

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 433**

Citations Affected: IC 6-1.1; IC 9-13-2; IC 9-17-6; IC 9-18-2-7; IC 16-41-27-31; IC 32-30-10.6; IC 34-30-26-5; IC 35-43-2-2; IC 36-2-11-14.5; IC 36-7.

Synopsis: Abandoned property; property safety; mobile homes. Establishes a procedure to permit a county executive to transfer certain properties that did not sell at a tax sale to a person able to repair and maintain the properties. Provides that before the county executive may transfer properties that did not sell at a tax sale to a nonprofit corporation, an abutting property owner, or a person satisfactorily able to repair and maintain the property, a person with a substantial interest in the property must be given an opportunity to redeem the property. Removes a requirement that the county executive's sale of a certain contiguous vacant parcel to an adjoining property owner may be conducted only if construction of a residential dwelling is permitted on the vacant parcel. Requires that certain notices concerning demolition and removal under the unsafe building law must be served on each person with a known or recorded substantial property interest. Requires a county executive, in preparing the list of tax delinquent properties that must be submitted annually to the county auditor, to include on the list any real property that the executive of a city or town located in the county has determined to be abandoned and has identified as such to the county executive. Requires the county auditor of a county not having a consolidated city to prepare a list of tracts or items of real property within each city or town located in the county for which the fall installment of the most recent previous year's taxes is delinquent and to give a copy of the list to the appropriate city or town or post the list on the county's web site. Requires a county executive to give notice to the executive of a city or town in which is located real property that is subject to sale or transfer under the statute governing sale or transfer of properties with delinquent taxes or assessments so that the city or town may accept transfer of the property. Amends a statute authorizing judicial determination that real property subject to a mortgage is abandoned so as to authorize a judicial determination under that statute that real property not subject to a mortgage is abandoned. Authorizes a municipality or county to bring an action to collect unpaid expenses relating to the abatement of high weeds and grass. (Under current law, the municipality or county may obtain only a lien on the property containing the high weeds and grass.) Provides that a creditor is a person immune from civil liability for entering abandoned real property to perform certain actions to clean up the real property. Provides that removal or painting over of graffiti is an action that is immunized. Provides that

a person who enters or refuses to leave vacant or abandoned property after having been barred from the property by a court order or a law enforcement officer commits criminal trespass. Provides that for purposes of the statute relating to removal of weeds from properties, notice may be given by first class mail rather than by certified mail. Provides that only the owner of a mobile home may obtain the permit required to move the mobile home from one location to another. Requires a county treasurer to notify the appropriate assessing official of the township to which a mobile home will be moved that a permit to move the mobile home has been issued. Requires the department of local government finance to develop a system for recording the property tax information for a mobile home that is not assessed as real property. Provides that the system must use an identification number that is unique to the vehicle identification number of the mobile home. Imposes recording requirements upon purchase contracts for a mobile home or manufactured home that is not assessed as real property. Provides that for assessment dates after December 31, 2013: (1) a contract buyer claiming the standard deduction with respect to a mobile home or manufactured home that is not assessed as real property while purchasing the mobile home or manufactured home under a contract must show compliance with the new requirements; and (2) an owner other than a contract buyer must attach a copy of the owner's title to the mobile home or manufactured home to the application for the deduction. Specifies that a reference to a manufactured home in the certificate of title law must be construed as a reference to a mobile home. Provides that mobile home community registers must be open to inspection by township and county assessors. Specifies the information that must be submitted to the county recorder to have a contract for the sale of a manufactured home or mobile home recorded. Specifies that any applicable recording fees must be paid. Requires the county recorder to provide the submitted information to the county treasurer and to notify the appropriate assessing official that such a contract has been recorded. Makes certain technical changes. **(This conference committee report makes the following changes to the House-passed version of ESB 433 (reprinted April 5, 2013): (1) SECTION 6 of this conference committee report (IC 6-1.1-24-4.5) is amended to fix a conflict with HEA 1568-2013, SECTION 5; (2) SECTION 11 of this conference committee report (IC 6-1.1-24-6.8) is amended to fix a conflict with HEA 1568-2013, SECTION 6; (3) incorporates numerous provisions affecting mobile homes and manufactured homes, which originated in HB 1330 and were included in the House-passed version of ESB 494; and (4) makes a technical correction to an error discovered in SEA 563-2013.)**

Effective: Upon passage; July 1, 2013.

