority shall use the information provided under
37 subsection (a) to deposit the correct amount of money into each
38 account as provided in section 15 of this chapter.

39 Sec. 15. (a) The authority shall allocate, for each account that
40 has been established, for not more than five (5) years, three dollars
41 (\$3) for each one dollar (\$1) of the first one thousand five hundred
42 dollars (\$1,500) an individual deposited into the individual's



1 account. However, if the amount appropriated by the general
2 assembly is insufficient to make the deposits required by this
3 section for accounts that have been established, the authority shall
4 proportionately reduce the amounts allocated to and deposited into
5 each account. The authority's allocation under this subsection may
6 not exceed four thousand five hundred dollars (\$4,500) for each
7 account described in this subsection.

8 (b) The authority shall deposit into each account established
9 under this chapter the appropriate amount of money determined
10 under this section.

11 (c) Money from a federal block grant program under Title IV-A
12 of the federal Social Security Act may be used by the state to
13 provide money under this section for deposit into an account held
14 by an individual who receives assistance under IC 12-14-2.

15 **Sec. 16. (a) Each community development corporation or**
16 **community based organization may apply to the authority for an**
17 **allocation of tax credits under IC 6-3.1-18 for the contributors to**
18 **a fund established under this section. A community development**
19 **corporation or community based organization may establish an**
20 **individual development account fund to provide money to be used**
21 **to finance additional accounts to be administered by the**
22 **community development corporation or community based**
23 **organization under this chapter and to help pay for the community**
24 **development corporation's or community based organization's**
25 **expenses related to the administration of accounts.**

26 (b) Each community development corporation or community
27 based organization shall encourage individuals, financial
28 institutions, corporations, and other entities to contribute to the
29 fund. A contributor to the fund may qualify for a tax credit as
30 provided under IC 6-3.1-18.

31 (c) Each community development corporation or community
32 based organization may use up to twenty percent (20%) of the first
33 one hundred thousand dollars (\$100,000) deposited each calendar
34 year in the fund under subsection (b) to help pay for the
35 community development corporation's or community based
36 organization's expenses related to the administration of accounts
37 established under this chapter. All deposits in the fund under
38 subsection (b) of more than one hundred thousand dollars
39 (\$100,000) during each calendar year may be used only to fund
40 accounts administered by the community development corporation
41 or community based organization under this chapter.

42 (d) A community development corporation or community based



1 organization may allow an individual to establish a new account as
2 adequate funding becomes available.

3 (e) Only money from the fund may be used to make the deposit
4 described in subsection (f) into an account established under this
5 section.

6 (f) The community development corporation or community
7 based organization shall annually deposit at least three dollars (\$3)
8 into each account for each one dollar (\$1) an individual has
9 deposited into the individual's account as of June 30.

10 (g) A community development corporation or community based
11 organization may not allow a qualifying individual to establish an
12 account if the community development corporation or community
13 based organization does not have adequate funds to deposit into the
14 account under subsection (f).

15 Sec. 17. (a) An account must earn interest at a rate that is
16 competitive in the county where the account is located.

17 (b) Interest earned on an account during a taxable year is not
18 subject to taxation under IC 6-3 or IC 6-5.5.

19 (c) An account is a custodial account and is not subject to fees.

20 Sec. 18. (a) An individual must request and receive
21 authorization from the community development corporation or
22 community based organization that administers the individual's
23 account before withdrawing money from the account for any
24 purpose.

25 (b) An individual who is denied authorization to withdraw
26 money under subsection (a) may appeal the community
27 development corporation's or community based organization's
28 decision to the authority under rules adopted by the authority
29 under IC 4-22-2.

30 Sec. 19. (a) Money withdrawn from an individual's account is
31 not subject to taxation under IC 6-3-1 through IC 6-3-7 if the
32 money is used for at least one (1) of the following:

33 (1) To pay for costs (including tuition, laboratory costs, books,
34 computer costs, and other costs) at an accredited
35 postsecondary educational institution or a vocational school
36 that is not a postsecondary educational institution for the
37 individual or for a dependent of the individual.

38 (2) To pay for the costs (including tuition, laboratory costs,
39 books, computer costs, and other costs) associated with an
40 accredited or a licensed training program that may lead to
41 employment for the individual or for a dependent of the
42 individual.



1 (3) To purchase a primary residence located in Indiana for
 2 the individual or for a dependent of the individual or to
 3 reduce the principal amount owed on a primary residence
 4 located in Indiana that was purchased by the individual or a
 5 dependent of the individual with money from an individual
 6 development account.

7 (4) To pay for the rehabilitation (as defined in IC 6-3.1-11-11)
 8 of the individual's primary residence located in Indiana.

9 (5) To begin or to purchase part or all of a business based in
 10 Indiana or to expand an existing small business based in
 11 Indiana.

12 (6) Subject to section 11(b) of this chapter, to purchase a
 13 motor vehicle.

14 (b) At the time of requesting authorization under section 18 of
 15 this chapter to withdraw money from an individual's account
 16 under subsection (a)(5), the individual must provide the community
 17 development corporation or community based organization with
 18 a business plan that:

19 (1) has been approved by a financial institution or is approved
 20 by the community development corporation or community
 21 based organization;

22 (2) includes a description of services or goods to be sold, a
 23 marketing plan, and projected financial statements; and

24 (3) may require the individual to obtain the assistance of an
 25 experienced business advisor.

26 **Sec. 20. Money in an account may not be considered:**

27 (1) an asset of an individual when determining the individual's
 28 eligibility for assistance under IC 12-14; or

29 (2) a countable asset (as defined in IC 12-7-2-44.6).

30 **Sec. 21. (a) Each community development corporation or**
 31 **community based organization shall annually:**

32 (1) evaluate the individual development accounts
 33 administered by the community development corporation or
 34 community based organization; and

35 (2) submit a report containing the evaluation information to
 36 the authority.

37 (b) Two (2) or more community development corporations or
 38 community based organizations may work together in carrying out
 39 the purposes of this chapter.

40 **Sec. 22. The authority may adopt rules under IC 4-22-2 to**
 41 **implement this chapter.**

42 SECTION 10. IC 4-3-32 IS ADDED TO THE INDIANA CODE AS



1 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2025]:

3 **Chapter 32. Miscellaneous Community Development Programs**

4 **Sec. 1. The governor shall administer the following:**

- 5 (1) **The Housing Assistance Act of 1937 (42 U.S.C. 1437).**
- 6 (2) **Community services programs, including the Community**
7 **Services Block Grant under 42 U.S.C. 9901 et seq.**
- 8 (3) **Home energy assistance programs, including the Low**
9 **Income Home Energy Assistance Block Grant under 42 U.S.C.**
10 **8621 et seq.**
- 11 (4) **Weatherization programs, including weatherization**
12 **programs and money received under 42 U.S.C. 6851 et seq.**
- 13 (5) **Migrant and farm worker programs and money under 20**
14 **U.S.C. 6391 et seq., 29 U.S.C. 49 et seq., and 42 U.S.C. 1397 et**
15 **seq.**
- 16 (6) **Emergency shelter grant programs and money under 42**
17 **U.S.C. 11371 et seq.**
- 18 (7) **Shelter plus care programs and money under 42 U.S.C.**
19 **11403 et seq.**

20 **Sec. 2. Except as otherwise provided under federal law, the**
21 **money in an account (as defined in IC 21-9-2-2) of an education**
22 **savings program (as defined in IC 21-9-2-11) may not be**
23 **considered as a resource or asset in determining an applicant's or**
24 **recipient's eligibility for home energy assistance through the Low**
25 **Income Home Energy Assistance Block Grant under 42 U.S.C.**
26 **8621 et seq.**

27 SECTION 11. IC 4-3-33 IS ADDED TO THE INDIANA CODE AS
28 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
29 1, 2025]:

30 **Chapter 33. Historic Preservation and Rehabilitation Grant**
31 **Program**

32 **Sec. 1. As used in this chapter, "division" refers to the division**
33 **of historic preservation and archeology of the department of**
34 **natural resources established by IC 14-9-4-1.**

35 **Sec. 2. As used in this chapter, "office" refers to the office of**
36 **community and rural affairs established by IC 4-3-29-4.**

37 **Sec. 3. As used in this chapter, "person" means any of the**
38 **following:**

- 39 (1) **An individual.**
- 40 (2) **A partnership.**
- 41 (3) **A firm.**
- 42 (4) **An association.**



- 1 (5) A joint venture.
- 2 (6) A limited liability company.
- 3 (7) A corporation.
- 4 (8) A nonprofit organization or nonprofit corporation.
- 5 Sec. 4. (a) As used in this chapter, "preservation" means the
- 6 application of measures to sustain the form, integrity, and material
- 7 of:
- 8 (1) a building or structure; or
- 9 (2) the form of property.
- 10 (b) The term includes stabilization work and the maintenance
- 11 of historic building materials.
- 12 Sec. 5. (a) As used in this chapter, "qualified expenditures"
- 13 means expenditures for preservation or rehabilitation that are
- 14 chargeable to a capital account and limited for a project to the
- 15 exterior of a building.
- 16 (b) The term does not include costs that are incurred to do the
- 17 following:
- 18 (1) Acquire a property or an interest in a property.
- 19 (2) Pay taxes due on a property.
- 20 (3) Enlarge an existing structure.
- 21 (4) Pay realtor's fees associated with a structure or property.
- 22 (5) Pay paving and landscaping costs.
- 23 (6) Pay sales and marketing costs.
- 24 Sec. 6. As used in this chapter, "rehabilitation" means the
- 25 process of returning a property to a state of utility through repair
- 26 or alteration that makes possible an efficient contemporary use
- 27 while preserving the parts or features of the property that are
- 28 significant to the historical or architectural values of the property.
- 29 Sec. 7. (a) The office may award a grant to a person who
- 30 submits plans for the preservation or rehabilitation of historic
- 31 property and obtains the certifications required under section 8 of
- 32 this chapter.
- 33 (b) The maximum amount of a grant awarded under this section
- 34 is equal to fifty percent (50%) of the qualified expenditures, not to
- 35 exceed one hundred thousand dollars (\$100,000), that:
- 36 (1) the person makes for the preservation or rehabilitation of
- 37 historic property; and
- 38 (2) are approved by the office.
- 39 (c) Each grant shall be made under a grant agreement by and
- 40 between the office and the person receiving the grant. The grant
- 41 agreement must include all of the following:
- 42 (1) A timeline for completing the project, including milestones



- 1 that the person commits to achieving by the time specified.
- 2 (2) The approved plans for the preservation or rehabilitation
- 3 of the historic property.
- 4 (3) The estimated cost of the preservation or rehabilitation of
- 5 the historic property and all sources of money for the project.
- 6 (4) The financing plan by the person proposing the project.
- 7 (5) The remedies available to the office if the grant is made
- 8 and the project does not substantially comply with the
- 9 proposed plan approved under this chapter.
- 10 (6) Any other terms or conditions the office considers
- 11 appropriate.
- 12 **Sec. 8. The office may award a grant to a person if all the**
- 13 **following conditions are met:**
- 14 (1) The historic property is:
- 15 (A) located in Indiana;
- 16 (B) at least fifty (50) years old; and
- 17 (C) owned by the person. This requirement does not apply
- 18 to a nonprofit organization facilitating a qualified
- 19 affordable housing project.
- 20 (2) The office certifies that the historic property is listed in or
- 21 eligible to be listed in:
- 22 (A) the register of Indiana historic sites and historic
- 23 structures; or
- 24 (B) the National Register of Historic Places, either
- 25 individually or as a contributing resource in a National
- 26 Register District.
- 27 (3) The office certifies that the person submitted a proposed
- 28 preservation or rehabilitation plan to the division that
- 29 complies with the standards of the division.
- 30 (4) The submitted plan referenced in section 7 of this chapter
- 31 complies with the program guidelines established by the
- 32 office.
- 33 (5) Any of the following apply to the historic property:
- 34 (A) The historic property will be actively used in a trade or
- 35 business.
- 36 (B) The historic property will be held for the production of
- 37 income.
- 38 (C) The historic property will be held for the rental or
- 39 other use in the ordinary course of the person's trade or
- 40 business.
- 41 (D) If the person is a nonprofit organization or nonprofit
- 42 corporation, the historic property will be used by the



