



February 19, 2013

HOUSE BILL No. 1313

DIGEST OF HB 1313 (Updated February 19, 2013 12:12 pm - DI 75)

Citations Affected: IC 36-1; noncode.

Synopsis: Regulation of residential leases. Provides that a political subdivision may not adopt a regulation after February 28, 2013, that: (1) requires an owner or landlord to be licensed or to obtain a permit from the political subdivision to lease a rental unit; (2) requires an owner or landlord to enroll or participate in a class or government program as a condition for leasing a rental unit; or (3) imposes a fee or other assessment for inspection of a rental unit, registration of an owner, landlord, or rental unit, or for any other purpose other than a fee relating to the construction of a rental unit, such as a building permit fee. Provides that this prohibition expires July 1, 2014. Urges the legislative council to assign the topic of regulation of residential leases by political subdivisions to a study committee during the 2013 legislative interim.

Effective: March 1, 2013 (retroactive); July 1, 2013.

Speedy, Turner, Austin, VanNatter

January 14, 2013, read first time and referred to Committee on Local Government.
January 28, 2013, reassigned to Committee on Government and Regulatory Reform.
February 19, 2013, amended, reported — Do Pass.

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February 19, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1313

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

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

- 1 SECTION 1. IC 36-1-20-4 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
3 **MARCH 1, 2013 (RETROACTIVE)]**: **Sec. 4. (a) As used in this**
4 **section, "regulation" refers to an ordinance, rule, or other**
5 **enactment by a political subdivision.**
6 **(b) A regulation that does any of the following may not be**
7 **adopted after February 28, 2013:**
8 **(1) Requires an owner or landlord to be licensed or to obtain**
9 **a permit from the political subdivision to lease a rental unit.**
10 **(2) Requires an owner or landlord to enroll or participate in**
11 **a class or government program as a condition for leasing a**
12 **rental unit.**
13 **(3) Imposes a fee or other assessment for any of the following:**
14 **(A) Inspection of a rental unit.**
15 **(B) Registration of an owner, landlord, or rental unit.**
16 **(C) Any other purpose. However, this clause does not**
17 **prohibit imposition of a fee relating to the construction of**

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1 a rental unit, such as a building permit fee.
 2 (c) This section expires July 1, 2014.
 3 SECTION 2. [EFFECTIVE JULY 1, 2013] (a) As used in this
 4 SECTION, "legislative council" refers to the legislative council
 5 established by IC 2-5-1.1-1.
 6 (b) As used in this SECTION, "study committee" means either
 7 of the following:
 8 (1) A statutory committee established under IC 2-5.
 9 (2) An interim study committee.
 10 (c) The legislative council is urged to assign the topic of
 11 regulation of residential leases by political subdivisions to a study
 12 committee during the 2013 legislative interim.
 13 (d) If the topic described in subsection (c) is assigned to a study
 14 committee, the study committee shall issue a final report to the
 15 legislative council containing the study committee's findings and
 16 recommendations, including any recommended legislation
 17 concerning the topic, in an electronic format under IC 5-14-6 not
 18 later than November 1, 2013.
 19 (e) This SECTION expires December 31, 2013.
 20 SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1313, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 36-1-20-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2013 (RETROACTIVE)]: **Sec. 4. (a) As used in this section, "regulation" refers to an ordinance, rule, or other enactment by a political subdivision.**

(b) A regulation that does any of the following may not be adopted after February 28, 2013:

- (1) Requires an owner or landlord to be licensed or to obtain a permit from the political subdivision to lease a rental unit.**
- (2) Requires an owner or landlord to enroll or participate in a class or government program as a condition for leasing a rental unit.**
- (3) Imposes a fee or other assessment for any of the following:**
 - (A) Inspection of a rental unit.**
 - (B) Registration of an owner, landlord, or rental unit.**
 - (C) Any other purpose. However, this clause does not prohibit imposition of a fee relating to the construction of a rental unit, such as a building permit fee.**

(c) This section expires July 1, 2014.

SECTION 2. [EFFECTIVE JULY 1, 2013] **(a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

(b) As used in this SECTION, "study committee" means either of the following:

- (1) A statutory committee established under IC 2-5.**
- (2) An interim study committee.**

(c) The legislative council is urged to assign the topic of regulation of residential leases by political subdivisions to a study committee during the 2013 legislative interim.

(d) If the topic described in subsection (c) is assigned to a study committee, the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2013.

(e) This SECTION expires December 31, 2013.

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SECTION 3. An emergency is declared for this act."

Delete page 2.

and when so amended that said bill do pass.

(Reference is to HB 1313 as introduced.)

MAHAN, Chair

Committee Vote: yeas 12, nays 0.

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