
SENATE BILL No. 275

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-31.

Synopsis: Landlord-tenant issues. Provides that if a landlord obtains a court order to evict a tenant, the landlord may also seek authority from the court to remove and dispose of the tenant's personal property and may do so as the landlord considers expedient if the value of the tenant's personal property is less than \$1,000 and in accordance with the court order if the value of the tenant's personal property is at least \$1,000. Provides that if a tenant with a week to week lease term refuses or neglects to pay rent when due the landlord may, without a court order: (1) immediately terminate the lease; and (2) dispose of any of the tenant's personal property that remains in the rental premises seven days or more after the landlord gives the tenant notice of the lease termination. Requires the tenant to vacate the rental premises immediately after the landlord gives the tenant notice of termination. Repeals superseded provisions relating to storage of a tenant's personal property.

Effective: July 1, 2007.

Young R Michael, Delph

January 8, 2007, read first time and referred to Committee on Judiciary.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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SENATE BILL No. 275



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

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

1 SECTION 1. IC 32-31-4-2 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 2. (a) If a landlord is
 3 ~~awarded~~ **seeks an order for** possession of a dwelling unit ~~by a court~~
 4 under IC 32-30-2, the ~~landlord~~ **petition for possession** may ~~seek~~ **also request the court's** order ~~from the court~~ **allowing remove of a to**
 5 **authorize the landlord to remove the** tenant's personal property. **If**
 6 **the landlord requests an order for removal of the tenant's personal**
 7 **property, the landlord must file an appropriate inventory of the**
 8 **personal property with the landlord's petition.**
 9
 10 (b) If the tenant fails to remove the tenant's personal property before
 11 the date specified in the court's order, ~~issued under subsection (a)~~, the
 12 landlord may remove the tenant's personal property **and dispose of it:**
 13 **(1) by any means the landlord considers expedient if the value**
 14 **of the tenant's personal property is less than one thousand**
 15 **dollars (\$1,000); and**
 16 **(2) in accordance with the court's order and deliver the personal**
 17 **property to a warehouseman under section 3 of this chapter. if the**



1 value of the tenant's personal property is at least one
 2 thousand dollars (\$1,000).
 3 SECTION 2. IC 32-31-7-8 IS ADDED TO THE INDIANA CODE
 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 5 1, 2007]: **Sec. 8. (a) This section applies only to a tenant with a week
 6 to week lease term.**
 7 **(b) If a tenant refuses or neglects to pay rent when due, the
 8 landlord may do the following without the order of a court:**
 9 **(1) Immediately terminate the lease.**
 10 **(2) Dispose of any of the tenant's personal property:**
 11 **(A) that remains in the rental premises seven (7) days or
 12 more after the landlord gives the tenant notice of the
 13 termination of the lease; and**
 14 **(B) by any means the landlord considers expedient.**
 15 **(c) If a landlord terminates the lease under subsection (b)(1), the
 16 tenant shall vacate the rental premises immediately after the
 17 landlord gives the tenant notice of termination of the lease.**
 18 SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE
 19 JULY 1, 2007]: IC 32-31-4-1; IC 32-31-4-3; IC 32-31-4-4;
 20 IC 32-31-4-5.

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