- 1 nonprofit organization or nonprofit corporation for the
2 organization's or corporation's purposes and functions.
- 3 (6) The qualified expenditures for preservation or
4 rehabilitation of the historic property exceed five thousand
5 dollars (\$5,000).
- 6 Sec. 9. The office may provide the certifications referred to in
7 section 8(3) of this chapter if a person's proposed preservation or
8 rehabilitation plan complies with the standards of the office and
9 the person's preservation or rehabilitation work complies with the
10 plan.
- 11 Sec. 10. The total amount of grants awarded under this chapter
12 in a particular state fiscal year may not exceed the amount
13 appropriated by the general assembly to the office for making
14 grants under this chapter in that state fiscal year.
- 15 SECTION 12. IC 4-3-34 IS ADDED TO THE INDIANA CODE AS
16 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2025]:
- 18 **Chapter 34. Broadband Grants for Unserved Areas**
- 19 Sec. 1. This chapter applies only to grants awarded from the
20 fund before August 1, 2019.
- 21 Sec. 2. As used in this chapter, "fund" refers to the rural
22 broadband fund established by IC 4-3-35-18.
- 23 Sec. 3. As used in this chapter, "office" refers to the office of
24 community and rural affairs established by IC 4-3-29-4.
- 25 Sec. 4. As used in this chapter, "qualified broadband project"
26 means a project for the deployment of broadband infrastructure
27 for the provision of qualified broadband service, regardless of the
28 delivery technology, in unserved areas in Indiana.
- 29 Sec. 5. (a) As used in this chapter, "qualified broadband project
30 expenses" means capital expenses directly related to a qualified
31 broadband project, including design, construction, engineering,
32 permitting, and testing expenses.
- 33 (b) The term does not include operating or maintenance
34 expenses related to a qualified broadband project.
- 35 Sec. 6. As used in this chapter, "qualified broadband provider"
36 means any company, firm, corporation, partnership, or association
37 that, at the time of submission of a grant application under this
38 chapter:
- 39 (1) either:
- 40 (A) has been providing broadband service to at least one
41 hundred (100) residences and businesses in Indiana for at
42 least three (3) consecutive years; or



- 1 **(B) is:**
 2 (i) a corporation organized under IC 8-1-13; or
 3 (ii) a corporation organized under IC 23-17 that is an
 4 electric cooperative and that has at least one (1) member
 5 that is a corporation organized under IC 8-1-13;
 6 that provides or will provide, alone or in conjunction with
 7 one (1) or more other legal entities, broadband service
 8 within the corporation's electric service territory; and
 9 (2) has demonstrated, to the satisfaction of the office:
 10 (A) financial;
 11 (B) technical; and
 12 (C) operational;
 13 **capability in building and operating a broadband network.**
 14 **Sec. 7. As used in this chapter, "qualified broadband service"**
 15 **means a connection to the Internet that provides capacity for**
 16 **transmission at an actual speed of at least ten (10) megabits per**
 17 **second downstream and at least one (1) megabit per second**
 18 **upstream, regardless of the technology or medium used to provide**
 19 **the connection.**
 20 **Sec. 8. As used in this chapter, "unserved area" means a**
 21 **geographic area of Indiana, identified at the census block level, in**
 22 **which there is not at least one (1) provider of terrestrial broadband**
 23 **service offering a connection to the Internet that provides capacity**
 24 **for transmission at an actual speed of at least ten (10) megabits per**
 25 **second downstream and at least one (1) megabit per second**
 26 **upstream.**
 27 **Sec. 9. (a) Subject to:**
 28 **(1) subsection (b); and**
 29 **(2) section 10 of this chapter;**
 30 **the office shall establish procedures for awarding grants from the**
 31 **fund to qualified broadband providers for qualified broadband**
 32 **project expenses incurred in connection with qualified broadband**
 33 **projects.**
 34 **(b) In awarding grants under this chapter, the office shall**
 35 **establish the following priorities:**
 36 **(1) First, extending the deployment of qualified broadband**
 37 **service to areas in which:**
 38 **(A) Internet connections are unavailable; or**
 39 **(B) the only available Internet connections provide**
 40 **capacity for transmission at an actual speed of less than**
 41 **ten (10) megabits per second downstream.**
 42 **(2) Second, extending the deployment of high speed Internet**



1 service to areas in which the only available Internet
 2 connections provide capacity for transmission at an actual
 3 speed of:

4 (A) not less than ten (10) megabits; and

5 (B) not more than twenty-five (25) megabits;
 6 per second downstream.

7 (c) Subject to section 13 of this chapter, the office shall publish
 8 on the office's website all grant applications received by the office
 9 under this chapter. For each grant application received, the office
 10 shall establish a period of at least thirty (30) days from the date the
 11 application is published on the office's website under this
 12 subsection, during which time the office will accept comments or
 13 objections concerning the application. The office shall consider all
 14 comments or objections received under this subsection in making
 15 a determination as to whether to award a grant to an applicant
 16 under this chapter.

17 Sec. 10. (a) In determining whether to award a grant under this
 18 chapter in connection with a proposed qualified broadband
 19 project, the office shall consider the following:

20 (1) Awarding grants under this chapter with a preference for
 21 funding proposed qualified broadband projects that will
 22 provide Internet connections to the most unserved areas at the
 23 highest speeds for the lowest grant amount per area.

24 (2) The community's need for, and the likely economic impact
 25 of, the proposed qualified broadband project in the unserved
 26 area.

27 (3) Demonstrated community support for the proposed
 28 qualified broadband project, including the certification of one
 29 (1) or more communities to be served by the project as
 30 broadband ready communities under IC 5-28-28.5.

31 (4) The likelihood that the unserved area will not be served
 32 with qualified broadband service without state grant funding.

33 (5) Whether funding has been allocated for the unserved area
 34 from the federal Connect America Fund or from any other
 35 similar federal funding program.

36 (6) Whether the broadband infrastructure proposed in
 37 connection with the qualified broadband project is scalable to
 38 higher download and upload speeds.

39 (7) Awarding grants for qualified broadband projects that
 40 will serve a larger unserved area or a greater number of
 41 locations within an unserved area.

42 (8) The useful life of the broadband network proposed to be



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deployed.

(9) The technical, managerial, and financial capabilities of the applicant.

(10) The ability of the applicant to commit to providing at least twenty percent (20%) of the cost to deploy the proposed broadband infrastructure. When multiple applicants apply for a grant to provide broadband service to the same census block within an unserved area, the office may establish a preference for approving applications with a greater capital contribution by the applicant.

(11) Any proposed plans to encourage the adoption and use of broadband services within the unserved area.

(12) Any other factors the office considers appropriate to enable the deployment of broadband infrastructure to provide qualified broadband service in unserved areas in Indiana.

(b) The following conditions apply to the awarding of grants under this chapter:

(1) The office shall not award a grant with respect to any geographic area if information made available to the office, through comments or objections received under section 9(c) of this chapter or otherwise, indicates any of the following:

(A) The area is already being served by at least one (1) provider offering qualified broadband service in the area. However, any person may, in a petition filed with the office, provide evidence that one (1) or more locations within one (1) or more census blocks in the area are unserved areas. Upon receiving a petition described in this clause, the office shall notify all broadband providers operating in all census blocks included in the petition. Those broadband providers may in turn demonstrate to the office that the locations included in the petition:

(i) are already served with qualified broadband service;

or

(ii) will be served with qualified broadband service not later than eighteen (18) months after the date of the application for a grant under this chapter.

(B) The area is currently being built out for qualified broadband service by a qualified broadband provider, and the construction is scheduled to be completed within one (1) year of the date of an application under this chapter.

(C) The area is currently planned for qualified broadband service expansion by a qualified broadband provider:



- 1 (i) without state grant funding; and
 2 (ii) with project completion forecast not later than
 3 eighteen (18) months after the date of an application
 4 under this chapter.

5 If the office denies a grant on the basis of clause (A)(ii), (B), or
 6 (C), the qualified broadband provider involved in the current
 7 or planned project, as applicable, shall provide the office with
 8 a schedule for completion of the current or planned build out.
 9 The qualified broadband provider shall also provide the office
 10 with quarterly status updates, beginning three (3) months
 11 after the office's decision denying a grant for the area,
 12 concerning any work done toward completion of the project
 13 described in clause (A)(ii), (B), or (C). If the qualified
 14 broadband provider fails to provide a schedule for completion
 15 or a status report by the date required by the office, or if the
 16 office determines that the time frame for project completion
 17 described in clause (A)(ii), (B), or (C), as applicable, will likely
 18 not be met, the office may award a grant under this chapter
 19 with respect to the area and shall provide notice of that fact
 20 to all former applicants that were previously denied a grant
 21 under this chapter with respect to the area on the basis of
 22 clause (A)(ii), (B), or (C). The qualified broadband provider
 23 that failed to provide a schedule or report, or that failed to
 24 meet the time frame for project completion described in
 25 clause (A)(ii), (B), or (C), may not use this subdivision to
 26 subsequently challenge the awarding of a grant under this
 27 chapter with respect to the same area.

28 (2) The office shall not award a grant to any applicant that is
 29 receiving for the same unserved area for which a grant is
 30 sought under this chapter:

- 31 (A) a federal grant; or
 32 (B) another state grant;

33 to provide qualified broadband service to the area under a
 34 grant program the express purpose of which is to provide
 35 broadband service to unserved areas.

36 (3) The office shall not discriminate between different types of
 37 technology used to provide qualified broadband service in
 38 connection with proposed qualified broadband projects.

39 (4) The office shall seek any assurances that may be necessary
 40 or appropriate to ensure that proposed qualified broadband
 41 projects will be substantially completed within the time period
 42 set forth in a grant application under this chapter.



1 (5) The office shall condition the release of any grant funds
 2 awarded under this chapter on:

3 (A) the progressive completion, as measured on a not more
 4 than quarterly basis, of the approved qualified broadband
 5 project; and

6 (B) operational testing, when possible, to confirm the level
 7 of service proposed in the grant application.

8 Once funds have been released in accordance with this
 9 subdivision, all authority and ownership of the broadband
 10 infrastructure vests with the qualified broadband provider
 11 that built the infrastructure.

12 **Sec. 11. (a)** The office shall adopt guidelines to implement this
 13 chapter, including guidelines governing:

14 (1) the form and content of requests to provide qualified
 15 broadband service to an unserved area;

16 (2) the form and content of applications for grants under this
 17 chapter;

18 (3) a competitive bidding process or a process for requests for
 19 proposals for qualified broadband projects;

20 (4) a process by which a broadband provider may challenge
 21 the designation of an area as unserved; and

22 (5) a process by which:

23 (A) a person may, in a petition filed with the office, provide
 24 evidence that one (1) or more locations within one (1) or
 25 more census blocks are unserved areas; and

26 (B) upon the filing of a petition described in clause (A):

27 (i) the office notifies all broadband providers operating
 28 in all census blocks included in the petition; and

29 (ii) those broadband providers have the opportunity to
 30 demonstrate to the office that the locations included in
 31 the petition are already served with qualified broadband
 32 service or will be served with qualified broadband
 33 service not later than eighteen (18) months after the date
 34 of the application for a grant under this chapter.

35 (b) In adopting the guidelines described in subsection (a) or in
 36 otherwise administering this chapter, the office may collaborate
 37 with or seek guidance from:

38 (1) the Indiana economic development corporation established
 39 by IC 5-28-3-1;

40 (2) the broadband ready communities development center
 41 established by IC 5-28-28.5-5;

42 (3) the Indiana department of transportation established by



1 **IC 8-23-2-1; and**
2 **(4) any other agencies of the state or of political subdivisions**
3 **of the state.**
4 **Sec. 12. Not later than August 1 of each calendar year ending**
5 **before January 1, 2021, the office shall submit to the general**
6 **assembly a report on the office's activities under this chapter**
7 **during the most recent state fiscal year, including the following:**
8 **(1) The number, amounts, and recipients of grants awarded**
9 **under this chapter.**
10 **(2) The status of any funded qualified broadband projects.**
11 **(3) Expenses incurred and funds spent by the office in**
12 **administering this chapter.**
13 **(4) A list of the entities, if any, that the office collaborated**
14 **with in administering this chapter.**
15 **(5) An accounting of funds in the fund, including funds**
16 **awarded as grants under this chapter.**
17 **(6) The number of locations in Indiana to which broadband**
18 **infrastructure has been deployed with the use of grant funds**
19 **under this chapter, including address-level information for**
20 **newly connected locations.**
21 **(7) The overall progress of the deployment of broadband**
22 **infrastructure for the provision of qualified broadband**
23 **service in unserved areas in Indiana.**
24 **A report to the general assembly under this subsection must be in**
25 **an electronic format under IC 5-14-6.**
26 **Sec. 13. The office, and any agency or any political subdivision**
27 **with which the office cooperates or consults in administering this**
28 **chapter:**
29 **(1) shall not disclose information designated as confidential or**
30 **proprietary business information by a grant applicant or**
31 **recipient; and**
32 **(2) shall execute appropriate nondisclosure agreements to**
33 **prevent the disclosure of confidential or proprietary business**
34 **information in connection with grants awarded under this**
35 **chapter.**
36 **Sec. 14. Before August 1, 2019, the office may award grants**
37 **under this chapter from the fund to qualified broadband service**
38 **providers for qualified broadband project expenses incurred in**
39 **connection with qualified broadband projects.**
40 **SECTION 13. IC 4-3-35 IS ADDED TO THE INDIANA CODE AS**
41 **A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY**
42 **1, 2025]:**



1 **Chapter 35. Broadband Grants for Rural Areas**

2 **Sec. 1. (a) This chapter applies to grants awarded from the fund**
 3 **after July 31, 2019.**