Adopted Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 433 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
2 SECTION 1. IC 6-1.1-7-10 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) A mobile
4 home may not be moved from one **(1)** location to another unless the
5 owner ~~or the occupier~~ obtains a permit to move the mobile home from
6 the county treasurer.
7 (b) The bureau of motor vehicles may not transfer the title to a
8 mobile home unless the owner obtains a permit to transfer the title from
9 the county treasurer.
10 (c) A county treasurer shall issue a permit which is required to
11 either move, or transfer the title to, a mobile home if the taxes due on
12 the mobile home have been paid. The permit shall state the date it is
13 issued.
14 **(d) After issuing a permit to move a mobile home under**
15 **subsection (c), a county treasurer shall notify the township assessor**
16 **of the township to which the mobile home will be moved, or the**
17 **county assessor if there is no township assessor for the township,**
18 **that the permit to move the mobile home has been issued.**
19 SECTION 2. IC 6-1.1-7-11 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) A person
21 who is engaged to move a mobile home may not provide that service
22 unless the owner ~~or occupier~~ presents ~~him~~ **the mover** with a permit to

1 move the mobile home and the permit is dated not more than one (1)
 2 month before the date of the proposed move. The mover shall retain
 3 possession of the permit while the mobile home is in transit.

4 (b) The mover shall return the permit to the owner or occupier of the
 5 mobile home when the move is completed.

6 SECTION 3. IC 6-1.1-7-16 IS ADDED TO THE INDIANA CODE
 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2013]: **Sec. 16. The department of local government finance shall
 9 develop a system for recording the property tax information for a
 10 mobile home assessed under this chapter using an identification
 11 number that is unique to the vehicle identification number of the
 12 mobile home. The department of local government finance shall
 13 implement the system before January 1, 2015.**

14 SECTION 4. IC 6-1.1-12-37, AS AMENDED BY P.L.137-2012,
 15 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2013]: Sec. 37. (a) The following definitions apply throughout
 17 this section:

18 (1) "Dwelling" means any of the following:

19 (A) Residential real property improvements that an individual
 20 uses as the individual's residence, including a house or garage.

21 (B) A mobile home that is not assessed as real property that an
 22 individual uses as the individual's residence.

23 (C) A manufactured home that is not assessed as real property
 24 that an individual uses as the individual's residence.

25 (2) "Homestead" means an individual's principal place of
 26 residence:

27 (A) that is located in Indiana;

28 (B) that:

29 (i) the individual owns;

30 (ii) the individual is buying under a contract; recorded in the
 31 county recorder's office, that provides that the individual is
 32 to pay the property taxes on the residence;

33 (iii) the individual is entitled to occupy as a
 34 tenant-stockholder (as defined in 26 U.S.C. 216) of a
 35 cooperative housing corporation (as defined in 26 U.S.C.
 36 216); or

37 (iv) is a residence described in section 17.9 of this chapter
 38 that is owned by a trust if the individual is an individual
 39 described in section 17.9 of this chapter; and

40 (C) that consists of a dwelling and the real estate, not
 41 exceeding one (1) acre, that immediately surrounds that
 42 dwelling.

43 Except as provided in subsection (k), the term does not include
 44 property owned by a corporation, partnership, limited liability
 45 company, or other entity not described in this subdivision.

46 (b) Each year a homestead is eligible for a standard deduction from
 47 the assessed value of the homestead for an assessment date. The
 48 deduction provided by this section applies to property taxes first due
 49 and payable for an assessment date only if an individual has an interest
 50 in the homestead described in subsection (a)(2)(B) on:

51 (1) the assessment date; or

1 (2) any date in the same year after an assessment date that a
 2 statement is filed under subsection (e) or section 44 of this
 3 chapter, if the property consists of real property.

4 Subject to subsection (c), the auditor of the county shall record and
 5 make the deduction for the individual or entity qualifying for the
 6 deduction.

7 (c) Except as provided in section 40.5 of this chapter, the total
 8 amount of the deduction that a person may receive under this section
 9 for a particular year is the lesser of:

10 (1) sixty percent (60%) of the assessed value of the real property,
 11 mobile home not assessed as real property, or manufactured home
 12 not assessed as real property; or

13 (2) forty-five thousand dollars (\$45,000).

