

NEW LEGISLATION

RECORDERS ANNUAL CONFERENCE APRIL 2022

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SEA 66 SOLVENT SUPERVISED ESTATES

- IC 29-1-17-13.5 effective 7-1-22
- Procedures for the distribution of assets in a solvent supervised estate after a final distribution has been entered.
- Allows a distributee to file an affidavit with the court
- Real property may be distributed after recording certain information with the County Recorder in the county in which the property is located.
 - A copy of the affidavit filed with the court
 - A copy of the decree of final distribution



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SEA 148 PROSECUTING ATTORNEYS

- IC 5-4-1-20 effective 7-1-22
- Allows the prosecuting attorney to purchase a crime policy in lieu of an official bond
- Allows prosecutor to file a paternity action in certain cases
- IC 33-39-4-1 and IC 33-39-6-7-8 - Broadens the types of expenses a county audit shall pay in connection with a criminal case and allows prosecutor to appoint employees with county council approval
- Allows two conferences each year for Prosecutors and specifies who may attend.



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SEA 357 ACCEPTANCE OF ELECTRONIC DOCUMENTS

- IC 6-1.1-5-4 effective 7-1-22 – County Auditor may not refuse to endorse a deed or instrument of conveyance because the deed or instrument is an electronic document.
- IC 6-1.1-5.5-3 effective 7-1-22 – County Assessor or County Auditor may not refuse to accept a sales disclosure form for filing because the sales disclosure form is an electronic document
- IC 6-1.1-25-20 effective 7-1-22 – Amends this section that a County Auditor may collect the recording fee for a tax deed. If the County Recorder does not collect the recording fee, the County Recorder shall collect the recording fee for the tax deed.



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SEA 357 ACCEPTANCE OF ELECTRONIC DOCUMENTS

- IC 29-1-7-23 effective 7-1-22 – After December 31, 2023, an Auditor may not refuse to endorse an affidavit (for transfer to person's heirs) because the affidavit is an electronic document.
- IC 32-21-2.5-8 effective 7-1-22 – Amends this section with the following exceptions (1) military discharge under IC 10-17-2 (2) a survey of real property and (3) a plat of real property
- IC 36-2-9-18 effective 7-1-22 – After December 31, 2023, a County Auditor may not refuse to endorse an electronic deed or instrument because it is electronic. Expands use of Plat Book fund to include electronic property tax records.



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HEA 1130 AND SEA 83 OPEN MEETINGS

- IC 5-14-1.5-3.7 effective 7-1-22 - Restricts the circumstances in which the governing body of local political subdivision may hold a virtual meeting during a declared disaster emergency without any of the governing body members being physically present.



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HEA 1193 OPIOID LITIGATION

- A political subdivision may opt back in before July 15, 2022
- Distributions will be in two parts; one part is unrestricted, and the second part is restricted to the programs or treatment, prevention and care that are best practices as defined or required by the settlement documents or court order.



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1260 DEPARTMENT OF LOCAL GOVERNMENT FINANCE

- IC 6-1.1-12-1 is repealed effective 1-1-23– mortgage deduction
- IC 6-1.1-12-9 amended effective 7-1-22 – Age 65 deduction – increases limit on assessed value of property to \$240,000. Increases in assessed value in the first year after the individual receives the deduction that are not due to substantial renovation or new improvements are not considered.
- IC 6-1.1-12-37 effective 1-1-23 – Homestead deduction increases to \$48,000



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SEA 304 TOWNSHIP TRUSTEE

- The bill provides that the township board, county executive and county fiscal body may adopt resolutions to collectively petition a court to remove a township trustee from office for committing certain violations.



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OTHER LEGISLATION

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IC 36-I-8.5 RESTRICTED ADDRESSES

- This statute requires that for a covered person, who has submitted a request in writing, to have the access to their address be restricted on Public Property data base web search.
- Section 5 defines “public property data base website” as a Internet web site that is (1) available to the general public over the Internet (2) does not require registration, subscription, or the creation of a user name and password to search the web site and (3) connects a covered person’s home address to the covered person’s name, so that a search of the web site for the covered person’s name discloses the covered person’s home address.