4 **(b) This chapter does not apply to subgrants awarded by the**
 5 **Indiana broadband office under the federal Broadband Equity,**
 6 **Access, and Deployment Program established under 47 U.S.C.**
 7 **1702(b).**

8 **Sec. 2. As used in this chapter, "challenge" means notice that:**

9 **(1) is provided to the office by an eligible broadband service**
 10 **provider under the process established by the office under**
 11 **section 15 of this chapter; and**

12 **(2) asserts that minimum broadband Internet is already**
 13 **deployed at a specific address with respect to which another**
 14 **eligible broadband service provider has submitted a letter of**
 15 **intent under the process established by the office under**
 16 **section 15 of this chapter.**

17 **Sec. 3. As used in this chapter, "deployed" means, with respect**
 18 **to the availability of minimum broadband Internet at a location,**
 19 **that an eligible broadband service provider:**

20 **(1) currently has minimum broadband Internet at the**
 21 **location; or**

22 **(2) could provide minimum broadband Internet to a customer**
 23 **that requests minimum broadband Internet at the location:**

24 **(A) not later than ten (10) days after the customer requests**
 25 **minimum broadband Internet at the location; and**

26 **(B) without:**

27 **(i) an extraordinary commitment of resources; or**

28 **(ii) construction charges or fees exceeding an ordinary**
 29 **service activation fee.**

30 **Minimum broadband Internet is considered to be deployed at a**
 31 **location regardless of whether any person or entity subscribes to**
 32 **minimum broadband Internet at the location.**

33 **Sec. 4. (a) As used in this chapter, "eligible broadband project"**
 34 **means a project for the deployment of terrestrial broadband**
 35 **infrastructure for the provision of eligible broadband service,**
 36 **regardless of the delivery technology:**

37 **(1) to buildings used by public school corporations primarily**
 38 **for educating students, as described in section 16(b)(1) of this**
 39 **chapter;**

40 **(2) to rural health clinics, as described in section 16(b)(2) of**
 41 **this chapter;**

42 **(3) to ensure that eligible students have access points**



1 providing a connection to eligible broadband service, as
 2 described in section 16(b)(3) of this chapter; or
 3 (4) in rural areas in Indiana, as described in section 16(b)(4)
 4 of this chapter.

5 (b) For purposes of this section, terrestrial broadband
 6 infrastructure includes infrastructure used for a fixed wireless
 7 connection to the Internet but does not include infrastructure used
 8 for a satellite connection to the Internet.

9 Sec. 5. As used in this chapter, "eligible broadband service"
 10 means a connection to the Internet that provides an actual speed of
 11 at least:

12 (1) one thousand (1,000) megabits per second downstream
 13 with respect to grants awarded under section 16(b)(1) or
 14 16(b)(2) of this chapter; or

15 (2) one hundred (100) megabits per second downstream and
 16 at least twenty (20) megabits per second upstream with
 17 respect to grants awarded under section 16(b)(3) or 16(b)(4)
 18 of this chapter;

19 regardless of the technology or medium used to provide the
 20 connection.

21 Sec. 6. As used in this chapter, "eligible broadband service
 22 provider" means any company, firm, corporation, partnership, or
 23 association that:

24 (1) either:

25 (A) has been providing broadband service to at least one
 26 hundred (100) residences and businesses in Indiana for at
 27 least three (3) consecutive years; or

28 (B) is:

29 (i) a corporation organized under IC 8-1-13; or

30 (ii) a corporation organized under IC 23-17 that is an
 31 electric cooperative and that has at least one (1) member
 32 that is a corporation organized under IC 8-1-13; and

33 (2) has demonstrated, to the satisfaction of the office:

34 (A) financial;

35 (B) technical; and

36 (C) operational;

37 capability in building and operating a broadband network,
 38 according to standards for determining such capability in
 39 guidelines adopted by the office under section 17 of this
 40 chapter.

41 Sec. 7. As used in this chapter, "eligible student" means a
 42 student who is:



- 1 (1) a resident of Indiana;
 2 (2) less than twenty-three (23) years of age; and
 3 (3) enrolled in a school in Indiana providing any combination
 4 of kindergarten through grade 12 instruction.

5 **Sec. 8.** As used in this chapter, "fund" refers to the rural
 6 broadband fund established by section 18 of this chapter.

7 **Sec. 9.** As used in this chapter, "minimum broadband Internet"
 8 means a terrestrial connection to the Internet that provides an
 9 actual speed of at least one hundred (100) megabits per second
 10 downstream and at least twenty (20) megabits per second
 11 upstream, regardless of the technology or medium used to provide
 12 the connection.

13 **Sec. 10.** As used in this chapter, "office" refers to the office of
 14 community and rural affairs established by IC 4-3-29-4.

15 **Sec. 11.** As used in this chapter, "public school corporation"
 16 means either of the following:

- 17 (1) A local public school corporation established under
 18 Indiana law, including a:
 19 (A) school city;
 20 (B) school town;
 21 (C) metropolitan school district;
 22 (D) consolidated school corporation;
 23 (E) county school corporation;
 24 (F) community school corporation; and
 25 (G) united school corporation.

- 26 (2) A charter school (as defined in IC 20-24-1-4).

27 **Sec. 12.** As used in this chapter, "rural area" means:

- 28 (1) an unincorporated area; or
 29 (2) a small municipality, as defined by the office in guidelines
 30 adopted under section 17 of this chapter;

31 in Indiana.

32 **Sec. 13. (a)** As used in this chapter, "rural health clinic" means
 33 a building that is:

- 34 (1) located in a rural area;
 35 (2) owned or operated by a health care entity (as defined in
 36 IC 25-26-14-6); and
 37 (3) used primarily to provide diagnostic, medical, surgical,
 38 dental, or rehabilitative care.

39 **(b)** The term does not include a pharmacy or wholesale drug
 40 distributor.

41 **Sec. 14.** As used in this chapter, "state agency" means an
 42 authority, a board, a branch, a commission, a committee, a



1 department, a division, or another instrumentality of the executive,
2 including the administrative, department of state government.

3 **Sec. 15. (a)** The office shall establish a process to be used before
4 each formal request for the submission of grant applications by the
5 office under this chapter. The process established by the office
6 under this section must do the following:

7 (1) Invite any prospective grant applicant to submit a letter of
8 intent identifying all addresses and census blocks that the
9 applicant intends to include in an application filed as part of
10 the immediately forthcoming request for the submission of
11 grant applications by the office.

12 (2) Provide that the office will make all addresses and census
13 blocks submitted in letters of intent under subdivision (1)
14 publicly available for a period of time, to be determined by
15 the office, during which eligible broadband service providers
16 will have the opportunity to challenge a listed address or
17 census block.

18 (3) Provide that upon receiving a challenge from an eligible
19 broadband service provider under subdivision (2), the office
20 will:

21 (A) review all information received from the eligible
22 broadband service provider and determine whether
23 minimum broadband Internet:

24 (i) is deployed; or

25 (ii) will be deployed within eighteen (18) months;

26 to the challenged address or census block; and

27 (B) determine whether the eligible broadband service
28 provider's challenge is valid or invalid based on the office's
29 review under clause (A).

30 (4) Provide that if the office finds a challenge to an address or
31 a census block to be invalid under subdivision (3), the office
32 will do the following:

33 (A) Provide to all eligible broadband service providers that
34 challenged the address or census block timely written
35 notice that:

36 (i) indicates the office has determined the challenge to be
37 invalid; and

38 (ii) sets forth the reasons for the office's determination
39 with such specificity as will enable each eligible
40 broadband service provider that challenged the address
41 or census block to review each reason and provide
42 additional information to the office to support the



- 1 eligible broadband service provider's challenge.
 2 (B) Allow an eligible broadband service provider that
 3 receives notice under clause (A) a period of time, to be
 4 determined by the office, to provide further information to
 5 the office to support the eligible broadband service
 6 provider's challenge.
 7 (C) Find an eligible broadband service provider's
 8 challenge valid if the office determines, based on additional
 9 information submitted under clause (B), that minimum
 10 broadband Internet:
 11 (i) is deployed; or
 12 (ii) will be deployed within eighteen (18) months;
 13 to the challenged address or census block.
 14 (5) Provide that after the completion of the challenge process
 15 described in subdivisions (2) through (4), the office will notify
 16 prospective grant applicants that submitted a letter of intent
 17 under subdivision (1) of the census blocks and addresses that
 18 were not the subject of a valid challenge under subdivisions
 19 (2) through (4).
 20 (b) Upon issuing a request for the submission of grant
 21 applications under this chapter, the office shall publish the results
 22 of the challenge process established under subsection (a).
 23 (c) The process established by the office under this section with
 24 respect to:
 25 (1) letters of intent; and
 26 (2) challenges;
 27 by prospective grant applicants must precede and remain distinct
 28 from the procedures set forth in section 16(g) of this chapter with
 29 respect to actual grant applications.
 30 Sec. 16. (a) The office shall establish procedures for the
 31 awarding of grants from the fund after July 31, 2019, by state
 32 agencies to eligible broadband service providers for eligible
 33 broadband projects.
 34 (b) The procedures established under this section must establish
 35 the following priorities for the awarding of grants under this
 36 chapter:
 37 (1) First, extending the deployment of eligible broadband
 38 service (as defined in section 5(1) of this chapter) to any
 39 building:
 40 (A) that is used by a public school corporation primarily
 41 for educating students; and
 42 (B) with respect to which the only available connections to



- 1 the Internet are at actual speeds of less than one thousand
2 (1,000) megabits per second downstream.
- 3 **(2) Second, extending the deployment of eligible broadband**
4 **service (as defined in section 5(1) of this chapter) to any rural**
5 **health clinic with respect to which the only available**
6 **connections to the Internet are at actual speeds of less than**
7 **one thousand (1,000) megabits per second downstream.**
- 8 **(3) Third, extending the deployment of eligible broadband**
9 **service (as defined in section 5(2) of this chapter) so as to**
10 **ensure that every eligible student has at the student's primary**
11 **Indiana residence an access point that provides a connection**
12 **to the Internet at actual speeds of at least the speed set forth**
13 **in section 5(2) of this chapter.**
- 14 **(4) Fourth, extending the deployment of eligible broadband**
15 **service (as defined in section 5(2) of this chapter) to rural**
16 **areas in which the only available connections to the Internet**
17 **are at actual speeds of less than one hundred (100) megabits**
18 **per second downstream.**
- 19 **(5) Projects:**
- 20 **(A) described in subdivision (2) shall not be funded before**
21 **projects described in subdivision (1);**
- 22 **(B) described in subdivision (3) shall not be funded before**
23 **projects described in subdivision (1) or (2); and**
- 24 **(C) described in subdivision (4) shall not be funded before**
25 **projects described in subdivision (1), (2), or (3).**
- 26 **However, a state agency may fund an eligible broadband**
27 **project that is designated as a lower priority under this**
28 **subsection if no competitive applications for eligible**
29 **broadband projects designated as a higher priority under this**
30 **subsection are submitted with respect to any particular round**
31 **of grant funding under this chapter.**
- 32 **(c) Except for a project described in subsection (b)(1) or (b)(2),**
33 **the procedures established under this section may not permit the**
34 **awarding of a grant from the fund for any proposed eligible**
35 **broadband project to deploy broadband infrastructure to a specific**
36 **address for which a connection to the Internet that provides an**
37 **actual speed of at least one hundred (100) megabits per second**
38 **downstream is available.**
- 39 **(d) The procedures established under this section may not**
40 **permit the office to award a grant from the fund:**
- 41 **(1) for any project to extend the deployment of eligible**
42 **broadband service to one (1) or more service addresses with**



1 respect to which funding from the federal government has
 2 been used or will be disbursed to extend broadband service at
 3 actual speeds of at least one hundred (100) megabits per
 4 second downstream to those same addresses; or
 5 (2) if the awarding of the grant would jeopardize funding that
 6 has been awarded by the federal government for purposes of
 7 expanding broadband service in Indiana, including funding
 8 from the:

- 9 (A) Connect America Fund;
 10 (B) Rural Digital Opportunity Fund;
 11 (C) Broadband Technology Opportunities Program; or
 12 (D) State Broadband Initiative;

13 or from any other similar federal funding program.

14 (e) The procedures established under this section must establish
 15 a system of priorities for awarding grants under this chapter,
 16 weighted as determined by the office in guidelines adopted under
 17 section 17 of this chapter, that gives preference to eligible
 18 broadband projects that meet the following criteria:

- 19 (1) Projects that will provide eligible broadband service to
 20 unincorporated areas in Indiana.
 21 (2) Projects for which the applicant commits to providing
 22 more than fifty percent (50%) of the cost to deploy the
 23 proposed broadband infrastructure.
 24 (3) Projects that require a lower contribution from the fund
 25 per passing, as determined by calculating:
 26 (A) the amount of the grant to be awarded under this
 27 chapter; divided by
 28 (B) the total number of unserved homes and unserved
 29 businesses at which eligible broadband service will be
 30 made available by completion of the eligible broadband
 31 project.
 32 (4) Projects that permit the applicant to use existing facilities
 33 or infrastructure to enable the applicant to offer eligible
 34 broadband service to buildings or locations described in
 35 subsection (b).