14 (d) A person who has sold real property, a mobile home not assessed
 15 as real property, or a manufactured home not assessed as real property
 16 to another person under a contract that provides that the contract buyer
 17 is to pay the property taxes on the real property, mobile home, or
 18 manufactured home may not claim the deduction provided under this
 19 section with respect to that real property, mobile home, or
 20 manufactured home.

21 (e) Except as provided in sections 17.8 and 44 of this chapter and
 22 subject to section 45 of this chapter, an individual who desires to claim
 23 the deduction provided by this section must file a certified statement in
 24 duplicate, on forms prescribed by the department of local government
 25 finance, with the auditor of the county in which the homestead is
 26 located. The statement must include:

27 (1) the parcel number or key number of the property and the name
 28 of the city, town, or township in which the property is located;

29 (2) the name of any other location in which the applicant or the
 30 applicant's spouse owns, is buying, or has a beneficial interest in
 31 residential real property;

32 (3) the names of:

33 (A) the applicant and the applicant's spouse (if any):

34 (i) as the names appear in the records of the United States
 35 Social Security Administration for the purposes of the
 36 issuance of a Social Security card and Social Security
 37 number; or

38 (ii) that they use as their legal names when they sign their
 39 names on legal documents;

40 if the applicant is an individual; or

41 (B) each individual who qualifies property as a homestead
 42 under subsection (a)(2)(B) and the individual's spouse (if any):

43 (i) as the names appear in the records of the United States
 44 Social Security Administration for the purposes of the
 45 issuance of a Social Security card and Social Security
 46 number; or

47 (ii) that they use as their legal names when they sign their
 48 names on legal documents;

49 if the applicant is not an individual; and

50 (4) either:

1 (A) the last five (5) digits of the applicant's Social Security
 2 number and the last five (5) digits of the Social Security
 3 number of the applicant's spouse (if any); or

4 (B) if the applicant or the applicant's spouse (if any) do not
 5 have a Social Security number, any of the following for that
 6 individual:

7 (i) The last five (5) digits of the individual's driver's license
 8 number.

9 (ii) The last five (5) digits of the individual's state
 10 identification card number.

11 (iii) If the individual does not have a driver's license or a
 12 state identification card, the last five (5) digits of a control
 13 number that is on a document issued to the individual by the
 14 federal government and determined by the department of
 15 local government finance to be acceptable.

16 If a form or statement provided to the county auditor under this section,
 17 IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or
 18 part or all of the Social Security number of a party or other number
 19 described in subdivision (4)(B) of a party, the telephone number and
 20 the Social Security number or other number described in subdivision
 21 (4)(B) included are confidential. The statement may be filed in person
 22 or by mail. If the statement is mailed, the mailing must be postmarked
 23 on or before the last day for filing. The statement applies for that first
 24 year and any succeeding year for which the deduction is allowed. With
 25 respect to real property, the statement must be completed and dated in
 26 the calendar year for which the person desires to obtain the deduction
 27 and filed with the county auditor on or before January 5 of the
 28 immediately succeeding calendar year. With respect to a mobile home
 29 that is not assessed as real property, the person must file the statement
 30 during the twelve (12) months before March 31 of the year for which
 31 the person desires to obtain the deduction.

32 (f) If an individual who is receiving the deduction provided by this
 33 section or who otherwise qualifies property for a deduction under this
 34 section:

35 (1) changes the use of the individual's property so that part or all
 36 of the property no longer qualifies for the deduction under this
 37 section; or

38 (2) is no longer eligible for a deduction under this section on
 39 another parcel of property because:

40 (A) the individual would otherwise receive the benefit of more
 41 than one (1) deduction under this chapter; or

42 (B) the individual maintains the individual's principal place of
 43 residence with another individual who receives a deduction
 44 under this section;

45 the individual must file a certified statement with the auditor of the
 46 county, notifying the auditor of the change of use, not more than sixty
 47 (60) days after the date of that change. An individual who fails to file
 48 the statement required by this subsection is liable for any additional
 49 taxes that would have been due on the property if the individual had
 50 filed the statement as required by this subsection plus a civil penalty

1 equal to ten percent (10%) of the additional taxes due. The civil penalty
2 imposed under this subsection is in addition to any interest and
3 penalties for a delinquent payment that might otherwise be due. One
4 percent (1%) of the total civil penalty collected under this subsection
5 shall be transferred by the county to the department of local
6 government finance for use by the department in establishing and
7 maintaining the homestead property data base under subsection (i) and,
8 to the extent there is money remaining, for any other purposes of the
9 department. This amount becomes part of the property tax liability for
10 purposes of this article.

