

# SENATE BILL No. 334

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 32-21-12.

**Synopsis:** Restrictive covenants regarding modular homes. Provides that a deed restriction, restrictive covenant, or agreement recorded after June 30, 2007, may not prohibit or restrict the erection of an industrialized residential structure on real property. Provides that a deed restriction, restrictive covenant, or agreement that applies uniformly to all homes and industrialized residential structures in a subdivision may impose reasonable aesthetic compatibility requirements on an industrialized residential structure in the subdivision.

**Effective:** July 1, 2007.

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### Riegsecker

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January 11, 2007, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.

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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. 334



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 32-21-12 IS ADDED TO THE INDIANA CODE  
 2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2007]:  
 4 **Chapter 12. Deed Restrictions Regarding Industrialized**  
 5 **Residential Structures**  
 6 **Sec. 1. As used in this chapter, "industrialized residential**  
 7 **structure" means a structure that is:**  
 8 (1) an industrialized building system (as defined in  
 9 IC 22-12-1-14) certified under IC 22-15-4-1; and  
 10 (2) a Class 2 structure (as defined in IC 22-12-1-5(a)(1));  
 11 intended for placement on a permanent foundation.  
 12 **Sec. 2. This chapter applies only to deed restrictions, restrictive**  
 13 **covenants, or agreements that are recorded after June 30, 2007.**  
 14 **Sec. 3. Except as provided in section 4 of this chapter, a deed**  
 15 **restriction, restrictive covenant, or agreement may not prohibit or**  
 16 **restrict the erection of an industrialized residential structure on**  
 17 **real property.**



1           **Sec. 4. A deed restriction, restrictive covenant, or agreement**  
2           **that applies uniformly to all homes and industrialized residential**  
3           **structures in a subdivision may impose reasonable aesthetic**  
4           **compatibility requirements on an industrialized residential**  
5           **structure in the subdivision.**

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