36 (f) The procedures established under this section must prohibit
 37 a state agency, in awarding any grant from the fund, from
 38 discriminating between different types of technology used to
 39 provide eligible broadband service in connection with proposed
 40 eligible broadband projects.

41 (g) The procedures established under this section must, subject
 42 to section 21 of this chapter, require the office to publish on the



1 office's website all grant applications, including the specific
 2 addresses for which state funds would be used to provide eligible
 3 broadband service, received by the office under this chapter. For
 4 each grant application received, the office shall establish a period
 5 of at least thirty (30) days from the date the application is
 6 published on the office's website under this subsection, during
 7 which time the office will accept comments or objections
 8 concerning the application. The office shall consider, in making a
 9 determination as to whether to award a grant to an applicant
 10 under this chapter, all comments or objections received under this
 11 subsection, including any new grant application that:

12 (1) is submitted by another eligible broadband service
 13 provider; and

14 (2) indicates that such other eligible broadband service
 15 provider would be willing to provide eligible broadband
 16 service to the same addresses included in the posted
 17 application at a lower cost to the state.

18 Any new grant application submitted by another eligible
 19 broadband service provider under subdivisions (1) and (2) in
 20 response to a grant application published on the office's website
 21 must be submitted to the office within the time frame established
 22 by the office under this subsection for the submission of comments
 23 and objections with respect to the published grant application. The
 24 office shall publish any new grant applications submitted under
 25 subdivisions (1) and (2) on the office's website and shall notify the
 26 original grant applicant of the publication. However, the
 27 submission of one (1) or more new grant applications under
 28 subdivisions (1) and (2) does not trigger a new comment period
 29 under this subsection with respect to those new applications. Any
 30 amended grant application by the original applicant in response to
 31 any new grant application under subdivisions (1) and (2) must be
 32 submitted within a time frame that is established by the office and
 33 that commences with the publication of the new application on the
 34 office's website. The office is not required to allow the submission
 35 of new applications in response to any amended application by the
 36 original broadband service provider.

37 Sec. 17. (a) The office shall adopt guidelines to implement this
 38 chapter, including guidelines governing the following:

39 (1) The form and content of requests to provide eligible
 40 broadband service in connection with an eligible broadband
 41 project.

42 (2) The form and content of applications for grants under this



- 1 chapter.
- 2 (3) A competitive bidding process or a process for requests for
- 3 proposals for eligible broadband projects.
- 4 (4) Standards for determining whether a broadband service
- 5 provider has demonstrated:
- 6 (A) financial;
- 7 (B) technical; and
- 8 (C) operational;
- 9 capability in building and operating a broadband network, as
- 10 necessary to qualify as an eligible broadband service provider
- 11 for purposes of this chapter.
- 12 (5) Standards establishing population parameters or another
- 13 appropriate metric for defining a community that qualifies as
- 14 a small municipality for purposes of section 12(2) of this
- 15 chapter.
- 16 (6) Standards for determining the types and categories of
- 17 expenses that are:
- 18 (A) directly related to an eligible broadband project; and
- 19 (B) eligible to receive funding under this chapter.
- 20 (7) Standards for assigning weight to the funding priorities set
- 21 forth in section 16(e) of this chapter.
- 22 (b) In adopting the guidelines described in subsection (a) or in
- 23 otherwise administering this chapter, the office may collaborate
- 24 with other state agencies or with political subdivisions of the state.
- 25 Sec. 18. (a) The rural broadband fund is established for the
- 26 purpose of:
- 27 (1) awarding grants under:
- 28 (A) this chapter after July 31, 2019; and
- 29 (B) IC 4-3-34 before August 1, 2019;
- 30 (2) providing financial assistance under the program
- 31 established by the office under IC 4-4-38.5-10.5 (before its
- 32 repeal) for expenses described in IC 4-4-38.5-10.5(b) (before
- 33 its repeal) incurred before July 1, 2025;
- 34 (3) providing funding for the creation and annual
- 35 maintenance of the public broadband portal created and
- 36 administered by the office under IC 4-3-37-8; and
- 37 (4) awarding grants under the Indiana broadband
- 38 connectivity program under IC 4-3-37.
- 39 (b) The office shall administer the fund.
- 40 (c) The fund consists of:
- 41 (1) money appropriated by the general assembly;
- 42 (2) money received by the office from federal grants or



1 programs for broadband infrastructure, other than money
 2 received by the state under the federal Broadband Equity,
 3 Access, and Deployment Program established under 47 U.S.C.
 4 1702(b); and

5 (3) donations, gifts, and money received from any other
 6 source, including transfers from other funds or accounts.

7 (d) The treasurer of state shall invest the money in the fund not
 8 currently needed to meet the obligations of the fund in the same
 9 manner as other public funds may be invested.

10 (e) Money in the fund at the end of a state fiscal year does not
 11 revert to the state general fund but remains in the fund to be used
 12 exclusively for the purposes of this chapter and IC 4-3-34.

13 **Sec. 19. (a)** After July 31, 2019, a state agency may award grants
 14 under this chapter from the fund to eligible broadband service
 15 providers for eligible broadband projects, in accordance with:

16 (1) the procedures established by the office under section 16
 17 of this chapter; and

18 (2) the guidelines adopted by the office under section 17 of this
 19 chapter.

20 (b) Once funds have been released from the fund in accordance
 21 with this chapter, all authority and ownership of the eligible
 22 broadband infrastructure vests with the eligible broadband service
 23 provider that built the infrastructure. The office may not allow for
 24 the transfer of eligible broadband assets paid for with funds under
 25 this chapter to any entity other than an eligible broadband service
 26 provider.

27 (c) The office shall sign a grant agreement with an eligible
 28 broadband service provider awarded a grant under this chapter
 29 for an eligible broadband project. A grant agreement required
 30 under this subsection must:

31 (1) outline a start date and end date for completion of the
 32 eligible broadband project; and

33 (2) condition the release of any grant funds awarded under
 34 this chapter on the progressive completion of the eligible
 35 broadband project.

36 **Sec. 20. (a)** The office shall establish and publish on the office's
 37 website:

38 (1) specific, measurable goals; and

39 (2) metrics to be used in assessing the progress made toward
 40 accomplishing those goals;

41 for the disbursement of state broadband grant funds.

42 (b) Not later than August 1 of each year, the office shall submit



1 to the interim study committee on energy, utilities, and
 2 telecommunications established by IC 2-5-1.3-4(8) a report on the
 3 awarding of grants under this chapter during the most recent state
 4 fiscal year, including the following:

5 (1) The number, amounts, and recipients of grants awarded
 6 under this chapter, along with the state agency awarding each
 7 grant.

8 (2) The status of any funded eligible broadband projects.

9 (3) Expenses incurred and funds spent by the office in
 10 administering this chapter.

11 (4) A list of the entities, if any, that the office collaborated
 12 with in administering this chapter.

13 (5) An accounting of money in the fund, including funds
 14 awarded as grants under this chapter.

15 (6) The number of:

16 (A) school corporation buildings described in section
 17 16(b)(1) of this chapter;

18 (B) rural health clinics described in section 16(b)(2) of this
 19 chapter;

20 (C) access points described in section 16(b)(3) of this
 21 chapter; and

22 (D) locations in rural areas described in section 16(b)(4) of
 23 this chapter;

24 to which broadband infrastructure has been deployed with
 25 the use of grant funds under this chapter, including
 26 address-level information for newly connected locations.

27 (7) The overall progress of the deployment of broadband
 28 infrastructure for the provision of eligible broadband service:

29 (A) to school corporation buildings, as described in section
 30 16(b)(1) of this chapter;

31 (B) to rural health clinics, as described in section 16(b)(2)
 32 of this chapter;

33 (C) so as to ensure that eligible students have access points
 34 providing a connection to eligible broadband service, as
 35 described in section 16(b)(3) of this chapter; and

36 (D) in rural areas in Indiana, as described in section
 37 16(b)(4) of this chapter.

38 A report to the interim study committee on energy, utilities, and
 39 telecommunications under this subsection must be in an electronic
 40 format under IC 5-14-6.

41 (c) Every year the state board of accounts shall conduct an audit
 42 of the awarding of grants under:



1 (1) IC 4-3-34; and

2 (2) this chapter;

3 as appropriate, during the most recent state fiscal year. A report
4 of an audit conducted under this subsection shall be submitted to
5 the interim study committee on energy, utilities, and
6 telecommunications established by IC 2-5-1.3-4(8) in an electronic
7 format under IC 5-14-6 not later than September 1 of the calendar
8 year that includes the end of the state fiscal year covered by the
9 audit.

10 Sec. 21. The office, and any state agency or any political
11 subdivision with which the office cooperates or consults in
12 administering this chapter:

13 (1) shall not disclose information designated as confidential or
14 proprietary business information by a grant applicant or
15 recipient; and

16 (2) shall execute appropriate nondisclosure agreements to
17 prevent the disclosure of confidential or proprietary business
18 information in connection with grants awarded under this
19 chapter.

20 SECTION 14. IC 4-3-36 IS ADDED TO THE INDIANA CODE AS
21 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2025]:

23 **Chapter 36. State Administration of Federal Broadband Equity,
24 Access, and Deployment Program**

25 Sec. 1. As used in this chapter, "act" refers to the federal
26 Infrastructure Investment and Jobs Act (P.L. 117-58), including
27 regulations and guidance issued under that act.

28 Sec. 2. (a) As used in this chapter, "BEAD NOFO" refers to the
29 Notice of Funding Opportunity for the federal Broadband Equity,
30 Access, and Deployment Program, as issued by NTIA on May 12,
31 2022, pursuant to 47 U.S.C. 1702(e)(1)(A)(i).

32 (b) The term includes any additional guidance issued by NTIA
33 with respect to the program after the issuance of the notice
34 described in subsection (a).

35 Sec. 3. As used in this chapter, "final proposal" refers to the
36 office's final proposal (as described in 47 U.S.C. 1702(e)(4))
37 submitted to NTIA.

38 Sec. 4. As used in this chapter, "initial proposal" refers to the
39 office's initial proposal (as described in 47 U.S.C. 1702(e)(3))
40 submitted to and approved by NTIA.

41 Sec. 5. As used in this chapter, "NTIA" refers to the National
42 Telecommunications Information Administration, United States



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Department of Commerce.

Sec. 6. As used in this chapter, "office" refers to the Indiana broadband office in its capacity as an eligible entity (as defined in 47 U.S.C. 1702(a)(2)(F)) under the act.

Sec. 7. As used in this chapter, "program" refers to the federal Broadband Equity, Access, and Deployment Program established under 47 U.S.C. 1702(b).

Sec. 8. As used in this chapter, "subgrantee" has the meaning set forth in 47 U.S.C. 1702(a)(2)(N).

Sec. 9. (a) Subject to subsection (b), and to the extent not preempted by federal law, the office shall administer the program in Indiana in compliance with the following:

(1) All mandatory provisions set forth in the act with respect to the program.

(2) All mandatory provisions set forth in the BEAD NOFO with respect to the program.

(3) Before awarding a subgrant to a subgrantee during any round of funding under the program, the office shall submit to the budget committee for review the proposed amount and terms of the subgrant.

(4) In awarding subgrants for the deployment of a broadband network using program funds, the office may not exclude cooperatives, nonprofit organizations, public-private partnerships, private companies, public or private utilities, public utility districts, or local governments from eligibility for those funds, as set forth in 47 U.S.C. 1702(h)(1)(A)(iii).

(b) The final proposal submitted by the office to NTIA must include the specifications for the required low cost broadband service option that are set forth in the office's initial proposal, as submitted to and approved by NTIA.

Sec. 10. To the extent that this chapter conflicts with a provision of any other Indiana law, this chapter prevails.

SECTION 15. IC 4-3-37 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 37. Indiana Broadband Connectivity Program

Sec. 1. As used in this chapter, "broadband Internet" means a connection to the Internet that provides an actual speed of at least fifty (50) megabits per second downstream and at least five (5) megabits per second upstream, regardless of the technology or medium used to provide the connection.

Sec. 2. As used in this chapter, "fund" refers to the rural



1 broadband fund established by IC 4-3-35-18.

2 **Sec. 3.** As used in this chapter, "minimum broadband Internet"
3 means a connection to the Internet that provides an actual speed of
4 at least twenty-five (25) megabits per second downstream and at
5 least three (3) megabits per second upstream, regardless of the
6 technology or medium used to provide the connection.

7 **Sec. 4.** As used in this chapter, "office" refers to the office of
8 community and rural affairs established by IC 4-3-29-4.

9 **Sec. 5.** As used in this chapter, "program" refers to the Indiana
10 broadband connectivity program established by section 7 of this
11 chapter.

12 **Sec. 6.** As used in this chapter, "registered provider" means a
13 company, firm, corporation, partnership, or association that
14 provides broadband Internet service in Indiana and that has
15 registered with the program under section 8 of this chapter.