11 (g) The department of local government finance shall adopt rules or
12 guidelines concerning the application for a deduction under this
13 section.

14 (h) This subsection does not apply to property in the first year for
15 which a deduction is claimed under this section if the sole reason that
16 a deduction is claimed on other property is that the individual or
17 married couple maintained a principal residence at the other property
18 on March 1 in the same year in which an application for a deduction is
19 filed under this section or, if the application is for a homestead that is
20 assessed as personal property, on March 1 in the immediately
21 preceding year and the individual or married couple is moving the
22 individual's or married couple's principal residence to the property that
23 is the subject of the application. Except as provided in subsection (n),
24 the county auditor may not grant an individual or a married couple a
25 deduction under this section if:

26 (1) the individual or married couple, for the same year, claims the
27 deduction on two (2) or more different applications for the
28 deduction; and

29 (2) the applications claim the deduction for different property.

30 (i) The department of local government finance shall provide secure
31 access to county auditors to a homestead property data base that
32 includes access to the homestead owner's name and the numbers
33 required from the homestead owner under subsection (e)(4) for the sole
34 purpose of verifying whether an owner is wrongly claiming a deduction
35 under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or
36 IC 6-3.5.

37 (j) A county auditor may require an individual to provide evidence
38 proving that the individual's residence is the individual's principal place
39 of residence as claimed in the certified statement filed under subsection
40 (e). The county auditor may limit the evidence that an individual is
41 required to submit to a state income tax return, a valid driver's license,
42 or a valid voter registration card showing that the residence for which
43 the deduction is claimed is the individual's principal place of residence.
44 The department of local government finance shall work with county
45 auditors to develop procedures to determine whether a property owner
46 that is claiming a standard deduction or homestead credit is not eligible
47 for the standard deduction or homestead credit because the property
48 owner's principal place of residence is outside Indiana.

49 (k) As used in this section, "homestead" includes property that
50 satisfies each of the following requirements:

- 1 (1) The property is located in Indiana and consists of a dwelling
 2 and the real estate, not exceeding one (1) acre, that immediately
 3 surrounds that dwelling.
- 4 (2) The property is the principal place of residence of an
 5 individual.
- 6 (3) The property is owned by an entity that is not described in
 7 subsection (a)(2)(B).
- 8 (4) The individual residing on the property is a shareholder,
 9 partner, or member of the entity that owns the property.
- 10 (5) The property was eligible for the standard deduction under
 11 this section on March 1, 2009.
- 12 (l) If a county auditor terminates a deduction for property described
 13 in subsection (k) with respect to property taxes that are:
- 14 (1) imposed for an assessment date in 2009; and
 15 (2) first due and payable in 2010;
- 16 on the grounds that the property is not owned by an entity described in
 17 subsection (a)(2)(B), the county auditor shall reinstate the deduction if
 18 the taxpayer provides proof that the property is eligible for the
 19 deduction in accordance with subsection (k) and that the individual
 20 residing on the property is not claiming the deduction for any other
 21 property.
- 22 (m) For ~~assessments~~ **assessment** dates after 2009, the term
 23 "homestead" includes:
- 24 (1) a deck or patio;
 25 (2) a gazebo; or
 26 (3) another residential yard structure, as defined in rules adopted
 27 by the department of local government finance (other than a
 28 swimming pool);
 29 that is assessed as real property and attached to the dwelling.
- 30 (n) A county auditor shall grant an individual a deduction under this
 31 section regardless of whether the individual and the individual's spouse
 32 claim a deduction on two (2) different applications and each
 33 application claims a deduction for different property if the property
 34 owned by the individual's spouse is located outside Indiana and the
 35 individual files an affidavit with the county auditor containing the
 36 following information:
- 37 (1) The names of the county and state in which the individual's
 38 spouse claims a deduction substantially similar to the deduction
 39 allowed by this section.
- 40 (2) A statement made under penalty of perjury that the following
 41 are true:
- 42 (A) That the individual and the individual's spouse maintain
 43 separate principal places of residence.
- 44 (B) That neither the individual nor the individual's spouse has
 45 an ownership interest in the other's principal place of
 46 residence.
- 47 (C) That neither the individual nor the individual's spouse has,
 48 for that same year, claimed a standard or substantially similar
 49 deduction for any property other than the property maintained
 50 as a principal place of residence by the respective individuals.

1 A county auditor may require an individual or an individual's spouse to
 2 provide evidence of the accuracy of the information contained in an
 3 affidavit submitted under this subsection. The evidence required of the
 4 individual or the individual's spouse may include state income tax
 5 returns, excise tax payment information, property tax payment
 6 information, driver license information, and voter registration
 7 information.

8 (o) If:

9 (1) a property owner files a statement under subsection (e) to
 10 claim the deduction provided by this section for a particular
 11 property; and

12 (2) the county auditor receiving the filed statement determines
 13 that the property owner's property is not eligible for the deduction;
 14 the county auditor shall inform the property owner of the county
 15 auditor's determination in writing. If a property owner's property is not
 16 eligible for the deduction because the county auditor has determined
 17 that the property is not the property owner's principal place of
 18 residence, the property owner may appeal the county auditor's
 19 determination to the county property tax assessment board of appeals
 20 as provided in IC 6-1.1-15. The county auditor shall inform the
 21 property owner of the owner's right to appeal to the county property tax
 22 assessment board of appeals when the county auditor informs the
 23 property owner of the county auditor's determination under this
 24 subsection.

25 **(p) This subsection applies to an application for the deduction**
 26 **provided by this section that is filed for an assessment date**
 27 **occurring after December 31, 2013. Notwithstanding any other**
 28 **provision of this section, an individual buying a mobile home that**
 29 **is not assessed as real property or a manufactured home that is not**
 30 **assessed as real property under a contract providing that the**
 31 **individual is to pay the property taxes on the mobile home or**
 32 **manufactured home is not entitled to the deduction provided by**
 33 **this section unless the parties to the contract comply with**
 34 **IC 9-17-6-17.**

35 **(q) This subsection:**

36 **(1) applies to an application for the deduction provided by this**
 37 **section that is filed for an assessment date occurring after**
 38 **December 31, 2013; and**

39 **(2) does not apply to an individual described in subsection (p).**
 40 **The owner of a mobile home that is not assessed as real property**
 41 **or a manufactured home that is not assessed as real property must**
 42 **attach a copy of the owner's title to the mobile home or**
 43 **manufactured home to the application for the deduction provided**
 44 **by this section.**

45 SECTION 5. IC 6-1.1-24-1, AS AMENDED BY P.L.120-2012,
 46 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 47 JULY 1, 2013]: Sec. 1. (a) On or after January 1 of each calendar year
 48 in which a tax sale will be held in a county and not later than fifty-one
 49 (51) days after the first tax payment due date in that calendar year, the
 50 county treasurer (or county executive, in the case of property described
 51 in subdivision (2)) shall certify to the county auditor a list of real

1 property on which any of the following exist:

2 (1) In the case of real property other than real property described

3 in subdivision (2), any property taxes or special assessments

4 certified to the county auditor for collection by the county

5 treasurer from the prior year's spring installment or before are

6 delinquent as determined under IC 6-1.1-37-10 and the delinquent

7 property tax or special assessments due exceed twenty-five dollars

8 (\$25).

9 (2) In the case of real property for which a county executive has

10 certified to the county auditor that the real property is:

11 (A) vacant; or

12 (B) abandoned;

13 any property taxes or special assessments from the prior year's fall

14 installment or before that are delinquent as determined under

15 IC 6-1.1-37-10. The county executive must make a certification

16 under this subdivision not later than sixty-one (61) days before

17 the earliest date on which application for judgment and order for

18 sale may be made. **The executive of a city or town may provide**

19 **to the county executive of the county in which the city or town**

20 **is located a list of real property that the city or town has**

21 **determined to be vacant or abandoned. The county executive**

22 **shall include real property included on the list provided by a**

23 **city or town executive on the list certified by the county**

24 **executive to the county auditor under this subsection.**

25 (3) Any unpaid costs are due under section 2(b) of this chapter

26 from a prior tax sale.