16 **Sec. 7. (a)** The Indiana broadband connectivity program is
17 established for the purpose of expanding the availability of
18 broadband Internet connectivity throughout Indiana by:

19 (1) connecting Indiana residents and businesses that lack
20 access to broadband Internet service with providers of
21 broadband Internet service through the public broadband
22 portal created under section 8 of this chapter; and

23 (2) providing funding under section 9 of this chapter to assist
24 broadband Internet providers in meeting the expense of
25 extending broadband Internet service to addresses at which
26 minimum broadband Internet service is unavailable.

27 (b) The office shall administer the program.

28 **Sec. 8. (a)** The office shall contact broadband Internet providers
29 to solicit the providers' registration with the program. The office
30 shall not:

31 (1) require a provider to provide any proprietary business
32 information to the office for purposes of participating in the
33 program; or

34 (2) require a provider to participate in the program.

35 (b) The office shall create and administer a public broadband
36 portal:

37 (1) that is accessible to individuals through the office's website
38 and through a mailing address designated by the office for the
39 purpose of public access to the portal; and

40 (2) through which an individual may submit the individual's
41 residential or business address to report that minimum
42 broadband Internet connectivity is unavailable at the address.



1 **The public broadband portal created and administered by the**
2 **office under this section must solicit information as to whether one**
3 **(1) or more eligible students reside at an address that is reported**
4 **by an individual under subdivision (2). The office may contract or**
5 **consult with one (1) or more third parties in the creation or**
6 **administration of the public broadband portal required by this**
7 **section.**

8 **(c) At least every three (3) months, the office shall:**

9 **(1) post addresses, including ZIP codes and any reported**
10 **information as to whether an eligible student resides at an**
11 **address, submitted under subsection (b)(2) to a website that**
12 **is accessible only to registered providers; and**

13 **(2) not less than twenty-four (24) hours after the addresses are**
14 **posted, send notice of the posting to registered providers by**
15 **electronic mail.**

16 **(d) Not later than ten (10) business days after a registered**
17 **provider receives notice of a posting of addresses under subsection**
18 **(c), the registered provider may provide notice to the office of any**
19 **posted address at which the registered provider's minimum**
20 **broadband Internet service is available.**

21 **(e) If the office does not receive notice under subsection (d)**
22 **regarding an address within ten (10) business days after posting**
23 **the address under subsection (c), the office shall, not later than**
24 **twenty (20) business days after the expiration of the ten (10)**
25 **business day period described in subsection (d), transmit to each**
26 **registered provider a bid notification for provision of broadband**
27 **Internet service at the address.**

28 **(f) A registered provider that receives a bid notification for an**
29 **address under subsection (e) and wishes to submit a bid for**
30 **provision of broadband Internet service to the address must, not**
31 **later than sixty (60) days after receiving the bid notification, send**
32 **to the office a bid that includes:**

33 **(1) a proposal for making a line extension from the provider's**
34 **existing broadband Internet infrastructure to the address;**

35 **(2) an estimate of the state's share of the cost for the line**
36 **extension; and**

37 **(3) a statement of the amount of the cost of the line extension**
38 **that the provider agrees to bear.**

39 **(g) The office shall, not later than thirty (30) business days after**
40 **the close of the sixty (60) day bidding period for an address under**
41 **subsection (f), evaluate the bids received and select the provider**
42 **whose bid presents the lowest cost to the state for extension of the**



1 provider's broadband Internet infrastructure to the address.

2 (h) As used in this section, "eligible student" means a student
3 who is:

- 4 (1) a resident of Indiana;
5 (2) less than twenty-three (23) years of age; and
6 (3) enrolled in a school in Indiana providing any combination
7 of kindergarten through grade 12 instruction.

8 Sec. 9. (a) The office shall:

9 (1) award a grant from the fund to a provider selected by the
10 office under section 8(g) of this chapter to extend broadband
11 Internet service to an address; and

12 (2) enter into an agreement with the provider under which:

13 (A) the provider agrees to extend broadband Internet
14 service to the address; and

15 (B) the office agrees to distribute the amount of the grant
16 to the provider upon the provider's satisfactory completion
17 of extension of broadband Internet service to the address
18 and the provider's submission of:

19 (i) an invoice for the provider's expenses in extending
20 broadband Internet service to the address; and

21 (ii) a statement that broadband Internet service is now
22 available at the address.

23 (b) The amount of a grant under this section may not exceed the
24 following:

25 (1) A per-line extension amount that exceeds twenty-five
26 thousand dollars (\$25,000), regardless of the number of
27 addresses served by the line extension.

28 (2) A per-passing amount that exceeds the state's cost per
29 passing for all grants awarded from the fund under IC 4-3-35
30 as of the last day of the immediately preceding state fiscal
31 year, as calculated by the office.

32 Sec. 10. (a) Not later than November 1 of each year, the office
33 shall:

34 (1) issue to the executive director of the legislative services
35 agency, for distribution to the members of the general
36 assembly convening in November of that year; and

37 (2) post to the office's website;

38 a report regarding the program.

39 (b) The report under subsection (a) must include the following
40 information with regard to the immediately preceding calendar
41 year:

42 (1) The number of addresses submitted under section 8(b)(2)



1 of this chapter:

2 (A) in total; and

3 (B) categorized by the Indiana legislative district in which
4 the address is located.

5 (2) The number of grants, and the amount of the grants,
6 awarded under this chapter:

7 (A) in total; and

8 (B) categorized by the Indiana legislative district in which
9 the grant was used to extend broadband Internet service.

10 (c) The report issued under subsection (a)(1) must be in an
11 electronic format under IC 5-14-6.

12 Sec. 11. The office shall adopt rules under IC 4-22-2 necessary
13 for the administration of this chapter.

14 SECTION 16. IC 4-3-38 IS ADDED TO THE INDIANA CODE AS
15 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2025]:

17 **Chapter 38. Indiana Broadband Mapping Program**

18 Sec. 1. (a) As used in this section, "office" refers to the office of
19 community and rural affairs established by IC 4-3-29-4.

20 (b) The office may maintain a geographic information system or
21 similar data base that contains spatial data regarding the
22 availability of broadband Internet service in Indiana.

23 (c) The office may create and may, subject to subsection (d),
24 regularly update the data base using broadband Internet coverage
25 information compiled by the Federal Communications
26 Commission.

27 (d) Not later than July 1, 2022, the office:

28 (1) may evaluate the broadband Internet coverage map
29 created by the Federal Communications Commission under
30 the Broadband Deployment Accuracy and Technological
31 Availability Act (P.L. 116-130); and

32 (2) if the office determines that the map provides broadband
33 Internet coverage information:

34 (A) at a level of detail that allows for determination of
35 broadband Internet availability at individual Indiana
36 addresses; or

37 (B) at a level of detail greater than that of the broadband
38 Internet coverage map provided by the office on the
39 office's website;

40 may use the information to update the broadband Internet
41 coverage map provided by the office on the office's website.

42 (e) If the office determines in the office's evaluation under



1 subsection (d) that the map does not provide broadband Internet
2 coverage information:

3 (1) at a level of detail that allows for determination of
4 broadband Internet availability at individual Indiana
5 addresses; or

6 (2) at a level of detail greater than that of the broadband
7 Internet coverage map provided by the office on the office's
8 website;

9 the office may present the office's determination to the interim
10 study committee on energy, utilities, and telecommunications
11 during the 2022 legislative interim.

12 SECTION 17. IC 4-4-1.5 IS ADDED TO THE INDIANA CODE
13 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2025]:

15 **Chapter 1.5. Lieutenant Governor Official Duties**

16 **Sec. 1. The lieutenant governor shall discharge the powers and**
17 **duties of the lieutenant governor's office that are designated to the**
18 **lieutenant governor by the governor.**

19 SECTION 18. IC 4-4-2.3 IS REPEALED [EFFECTIVE JULY 1,
20 2025]. (Lieutenant Governor as Secretary of Agriculture and Rural
21 Development).

22 SECTION 19. IC 4-4-9.7 IS REPEALED [EFFECTIVE JULY 1,
23 2025]. (Office of Community and Rural Affairs).

24 SECTION 20. IC 4-4-16 IS REPEALED [EFFECTIVE JULY 1,
25 2025]. (Indiana Main Street Program).

26 SECTION 21. IC 4-4-28 IS REPEALED [EFFECTIVE JULY 1,
27 2025]. (Individual Development Accounts).

28 SECTION 22. IC 4-4-33 IS REPEALED [EFFECTIVE JULY 1,
29 2025]. (Miscellaneous Community Development Programs).

30 SECTION 23. IC 4-4-37 IS REPEALED [EFFECTIVE JULY 1,
31 2025]. (Historic Preservation and Rehabilitation Grant Program).

32 SECTION 24. IC 4-4-38 IS REPEALED [EFFECTIVE JULY 1,
33 2025]. (Broadband Grants for Unserved Areas).

34 SECTION 25. IC 4-4-38.5 IS REPEALED [EFFECTIVE JULY 1,
35 2025]. (Broadband Grants for Rural Areas).

36 SECTION 26. IC 4-4-38.6 IS REPEALED [EFFECTIVE JULY 1,
37 2025]. (State Administration of Federal Broadband Equity, Access, and
38 Deployment Program).

39 SECTION 27. IC 4-4-41 IS REPEALED [EFFECTIVE JULY 1,
40 2025]. (Indiana Broadband Connectivity Program).

41 SECTION 28. IC 4-4-43 IS REPEALED [EFFECTIVE JULY 1,
42 2025]. (Indiana Broadband Mapping Program).



1 SECTION 29. IC 4-12-1-14.5, AS ADDED BY P.L.58-2012,
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 14.5. (a) The mortgage foreclosure multistate
 4 settlement fund is established for the purpose of depositing and
 5 distributing money received under a multistate agreement related to
 6 litigation concerning mortgage foreclosure activities by creditors and
 7 mortgage servicers. The fund consists of:

8 (1) money that:

9 (A) is received by the state under the multistate agreement
 10 related to litigation concerning mortgage foreclosure activities;

11 and

12 (B) is designated by the attorney general for deposit in the
 13 fund;

14 (2) appropriations made to the fund by the general assembly; and

15 (3) grants, gifts, and donations intended for deposit in the fund.

16 (b) The fund shall be administered by the budget agency.

17 Notwithstanding IC 5-13, the treasurer of state shall invest the money
 18 in the fund not currently needed to meet the obligations of the fund in
 19 the same manner as money is invested by the public employees'
 20 retirement fund under IC 5-10.3-5. Interest that accrues from these
 21 investments shall be deposited in the fund. Money in the fund at the
 22 end of the state fiscal year does not revert to the state general fund.

23 (c) Not later than September 1 of each year, the office of the
 24 lieutenant governor shall report to the budget agency the total amount
 25 that was used to provide home energy assistance during the previous
 26 state fiscal year through the Low Income Home Energy Assistance
 27 Block Grant under 42 U.S.C. 8621 et seq. administered under
 28 ~~IC 4-4-33-1~~. **IC 4-3-32-1**. The budget agency shall determine the
 29 amount of gross retail tax revenue that was collected during the
 30 preceding state fiscal year on the amount of home energy assistance
 31 reported to the budget agency.

32 (d) An amount equal to the amount of gross retail tax revenue
 33 determined by the budget agency under subsection (c) is appropriated
 34 from the fund to the office of the ~~lieutenant~~ governor to establish a
 35 separate state home energy assistance program to be administered
 36 under ~~IC 4-4-33-1~~. **IC 4-3-32-1**. The separate state home energy
 37 assistance program shall be used to provide home energy assistance
 38 exclusively for individuals who own a home, using the same eligibility
 39 standards as those used for the Low Income Home Energy Assistance
 40 Block Grant under 42 U.S.C. 8621 et seq. The budget agency shall allot
 41 the amount determined under subsection (c) from the fund before
 42 October 1 each year.



1 (e) The state general fund is not liable for payment of a shortfall in
 2 expenditures, transfers, or distributions from the fund or any other fund
 3 due to a delay, reduction, or cancellation of payments scheduled to be
 4 received by the state under the multistate agreement related to litigation
 5 concerning mortgage foreclosure activities.

6 SECTION 30. IC 5-28-28.4-2, AS AMENDED BY P.L.30-2020,
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2025]: Sec. 2. (a) As used in this section, "office" means the
 9 office of community and rural affairs established by ~~IC 4-4-9.7-4.~~
 10 **IC 4-3-29-4.**

11 (b) As used in this section, "permit" means any local, state, or
 12 federal agency permit, license, certificate, approval, registration, or
 13 similar form of approval required by statute, administrative rule,
 14 regulation, ordinance, or resolution.

15 (c) To support the duties set forth in section 1 of this chapter, the
 16 office shall, in cooperation with the corporation and political
 17 subdivisions, administer the shovel ready site development center to
 18 enable political subdivisions to obtain all or part of any permits to
 19 create sites that are ready for economic development. The office shall
 20 serve as the certifying body for acceptance into the program and
 21 determine the criteria to be used to certify sites.