27 (b) The county auditor shall maintain a list of all real property

28 eligible for sale. Except as provided in section 1.2 or another provision

29 of this chapter, the taxpayer's property shall remain on the list. The list

30 must:

31 (1) describe the real property by parcel number and common

32 address, if any;

33 (2) for a tract or item of real property with a single owner,

34 indicate the name of the owner; and

35 (3) for a tract or item with multiple owners, indicate the name of

36 at least one (1) of the owners.

37 (c) Except as otherwise provided in this chapter, the real property

38 so listed is eligible for sale in the manner prescribed in this chapter.

39 (d) Not later than fifteen (15) days after the date of the county

40 treasurer's certification under subsection (a), the county auditor shall

41 mail by certified mail a copy of the list described in subsection (b) to

42 each mortgagee who requests from the county auditor by certified mail

43 a copy of the list. Failure of the county auditor to mail the list under

44 this subsection does not invalidate an otherwise valid sale.

45 SECTION 6. IC 6-1.1-24-4.5, AS AMENDED BY HEA 1568-2013,

46 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

47 JULY 1, 2013]: Sec. 4.5. (a) The county auditor shall also provide

48 those agencies under IC 36-7-17 or IC 36-7-17.1, in that county, with

49 a list of tracts or items of real property on which one (1) or more

50 installments of taxes is delinquent by June 15 of the year following the

51 date the delinquency occurred.

1 (b) This subsection applies to a county having a consolidated city.
 2 The county auditor shall prepare a list of tracts or items of real
 3 properties for which at least one (1) installment of taxes is delinquent
 4 at least ten (10) months. The auditor shall submit a copy of this list to
 5 the metropolitan development commission ~~no~~ **not** later than one
 6 hundred six (106) days ~~prior to~~ **before** the date on which application
 7 for judgment and order for sale is made.

8 **(c) This subsection applies to a county not having a consolidated**
 9 **city. The county auditor shall prepare a list of tracts or items of**
 10 **real property located in the county for which the fall installment of**
 11 **taxes for the most recent previous year is delinquent. The auditor**
 12 **shall submit a copy of the list prepared under this subsection to**
 13 **each city or town within the county or make the list available on**
 14 **the county's Internet web site not later than one hundred six (106)**
 15 **days before the date on which application for judgment and order**
 16 **for sale is made.**

17 SECTION 7. IC 6-1.1-24-6, AS AMENDED BY P.L.56-2012,
 18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2013]: Sec. 6. (a) When a tract or an item of real property is
 20 offered for sale under this chapter and an amount is not received equal
 21 to or in excess of the minimum sale price prescribed in section 5 of this
 22 chapter, the county executive acquires a lien in the amount of the
 23 minimum sale price. This lien attaches on the day after the last date on
 24 which the tract or item was offered for sale.

25 (b) When a county executive acquires a lien under this section, the
 26 county auditor shall issue a tax sale certificate to the county executive
 27 in the manner provided in section 9 of this chapter. The county auditor
 28 shall date the certificate the day that the county executive acquires the
 29 lien. When a county executive acquires a certificate under this section,
 30 the county executive has the same rights as a purchaser.

31 (c) When a lien is acquired by a county executive under this section,
 32 no money shall be paid by the county executive. However, each of the
 33 taxing units having an interest in the taxes on the tract shall be charged
 34 with the full amount of all delinquent taxes due them.

35 **(d) This subsection applies after June 30, 2013. Whenever a**
 36 **county executive acquires a lien under this section, the county**
 37 **auditor shall provide a list of the liens held by the county to the**
 38 **executive of a city or town who requests the list or post the list on**
 39 **the county's Internet web site not later than thirty (30) days after**
 40 **the tax sale.**

41 ~~(d)~~ (e) This section shall apply to any tract or an item of real
 42 property offered for sale under this chapter in 2006, and an amount was
 43 not received equal to or in excess of the minimum sale price prescribed
 44 in section 5 of this chapter, if the county executive finds that the tract
 45 or item of real property meets the definition of a brownfield as set forth
 46 in IC 13-11-2-19.3.