22 SECTION 31. IC 5-28-41-17, AS ADDED BY P.L.236-2023,
 23 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2025]: Sec. 17. In addition to the purposes described in
 25 section 7 of this chapter, the following expenses are eligible to be
 26 funded by the fund:

27 (1) Costs associated with increasing housing and associated
 28 infrastructure, including strategies that lead to permanent housing
 29 for individuals experiencing homelessness.

30 (2) Costs related to programs to support community mental health
 31 and public health.

32 (3) Costs related to providing broadband services, but only if:

33 (A) all other funding sources for the provision of broadband
 34 have been exhausted; and

35 (B) the projects funded in whole or in part by a grant or loan
 36 from the fund satisfy the criteria and requirements described
 37 in ~~IC 4-4-38.5.~~ **IC 4-3-35.**

38 (4) Costs related to improving the quality of life in the region.

39 SECTION 32. IC 6-1.1-24-17.5, AS AMENDED BY P.L.159-2023,
 40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2025]: Sec. 17.5. (a) This section does not apply to real
 42 property:



1 (1) used as a principal place of residence and receiving a
 2 homestead standard deduction under IC 6-1.1-12-37 for the most
 3 recent assessment date; or

4 (2) for which a set off has been obtained under IC 6-8.1-9.5
 5 against the delinquent debt owed on the real property.

6 This subsection includes any real property adjacent to and under the
 7 same ownership as the homestead real property described in
 8 subdivision (1).

9 (b) This section applies only to real property that has been offered
 10 for sale by the county at two (2) or more public tax sales held under
 11 this chapter.

12 (c) For purposes of this section, "county executive" refers to:

13 (1) in a county containing a consolidated city, the board of
 14 commissioners as provided in IC 36-3-3-10; and

15 (2) in all other counties, the board of commissioners.

16 (d) For purposes of this section, "eligible nonprofit entity" means an
 17 organization exempt from federal income tax under 26 U.S.C.
 18 501(c)(3) that is either:

19 (1) an entity that:

20 (A) acquires real property to stabilize and provide future home
 21 ownership opportunities to those who would not otherwise be
 22 financially capable of purchasing a home;

23 (B) has the organizational capacity and community experience
 24 necessary to successfully undertake community development
 25 projects;

26 (C) has been organized and in operation for at least five (5)
 27 years; and

28 (D) has each year of the immediately preceding two (2) years,
 29 rehabilitated and transferred at least one (1) single family
 30 dwelling to a low or moderate income household for use as a
 31 residence; or

32 (2) a community development corporation (as defined in
 33 ~~IC 4-4-28-2~~; **IC 4-3-31-4**).

34 (e) For purposes of this section, "low or moderate income
 35 household" means a household having an income equal to or less than
 36 the Section 8 low income limit established by the United States
 37 Department of Housing and Urban Development.

38 (f) A county treasurer may, as a separate part of a regularly
 39 scheduled sale conducted under section 5 of this chapter, offer for sale
 40 a tract or item of real property, subject to the right of redemption, to an
 41 eligible nonprofit entity for purposes of a project for the development
 42 of low or moderate income housing, using either:



- 1 (1) the sale process under section 5 of this chapter; or
 2 (2) a procedure developed and implemented by resolution of the
 3 county executive that conforms in all material respects to the
 4 procedures under section 5 of this chapter.
- 5 (g) Not more than five percent (5%) of the number of parcels listed
 6 for sale under section 5 of this chapter may be made available for sale
 7 to eligible nonprofit entities under subsection (f). However, an eligible
 8 nonprofit entity may acquire not more than ten (10) parcels made
 9 available for sale under subsection (f).
- 10 (h) To participate in a sale under subsection (f), an eligible nonprofit
 11 entity must file, not later than forty-five (45) days prior to the
 12 advertised date of the sale under section 5 of this chapter:
- 13 (1) an application to the county executive, signed by an officer or
 14 member of the eligible nonprofit entity, that includes:
- 15 (A) the address or parcel number of the tract or item of real
 16 property the entity desires to acquire;
 17 (B) the intended use of the tract or item of real property;
 18 (C) the time period anticipated for implementation of the
 19 intended use; and
 20 (D) any additional information required by the county
 21 executive and communicated to potential applicants in
 22 advance that demonstrates the entity meets the definition of an
 23 eligible nonprofit entity under subsection (d); and
- 24 (2) documentation verifying:
- 25 (A) the entity's federal tax exempt status; and
 26 (B) the entity's good standing in Indiana as determined by the
 27 secretary of state.
- 28 (i) If an eligible nonprofit entity takes possession of a tax sale
 29 certificate under this section, the eligible nonprofit entity acquires the
 30 same rights and obligations as a purchaser under section 6.1 of this
 31 chapter. However, if an eligible nonprofit entity obtains a tax deed after
 32 the expiration of the redemption period specified under IC 6-1.1-25, the
 33 eligible nonprofit entity shall first offer an occupant of the parcel the
 34 opportunity to purchase the parcel.
- 35 (j) If an eligible nonprofit entity uses a tract or item of real property
 36 obtained under this section for a purpose other than the development
 37 of low or moderate income housing, the tract or item of real property
 38 is subject to forfeiture.
- 39 (k) Before January 1, 2023, and before each January 1 thereafter, the
 40 county executive shall provide an annual report to the legislative
 41 council in an electronic format under IC 5-14-6 concerning the tax sale
 42 program established by this section.



1 SECTION 33. IC 6-2.5-6-11, AS AMENDED BY P.L.181-2006,
 2 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2025]: Sec. 11. A retail merchant who extends assistance to
 4 a heating assistance program administered under ~~IC 4-4-33~~ **IC 4-3-32**
 5 may deduct from the retail merchant's state gross retail and use tax
 6 payment an amount equal to all or part of the aggregate assistance
 7 extended by the retail merchant to a heating assistance program
 8 administered under ~~IC 4-4-33~~ **IC 4-3-32** during the reporting period for
 9 which the state gross retail and use tax payment is made.

10 SECTION 34. IC 6-3.1-18-0.7, AS ADDED BY P.L.124-2024,
 11 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2025]: Sec. 0.7. As used in this chapter, "community based
 13 organization" has the meaning set forth in ~~IC 4-4-28-1.7~~ **IC 4-3-31-3**.

14 SECTION 35. IC 6-3.1-18-1 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. As used in this
 16 chapter, "community development corporation" has the meaning set
 17 forth in ~~IC 4-4-28-2~~ **IC 4-3-31-4**.

18 SECTION 36. IC 6-3.1-18-2, AS AMENDED BY P.L.124-2024,
 19 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2025]: Sec. 2. As used in this chapter, "fund" refers to an
 21 individual development account fund established by a community
 22 development corporation or community based organization under
 23 ~~IC 4-4-28-13~~ **IC 4-3-31-16**.

24 SECTION 37. IC 6-3.1-18-3 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. As used in this
 26 chapter, "individual development account" has the meaning set forth in
 27 ~~IC 4-4-28-5~~ **IC 4-3-31-7**.

28 SECTION 38. IC 6-3.1-18-4.5, AS AMENDED BY P.L.124-2024,
 29 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2025]: Sec. 4.5. As used in this chapter, "qualified
 31 contribution" means a contribution to a fund for which a community
 32 development corporation or community based organization has
 33 received an allocation of tax credits under ~~IC 4-4-28-13~~ **IC 4-3-31-16**.

34 SECTION 39. IC 6-3.1-22-2, AS AMENDED BY P.L.166-2014,
 35 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2025]: Sec. 2. As used in this chapter, "office" means the
 37 office of community and rural affairs established by ~~IC 4-4-9.7-4~~
 38 **IC 4-3-29-4**.

39 SECTION 40. IC 8-1-2-105, AS AMENDED BY P.L.181-2006,
 40 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2025]: Sec. 105. (a) No public utility may make or give any
 42 undue or unreasonable preference or advantage to any person, or



1 subject any person to any undue or unreasonable prejudice or
 2 disadvantage in any respect. A person who violates this section
 3 commits a Class B infraction.

4 (b) Nothing in this chapter shall prevent any public utility from
 5 furnishing service free or at reduced rates to any of its employees and
 6 officers or retired employees and officers or from providing energy
 7 assistance to a heating assistance program administered under
 8 ~~IC 4-4-33~~ **IC 4-3-32** to persons eligible for that assistance.

9 SECTION 41. IC 8-1-2-121, AS AMENDED BY P.L.181-2006,
 10 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2025]: Sec. 121. (a) Notwithstanding any other provision of
 12 law, from December 1 through March 15 of any year, no electric or gas
 13 utility, including a municipally owned, privately owned, or
 14 cooperatively owned utility, shall terminate residential electric or gas
 15 service for persons who are eligible for and have applied for assistance
 16 from a heating assistance program administered under ~~IC 4-4-33~~.
 17 **IC 4-3-32**. The commission shall implement procedures to ensure that
 18 electric or gas utility service is continued while eligibility for such
 19 persons is being determined.

20 (b) Any electric or gas utility, including a municipally owned,
 21 privately owned, or cooperatively owned utility, shall provide any
 22 residential customer whose account is delinquent an opportunity to
 23 enter into a reasonable amortization agreement with such company to
 24 pay the delinquent account. Such an amortization agreement must
 25 provide the customer with adequate opportunity to apply for and
 26 receive the benefits of any available public assistance program. An
 27 amortization agreement is subject to amendment on the customer's
 28 request if there is a change in the customer's financial circumstances.

29 (c) The commission may establish a reasonable rate of interest
 30 which a utility may charge on the unpaid balance of a customer's
 31 delinquent bill that may not exceed the rate established by the
 32 commission under section 34.5 of this chapter.

33 (d) The commission shall adopt rules under IC 4-22-2 to carry out
 34 the provisions of this section.

35 (e) This section does not prohibit an electric or gas utility from
 36 terminating residential utility service upon a request of a customer or
 37 under the following circumstances:

- 38 (1) If a condition dangerous or hazardous to life, physical safety,
 39 or property exists.
 40 (2) Upon order by any court, the commission, or other duly
 41 authorized public authority.
 42 (3) If fraudulent or unauthorized use of electricity or gas is



1 detected and the utility has reasonable grounds to believe the
2 affected customer is responsible for such use.

3 (4) If the utility's regulating or measuring equipment has been
4 tampered with and the utility has reasonable grounds to believe
5 that the affected customer is responsible for such tampering.

6 SECTION 42. IC 8-23-28-7, AS ADDED BY P.L.88-2011,
7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2025]: Sec. 7. The office of community and rural affairs
9 established by ~~IC 4-4-9.7-4~~, **IC 4-3-29-4**, with the assistance of the
10 corporation and the department, shall assist the local governments
11 having jurisdiction over the territory within the River Ridge Commerce
12 Corridor in developing local zoning and planning standards for the
13 corridor that balance public safety, economic development, the
14 environment, quality of life concerns, the enhancement of rail
15 transportation within the corridor, and interstate travel needs.

16 SECTION 43. IC 12-14-2-1, AS AMENDED BY P.L.103-2023,
17 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2025]: Sec. 1. (a) After the investigation under IC 12-14-1-6,
19 the county office shall decide the following:

- 20 (1) Whether the child or woman described in IC 12-14-1-1(f) is
21 eligible for assistance under this article.
22 (2) The amount of assistance.
23 (3) The date assistance begins.

24 (b) The county office may not consider:

- 25 (1) money in an individual development account under ~~IC 4-4-28~~
26 **IC 4-3-31** that belongs to the child or woman described in
27 IC 12-14-1-1(f), or a member of the child's or woman's family;
28 (2) the value of the real property that is the child's or woman's
29 primary residence;
30 (3) twenty thousand dollars (\$20,000) of total equity value (as
31 defined in 470 IAC 10.3-4-2) in motor vehicles that belong to one
32 (1) or more members of the child's or woman's family;
33 (4) a Holocaust victim's settlement payment received by the child,
34 woman described in IC 12-14-1-1(f), or a member of the child's
35 or woman's family; or
36 (5) money earned by the child, woman described in
37 IC 12-14-1-1(f), or a member of the child's or woman's family as
38 a student participating in:
39 (A) a paid internship;
40 (B) a work based learning course (as defined in
41 IC 20-43-8-0.7); or
42 (C) paid postsecondary work experience that allows the



1 individual to apply for a related apprenticeship (as defined by
 2 IC 20-43-8-0.3);
 3 when determining whether the individual is eligible for assistance
 4 under this article.

5 SECTION 44. IC 12-14-2-3, AS AMENDED BY P.L.103-2023,
 6 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2025]: Sec. 3. (a) Except as provided in subsection (b), when
 8 determining the amount of assistance, an accounting must be taken of
 9 any income or property of the child or woman described in
 10 IC 12-14-1-1(f) that the child or woman may receive from another
 11 source.

12 (b) The following may not be considered as income or property of
 13 the child or woman described in IC 12-14-1-1(f) when determining the
 14 amount of assistance for the child:

15 (1) Money in an individual development account established
 16 under ~~IC 4-4-28~~ **IC 4-3-31** that belongs to a child, a woman
 17 described in IC 12-14-1-1(f), or a member of the child's or
 18 woman's family.