47 SECTION 8. IC 6-1.1-24-6.1, AS AMENDED BY P.L.56-2012,
 48 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 49 JULY 1, 2013]: Sec. 6.1. (a) The county executive may do the
 50 following:

51 (1) By resolution, identify properties:

- 1 (A) that are described in section 6.7(a) or **6.9(a)** of this
 2 chapter; and
 3 (B) concerning which the county executive desires to offer to
 4 the public the certificates of sale acquired by the county
 5 executive under section 6 of this chapter.
- 6 (2) In conformity with IC 5-3-1-4, publish:
 7 (A) notice of the date, time, and place for a public sale; and
 8 (B) a listing of parcels on which certificates will be offered by
 9 parcel number and minimum bid amount;
 10 once each week for three (3) consecutive weeks, with the final
 11 advertisement being not less than thirty (30) days before the sale
 12 date. The expenses of the publication shall be paid out of the
 13 county general fund.
- 14 (3) Sell each certificate of sale covered by the resolution for a
 15 price that:
 16 (A) is less than the minimum sale price prescribed by section
 17 5 of this chapter; and
 18 (B) includes any costs to the county executive directly
 19 attributable to the sale of the certificate of sale.
- 20 (b) Notice of the list of properties prepared under subsection (a) and
 21 the date, time, and place for the public sale of the certificates of sale
 22 shall be published in accordance with IC 5-3-1. The notice must:
 23 (1) include a description of the property by parcel number and
 24 common address;
 25 (2) specify that the county executive will accept bids for the
 26 certificates of sale for the price referred to in subsection (a)(3);
 27 (3) specify the minimum bid for each parcel;
 28 (4) include a statement that a person redeeming each tract or item
 29 of real property after the sale of the certificate must pay:
 30 (A) the amount of the minimum bid under section 5 of this
 31 chapter for which the tract or item of real property was last
 32 offered for sale;
 33 (B) ten percent (10%) of the amount for which the certificate
 34 is sold;
 35 (C) the attorney's fees and costs of giving notice under
 36 IC 6-1.1-25-4.5;
 37 (D) the costs of a title search or of examining and updating the
 38 abstract of title for the tract or item of real property;
 39 (E) all taxes and special assessments on the tract or item of
 40 real property paid by the purchaser after the sale of the
 41 certificate plus interest at the rate of ten percent (10%) per
 42 annum on the amount of taxes and special assessments paid by
 43 the purchaser on the redeemed property; and
 44 (F) all costs of sale, advertising costs, and other expenses of
 45 the county directly attributable to the sale of certificates of
 46 sale; and
 47 (5) include a statement that, if the certificate is sold for an amount
 48 more than the minimum bid under section 5 of this chapter for
 49 which the tract or item of real property was last offered for sale
 50 and the property is not redeemed, the owner of record of the tract

1 or item of real property who is divested of ownership at the time
2 the tax deed is issued may have a right to the tax sale surplus.

3 SECTION 9. IC 6-1.1-24-6.2 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2013]: **Sec. 6.2. (a) This section applies to**
6 **real property located within the municipal boundaries of a city or**
7 **town.**

8 **(b) Before the transfer of real property under section 6.7 of this**
9 **chapter, the sale of real property under section 6.8 of this chapter,**
10 **or the transfer of real property under section 6.9 of this chapter,**
11 **the county executive of the county in which the real property is**
12 **located shall notify the executive of the city or town in which the**
13 **real property is located of the opportunity to accept a transfer of**
14 **the property to the city or town as negotiated between the city or**
15 **town and the county.**

16 **(c) After receiving notice from a county executive under**
17 **subsection (b), the executive of the city or town shall respond to the**
18 **notice not later than twenty (20) days after the executive receives**
19 **the notice.**

20 SECTION 10. IC 6-1.1-24-6.7, AS AMENDED BY P.L.1-2007,
21 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2013]: Sec. 6.7. (a) The county executive may:

- 23 (1) by resolution, identify the property described under section 6
24 of this chapter that the county executive desires to transfer to a
25 nonprofit corporation for use for the public good; and
26 (2) set a date, time, and place for a public hearing to consider the
27 transfer of the property to a nonprofit corporation.

28 (b) Notice of the property identified under subsection (a) and the
29 date, time, and place for the hearing on the proposed transfer of the
30 property on the list shall be published in accordance with IC 5-3-1. The
31 notice must include a description of the property by:

- 32 (1) legal description; and
33 (2) parcel number or street address, or both.

34 The notice must specify that the county executive will accept
35 applications submitted by nonprofit corporations as provided in
36 subsection (d) and hear any opposition to a proposed transfer.