19 (2) A Holocaust victim's settlement payment received by the
 20 child, a woman described in IC 12-14-1-1(f), or a member of the
 21 child's or woman's family.

22 (3) Money earned by the child, a woman described in
 23 IC 12-14-1-1(f), or a member of the child's or woman's family as
 24 a student participating in:

25 (A) a paid internship;

26 (B) a work based learning course (as defined in
 27 IC 20-43-8-0.7); or

28 (C) paid postsecondary work experience that allows the
 29 individual to apply for a related apprenticeship (as defined by
 30 IC 20-43-8-0.3).

31 (4) Annual income of up to fifteen thousand dollars (\$15,000) that
 32 is earned by an individual in the child's household or the
 33 household of a woman described in IC 12-14-1-1(f), if the income
 34 is earned by an individual who:

35 (A) resides in the household;

36 (B) is less than twenty-four (24) years of age; and

37 (C) earns the additional annual income while the individual is
 38 a student participating in or pursuing:

39 (i) a postsecondary degree;

40 (ii) a workforce certificate;

41 (iii) a pre-apprenticeship; or

42 (iv) an apprenticeship.



1 SECTION 45. IC 12-20-16-3, AS AMENDED BY P.L.1-2007,
 2 SECTION 125, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) The township trustee may, in
 4 cases of necessity, authorize the payment from township assistance
 5 money for essential utility services, including the following:

- 6 (1) Water services.
 7 (2) Gas services.
 8 (3) Electric services.
 9 (4) Fuel oil services for fuel oil used for heating or cooking.
 10 (5) Coal, wood, or liquid propane used for heating or cooking.

11 (b) The township trustee may authorize the payment of delinquent
 12 bills for the services listed in subsection (a)(1) through (a)(5) when
 13 necessary to prevent the termination of the services or to restore
 14 terminated service if the delinquency has lasted not longer than
 15 twenty-four (24) months. The township trustee has no obligation to pay
 16 a delinquent bill for the services or materials listed in subsection (a)(1)
 17 through (a)(5) if the delinquency has lasted longer than twenty-four
 18 (24) months.

19 (c) The township trustee is not required to pay for any utility
 20 service:

- 21 (1) that is not properly charged to:
 22 (A) an adult member of a household;
 23 (B) an emancipated minor who is head of the household; or
 24 (C) a landlord or former member of the household if the
 25 applicant proves that the applicant:
 26 (i) received the services as a tenant residing at the service
 27 address at the time the cost was incurred; and
 28 (ii) is responsible for payment of the bill;
 29 (2) received as a result of a fraudulent act by any adult member of
 30 a household requesting township assistance; or
 31 (3) that includes the use of township assistance funds for the
 32 payment of:
 33 (A) a security deposit; or
 34 (B) damages caused by a township assistance applicant to
 35 utility company property.

36 (d) The amount paid by the township trustee, as administrator of
 37 township assistance, and the amount charged for water services may
 38 not exceed the minimum rate charged for the service as fixed by the
 39 Indiana utility regulatory commission.

40 (e) This subsection applies only during the part of each year when
 41 applications for heating assistance are accepted by the lieutenant
 42 governor under ~~IC 4-4-33~~. **IC 4-3-32**. A township trustee may not



1 provide assistance to make any part of a payment for heating fuel or
 2 electric services for more than thirty (30) days unless the individual
 3 files an application with the township trustee that includes the
 4 following:

- 5 (1) Evidence of application for assistance for heating fuel or
 6 electric services from the ~~lieutenant~~ governor.
- 7 (2) The amount of assistance received or the reason for denial of
 8 assistance.

9 The township trustee shall inform an applicant for assistance for
 10 heating fuel or electric services that assistance for heating fuel and
 11 electric services may be available from the ~~lieutenant~~ governor under
 12 ~~IC 4-4-33~~ **IC 4-3-32** and that the township trustee may not provide
 13 assistance to make any part of a payment for those services for more
 14 than thirty (30) days unless the individual files an application for
 15 assistance for heating fuel or electric services under ~~IC 4-4-33~~.
 16 **IC 4-3-32**. However, if the applicant household is eligible under
 17 criteria established by the ~~lieutenant~~ governor for energy assistance
 18 under ~~IC 4-4-33~~, **IC 4-3-32**, the trustee may certify the applicant as
 19 eligible for that assistance by completing an application form
 20 prescribed by the state board of accounts and forwarding the eligibility
 21 certificate to the ~~lieutenant~~ governor within the period established for
 22 the acceptance of applications. If the trustee follows this certification
 23 procedure, no other application is required for assistance under
 24 ~~IC 4-4-33~~. **IC 4-3-32**.

25 (f) If an individual or a member of an individual's household has
 26 received assistance under subsection (b), the individual must, before
 27 the individual or the member of the individual's household may receive
 28 further assistance under subsection (b), certify whether the individual's
 29 or household's income, resources, or household size has changed since
 30 the individual filed the most recent application for township assistance.
 31 If the individual or a member of the individual's household certifies that
 32 the income, resources, or household size has changed, the township
 33 trustee shall review the individual's or household's eligibility and may
 34 make any necessary adjustments in the level of assistance provided to
 35 the individual or to a member of the individual's household.

36 SECTION 46. IC 15-11-1-5, AS ADDED BY P.L.2-2008,
 37 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2025]: Sec. 5. "Secretary" refers to the ~~lieutenant~~ governor as
 39 secretary of agriculture and rural development as provided in
 40 ~~IC 4-4-2-3~~. **IC 4-3-28**.

41 SECTION 47. IC 16-39-11-4.5, AS ADDED BY P.L.1-2022,
 42 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2025]: Sec. 4.5. (a) As used in this chapter, "Indiana
2 governmental entity" means:

- 3 (1) the state (as defined in IC 5-11-1-16(b));
4 (2) a state educational institution (as defined in IC 21-7-13-32);
5 (3) a political subdivision (as defined in IC 36-1-2-13); or
6 (4) a public school corporation (as defined in ~~IC 4-4-38.5-6.2~~;
7 **IC 4-3-35-11**).

8 (b) The term does not include the following:

- 9 (1) A state institution (as defined in IC 12-7-2-184).
10 (2) A hospital organized or operated under IC 16-22-1 through
11 IC 16-22-5, IC 16-22-8, or IC 16-23-1.

12 SECTION 48. IC 21-12-6-14, AS AMENDED BY P.L.107-2012,
13 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2025]: Sec. 14. (a) This section applies to a student described
15 in section 5(b) of this chapter.

16 (b) A caseworker (as defined in IC 31-9-2-11) shall provide each
17 student to whom the caseworker is assigned information concerning the
18 program at the appropriate time for the student to receive the
19 information, shall explain the program to the student, and shall provide
20 the student with information concerning:

- 21 (1) Pell grants;
22 (2) Chafee grants;
23 (3) federal supplemental grants;
24 (4) the Free Application for Federal Student Aid;
25 (5) individual development accounts (as described under
26 ~~IC 4-4-28~~); **IC 4-3-31**); and
27 (6) the commission for higher education's programs under
28 IC 21-18.5-3-1.

29 (c) A student who receives information under this section shall sign
30 a written acknowledgment that the student received the information.
31 The written acknowledgment must be placed in the student's case file.

32 SECTION 49. IC 21-12-6-15, AS ADDED BY P.L.39-2010,
33 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2025]: Sec. 15. A caseworker (as defined in IC 31-9-2-11)
35 shall provide each foster parent of a student described in section 5(b)
36 of this chapter to whom the caseworker is assigned information
37 concerning individual development accounts (as described under
38 ~~IC 4-4-28~~); **IC 4-3-31**).

39 SECTION 50. IC 24-4.4-1-202, AS AMENDED BY P.L.197-2023,
40 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2025]: Sec. 202. (a) As used in this section, "balloon
42 payment", with respect to a mortgage transaction, means any payment:



1 (1) that the creditor requires the debtor to make at any time during
2 the term of the mortgage;

3 (2) that represents the entire amount of the outstanding balance
4 with respect to the mortgage; and

5 (3) the entire amount of which is due as of a specified date or at
6 the end of a specified period;

7 if the aggregate amount of the minimum periodic payments required
8 under the mortgage would not fully amortize the outstanding balance
9 by the specified date or at the end of the specified period. The term
10 does not include a payment required by a creditor under a due-on-sale
11 clause (as defined in 12 U.S.C. 1701j-3(a)) or a payment required by
12 a creditor under a provision in the mortgage that permits the creditor
13 to accelerate the debt upon the debtor's default or failure to abide by the
14 material terms of the mortgage.

15 (b) This article does not apply to the following:

16 (1) Extensions of credit to government or governmental agencies
17 or instrumentalities.

18 (2) A first lien mortgage transaction in which the debt is incurred
19 primarily for a purpose other than a personal, family, or
20 household purpose.

21 (3) An extension of credit primarily for a business, a commercial,
22 or an agricultural purpose.

23 (4) Except for IC 24-4.4-2-401(2), IC 24-4.4-2-402.3,
24 IC 24-4.4-2-405(4), and IC 24-4.4-2-405(5), a first lien mortgage
25 transaction made:

26 (a) in compliance with the requirements of; and

27 (b) by a community development corporation (as defined in
28 ~~IC 4-4-28-2~~ **IC 4-3-31-4**) acting as a subrecipient of funds
29 from;

30 the Indiana housing and community development authority
31 established by IC 5-20-1-3.

32 (5) Except for IC 24-4.4-2-401(2), IC 24-4.4-2-402.3,
33 IC 24-4.4-2-405(4), and IC 24-4.4-2-405(5), a first lien mortgage
34 transaction made by an entity that exclusively uses funds provided
35 by the United States Department of Housing and Urban
36 Development under Title 1 of the federal Housing and
37 Community Development Act of 1974, Public Law 93-383, as
38 amended (42 U.S.C. 5301 et seq.).

39 (6) An extension of credit originated by the following:

40 (a) A depository institution.

41 (b) Subsidiaries that are not licensed under this article and that
42 are:



- 1 (i) owned and controlled by a depository institution; and
2 (ii) regulated by a federal banking agency.
- 3 (c) An institution regulated by the Farm Credit Administration.
- 4 (7) Except for IC 24-4.4-2-401(2), IC 24-4.4-2-402.3,
5 IC 24-4.4-2-405(4), and IC 24-4.4-2-405(5), a credit union service
6 organization that is majority owned, directly or indirectly, by one
7 (1) or more credit unions.
- 8 (8) A person that does not engage as a creditor in first lien
9 mortgage transactions in Indiana. However, a person may
10 voluntarily register with the department for the purpose of
11 sponsoring employees who are licensed as mortgage loan
12 originators under this article and 750 IAC 9-3, and who are
13 engaged solely as third party loan processors or underwriters, if
14 the person does the following:
- 15 (a) Assumes responsibility for and reasonably supervises the
16 activities of all licensed mortgage loan originators sponsored
17 by the person.
- 18 (b) Registers with and maintains a valid unique identifier
19 issued by the NMLSR as required by IC 24-4.4-2-401(2),
20 maintains a surety bond in accordance with IC 24-4.4-2-402.3,
21 submits to the NMLSR reports of condition in accordance with
22 IC 24-4.4-2-405(4) (subject to IC 24-4.4-2-402.4), and files
23 financial statements with the department in accordance with
24 IC 24-4.4-2-405(5).
- 25 (c) Cooperates with the department, and provides access to
26 records and documents, as required by the department in
27 carrying out examinations of the activities of the licensed
28 mortgage loan originators sponsored by the person, as
29 described in IC 24-4.4-2-405(1).
- 30 (d) Agrees to comply with all law, rules, directives, and orders
31 in connection with the activities of the licensed mortgage loan
32 originators sponsored by the person, as the director determines
33 necessary to ensure compliance with the federal Secure and
34 Fair Enforcement for Mortgage Licensing Act of 2008 (12
35 U.S.C. 5101 et seq.) and with Indiana law.
- 36 (9) A first lien mortgage transaction originated by a registered
37 mortgage loan originator, when acting for an entity described in
38 subsection (6). However, a privately insured state chartered credit
39 union shall comply with the system of mortgage loan originator
40 registration developed by the Federal Financial Institutions
41 Examinations Council under Section 1507 of the federal Secure
42 and Fair Enforcement for Mortgage Licensing Act of 2008



- 1 (SAFE).
- 2 (10) An individual who offers or negotiates terms of a mortgage
- 3 transaction with or on behalf of an immediate family member of
- 4 the individual.
- 5 (11) An individual who offers or negotiates terms of a mortgage
- 6 transaction secured by a dwelling that served as the individual's
- 7 residence.
- 8 (12) Unless the attorney is compensated by:
- 9 (a) a lender;
- 10 (b) a mortgage broker;
- 11 (c) another mortgage loan originator; or
- 12 (d) any agent of the lender, mortgage broker, or other
- 13 mortgage loan originator described in clauses (a) through (c);
- 14 a licensed attorney who negotiates the terms of a mortgage
- 15 transaction on behalf of a client as an ancillary matter to the
- 16 attorney's representation of the client.
- 17 (13) The United States, any state or local government, or any
- 18 agency or instrumentality of any governmental entity, including
- 19 United States government sponsored enterprises.
- 20 (14) A person in whose name a tablefunded transaction is closed,
- 21 as described in section 301(34)(a) of this chapter. However, the
- 22 exemption provided by this subsection does not apply if:
- 23 (a) the transaction:
- 24 (i) is secured by a dwelling that is a mobile home, a
- 25 manufactured home, or a trailer; and
- 26 (ii) is not also secured by an interest in land; and
- 27 (b) the person in whose name the transaction is closed, as
- 28 described in section 301(34)(a) of this chapter, sells the
- 29 dwelling to the debtor through a retail installment contract or
- 30 other similar transaction.
- 31 (15) A bona fide nonprofit organization not operating in a
- 32 commercial context, as determined by the director, if the
- 33 following criteria are satisfied:
- 34 (a) Subject to clause (b), the organization originates only one
- 35 (1) or both of the following types of mortgage transactions:
- 36 (i) Zero (0) interest first lien mortgage transactions.
- 37 (ii) Zero (0) interest subordinate lien mortgage transactions.
- 38 (b) The organization does not require, under the terms of the
- 39 mortgage or otherwise, balloon payments with respect to the
- 40 mortgage transactions described in clause (a).
- 41 (c) The organization is exempt from federal income taxation
- 42 under Section 501(c)(3) of the Internal Revenue Code.



- 1 (d) The organization's primary purpose is to serve the public
 2 by helping low income individuals and families build, repair,
 3 and purchase housing.
 4 (e) The organization uses only:
 5 (i) unpaid volunteers; or
 6 (ii) employees whose compensation is not based on the
 7 number or size of any mortgage transactions that the
 8 employees originate;
 9 to originate the mortgage transactions described in clause (a).
 10 (f) The organization does not charge loan origination fees in
 11 connection with the mortgage transactions described in clause
 12 (a).
- 13 (16) A bona fide nonprofit organization (as defined in section
 14 301(37) of this chapter) if the following criteria are satisfied:
 15 (a) For each calendar year that the organization seeks the
 16 exemption provided by this subdivision, the organization
 17 certifies, not later than December 31 of the preceding calendar
 18 year and on a form prescribed by the director and accompanied
 19 by such documentation as required by the director, that the
 20 organization is a bona fide nonprofit organization (as defined
 21 in section 301(37) of this chapter).
 22 (b) The director determines that the organization originates
 23 only mortgage transactions that are favorable to the debtor. For
 24 purposes of this clause, a mortgage transaction is favorable to
 25 the debtor if the director determines that the terms of the
 26 mortgage transaction are consistent with terms of mortgage
 27 transactions made in a public or charitable context, rather than
 28 in a commercial context.
- 29 SECTION 51. IC 24-4.5-1-202, AS AMENDED BY P.L.176-2019,
 30 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2025]: Sec. 202. (a) As used in this section, "balloon
 32 payment", with respect to a mortgage transaction, means any payment
 33 that:
 34 (1) the creditor requires the debtor to make at any time during the
 35 term of the mortgage;
 36 (2) represents the entire amount of the outstanding balance with
 37 respect to the mortgage; and
 38 (3) the entire amount of which is due as of a specified date or at
 39 the end of a specified period;
 40 if the aggregate amount of the minimum periodic payments required
 41 under the mortgage would not fully amortize the outstanding balance
 42 by the specified date or at the end of the specified period. The term



1 does not include a payment required by a creditor under a due-on-sale
 2 clause (as defined in 12 U.S.C. 1701j-3(a)) or a payment required by
 3 a creditor under a provision in the mortgage that permits the creditor
 4 to accelerate the debt upon the debtor's default or failure to abide by the
 5 material terms of the mortgage.

6 (b) This article does not apply to the following:

7 (1) Extensions of credit to or by a government or governmental
 8 agencies or instrumentalities.

9 (2) The sale of insurance by an insurer, except as otherwise
 10 provided in the chapter on insurance (IC 24-4.5-4).

11 (3) Transactions under public utility, municipal utility, or
 12 common carrier tariffs if a subdivision or agency of this state or
 13 of the United States regulates the charges for the services
 14 involved, the charges for delayed payment, and any discount
 15 allowed for early payment.

16 (4) The rates and charges and the disclosure of rates and charges
 17 of a licensed pawnbroker established in accordance with a statute
 18 or ordinance concerning these matters.

19 (5) A sale of goods, services, or an interest in land in which the
 20 goods, services, or interest in land are purchased primarily for a
 21 purpose other than a personal, family, or household purpose.

22 (6) A loan in which the debt is incurred primarily for a purpose
 23 other than a personal, family, or household purpose.

24 (7) An extension of credit primarily for a business, a commercial,
 25 or an agricultural purpose.

26 (8) An installment agreement for the purchase of home fuels in
 27 which a finance charge is not imposed.

28 (9) Loans made, insured, or guaranteed under a program
 29 authorized by Title IV of the Higher Education Act of 1965 (20
 30 U.S.C. 1070 et seq.).

31 (10) Transactions in securities or commodities accounts in which
 32 credit is extended by a broker-dealer registered with the Securities
 33 and Exchange Commission or the Commodity Futures Trading
 34 Commission.

35 (11) Except for IC 24-4.5-3-502.1(4), IC 24-4.5-3-503.3,
 36 IC 24-4.5-3-505(4), and IC 24-4.5-3-505(5), a loan made:

37 (A) in compliance with the requirements of; and

38 (B) by a community development corporation (as defined in
 39 ~~IC 4-4-28-2~~ **IC 4-3-31-4**) acting as a subrecipient of funds
 40 from;

41 the Indiana housing and community development authority
 42 established by IC 5-20-1-3.



1 (12) Except for IC 24-4.5-3-502.1(4), IC 24-4.5-3-503.3,
 2 IC 24-4.5-3-505(4), and IC 24-4.5-3-505(5), a subordinate lien
 3 mortgage transaction made by an entity that exclusively uses
 4 funds provided by the United States Department of Housing and
 5 Urban Development under Title 1 of the Housing and Community
 6 Development Act of 1974, Public Law 93-383, as amended (42
 7 U.S.C. 5301 et seq.).

8 (13) The United States, any state or local government, or any
 9 agency or instrumentality of any governmental entity, including
 10 United States government sponsored enterprises and state
 11 educational institutions (as defined in IC 21-7-13-32). For
 12 purposes of this subdivision, an "instrumentality" of a
 13 governmental entity includes a foundation, a corporate or
 14 nonprofit subsidiary, or an affiliate (as defined in
 15 IC 24-4.5-1-301.5(1)) of the governmental entity.

16 (14) A bona fide nonprofit organization not operating in a
 17 commercial context, as determined by the director, if the
 18 following criteria are satisfied:

19 (A) Subject to clause (B), the organization originates only one
 20 (1) or both of the following types of mortgage transactions:

21 (i) Zero (0) interest first lien mortgage transactions.

22 (ii) Zero (0) interest subordinate lien mortgage transactions.

23 (B) The organization does not require, under the terms of the
 24 mortgage or otherwise, balloon payments with respect to the
 25 mortgage transactions described in clause (A).

26 (C) The organization is exempt from federal income taxation
 27 under Section 501(c)(3) of the Internal Revenue Code.

28 (D) The organization's primary purpose is to serve the public
 29 by helping low income individuals and families build, repair,
 30 and purchase housing.

31 (E) The organization uses only:

32 (i) unpaid volunteers; or

33 (ii) employees whose compensation is not based on the
 34 number or size of any mortgage transactions that the
 35 employees originate;

36 to originate the mortgage transactions described in clause (A).

37 (F) The organization does not charge loan origination fees in
 38 connection with the mortgage transactions described in clause
 39 (A).

40 (15) A bona fide nonprofit organization (as defined in section
 41 301.5 of this chapter) if the following criteria are satisfied:

42 (A) For each calendar year that the organization seeks the



1 exemption provided by this subdivision, the organization
 2 certifies, not later than December 31 of the preceding calendar
 3 year and on a form prescribed by the director and accompanied
 4 by such documentation as required by the director, that the
 5 organization is a bona fide nonprofit organization (as defined
 6 in section 301.5(45) of this chapter).

7 (B) The director determines that the organization originates
 8 only mortgage transactions that are favorable to the debtor. For
 9 purposes of this clause, a mortgage transaction is favorable to
 10 the debtor if the director determines that the terms of the
 11 mortgage transaction are consistent with terms of mortgage
 12 transactions made in a public or charitable context, rather than
 13 in a commercial context.

14 SECTION 52. IC 36-7-14-22.2, AS AMENDED BY P.L.146-2018,
 15 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2025]: Sec. 22.2. (a) The commission may sell or grant, at no
 17 cost, title to real property to an urban enterprise association for the
 18 purpose of developing the real property if the following requirements
 19 are met:

20 (1) The urban enterprise association has incorporated as a
 21 nonprofit corporation under IC 5-28-15-14(b)(2).

22 (2) The parcel of property to be sold or granted is located entirely
 23 within the enterprise zone for which the urban enterprise
 24 association was created under IC 5-28-15-13.

25 (3) The urban enterprise association agrees to cause development
 26 on the parcel of property within a specified period that may not
 27 exceed five (5) years from the date of the sale or grant.

28 (4) The urban enterprise association agrees to rehabilitate or
 29 otherwise develop the property in a manner that is similar to and
 30 consistent with the use of the other properties in the enterprise
 31 zone.

32 (b) The commission may sell or grant, at no cost, title to real
 33 property to a community development corporation (as defined in
 34 ~~IC 4-4-28-2~~ **IC 4-3-31-4**) for the purpose of providing low or
 35 moderate income housing or other development that will benefit or
 36 serve low or moderate income families if the following requirements
 37 are met:

38 (1) The community development corporation has as a major
 39 corporate purpose and function the provision of housing for low
 40 and moderate income families within the geographic area in
 41 which the parcel of real property is located.

42 (2) The community development corporation agrees to cause



- 1 development that will serve or benefit low or moderate income
 2 families on the parcel of real property within a specified period,
 3 which may not exceed five (5) years from the date of the sale or
 4 grant.
- 5 (3) The community development corporation agrees that the
 6 community development corporation and each applicant,
 7 recipient, contractor, or subcontractor undertaking work in
 8 connection with the real property will:
- 9 (A) use lower income project area residents as trainees and as
 10 employees; and
- 11 (B) contract for work with business concerns located in the
 12 project area or owned in substantial part by persons residing
 13 in the project area;
 14 to the greatest extent feasible, as determined under the standards
 15 specified in 24 CFR 135.
- 16 (4) The community development corporation agrees to
 17 rehabilitate or otherwise develop the property in a manner that is
 18 similar to and consistent with the use of the other properties in the
 19 area served by the community development corporation.
- 20 (c) To carry out the purposes of this section, the commission may
 21 secure from the county under IC 6-1.1-25-9(e) parcels of property
 22 acquired by the county under IC 6-1.1-24 and IC 6-1.1-25.
- 23 (d) Before offering any parcel of property for sale or grant, the fair
 24 market value of the parcel of property must be determined by an
 25 appraiser, who may be an employee of the department. However, if the
 26 commission has obtained the parcel in the manner described in
 27 subsection (c), an appraisal is not required. An appraisal under this
 28 subsection is solely for the information of the commission and is not
 29 available for public inspection.
- 30 (e) The commission must decide at a public meeting whether the
 31 commission will sell or grant the parcel of real property. In making this
 32 decision, the commission shall give substantial weight to the extent to
 33 which and the terms under which the urban enterprise association or
 34 community development corporation will cause development on the
 35 property.
- 36 (f) Before conducting a meeting under subsection (g), the
 37 commission shall publish a notice in accordance with IC 5-3-1
 38 indicating that at a designated time the commission will consider
 39 selling or granting the parcel of real property under this section. The
 40 notice must state the general location of the property, including the
 41 street address, if any, or a common description of the property other
 42 than the legal description.



- 1 (g) If the county agrees to transfer a parcel of real property to the
2 commission to be sold or granted under this section, the commission
3 may conduct a meeting to sell or grant the parcel to an urban enterprise
4 zone or to a community development corporation even though the
5 parcel has not yet been transferred to the commission. After the
6 hearing, the commission may adopt a resolution directing the
7 department to take appropriate steps necessary to acquire the parcel
8 from the county and to transfer the parcel to the urban enterprise
9 association or to the community development corporation.
- 10 (h) A conveyance of property under this section shall be made in
11 accordance with section 22(i) of this chapter.
- 12 (i) An urban enterprise association that purchases or receives real
13 property under this section shall report the terms of the conveyance to
14 the board of the Indiana economic development corporation not later
15 than thirty (30) days after the date the conveyance of the property is
16 made.