37 (c) After the hearing set under subsection (a), the county executive
38 shall by resolution make a final determination concerning:

- 39 (1) the properties that are to be transferred to a nonprofit
40 corporation;
41 (2) the nonprofit corporation to which each property is to be
42 transferred; and
43 (3) the terms and conditions of the transfer.

44 (d) To be eligible to receive property under this section, a nonprofit
45 corporation must file an application with the county executive. The
46 application must state the property that the corporation desires to
47 acquire, the use to be made of the property, and the time period
48 anticipated for implementation of the use. The application must be
49 accompanied by documentation verifying the nonprofit status of the
50 corporation and be signed by an officer of the corporation. If more than
51 one (1) application for a single property is filed, the county executive

1 shall determine which application is to be accepted based on the
 2 benefit to be provided to the public and the neighborhood and the
 3 suitability of the stated use for the property and the surrounding area.

4 (e) After the hearing set under subsection (a) and the final
 5 determination of properties to be transferred under subsection (c), the
 6 county executive, on behalf of the county, shall cause all delinquent
 7 taxes, special assessments, penalties, interest, and costs of sale to be
 8 removed from the tax duplicate and the ~~county auditor to prepare a~~
 9 ~~deed transferring the property to the~~ nonprofit corporation **is entitled**
 10 **to a tax deed prepared by the county auditor, if the conditions of**
 11 **IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied.** The deed shall
 12 provide for:

- 13 (1) the use to be made of the property;
- 14 (2) the time within which the use must be implemented and
- 15 maintained;
- 16 (3) any other terms and conditions that are established by the
- 17 county executive; and
- 18 (4) the reversion of the property to the county executive if the
- 19 grantee nonprofit corporation fails to comply with the terms and
- 20 conditions.

21 If the grantee nonprofit corporation fails to comply with the terms and
 22 conditions of the transfer and title to the property reverts to the county
 23 executive, the property may be retained by the county executive or
 24 disposed of under any of the provisions of this chapter or ~~IC 6-1.1-24;~~
 25 **IC 6-1.1-25**, or both.

26 SECTION 11. IC 6-1.1-24-6.8, AS AMENDED BY HEA
 27 1568-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2013]: Sec. 6.8. (a) For purposes of this section,
 29 in a county containing a consolidated city "county executive" refers to
 30 the board of commissioners of the county as provided in IC 36-3-3-10.

31 (b) As used in this section, "vacant parcel" refers to a parcel that
 32 satisfies the following:

- 33 (1) A lien has been acquired on the parcel under section 6(a) of
- 34 this chapter.
- 35 (2) ~~If the parcel is unimproved on the date the certificate of sale~~
 36 ~~for the parcel or the vacant parcel is offered for sale under this~~
 37 ~~chapter, the construction of a structure intended for residential use~~
 38 ~~on the parcel is permitted by law.~~
- 39 (3) **(2)** If the parcel is improved on the date the certificate of sale
 40 for the parcel or the vacant parcel is offered for sale under this
 41 chapter, the following apply:
 - 42 (A) One (1) or more of the following are located on the parcel:
 - 43 (i) A structure that may be lawfully occupied for residential
 - 44 use.
 - 45 (ii) A structure used in conjunction with a structure that may
 - 46 be lawfully occupied for residential use.
 - 47 (B) The parcel is:
 - 48 (i) on the list of vacant or abandoned properties designated
 - 49 under section 1(a)(2) of this chapter; or
 - 50 (ii) not occupied by a tenant or a person having a substantial

- 1 property interest of public record in the parcel.
- 2 ~~(4)~~ (3) On the date the certificate of sale for the parcel or the
- 3 vacant parcel is offered for sale under this chapter, the parcel is
- 4 contiguous to one (1) or more parcels that satisfy the following:
- 5 (A) One (1) or more of the following are located on the
- 6 contiguous parcel:
- 7 (i) A structure occupied for residential use.
- 8 (ii) A structure used in conjunction with a structure
- 9 occupied for residential use.
- 10 (B) The contiguous parcel is eligible for the standard
- 11 deduction under IC 6-1.1-12-37.
- 12 (c) A county legislative body may adopt an ordinance authorizing
- 13 the sale of vacant parcels and certificates of sale for vacant parcels in
- 14 the county under this section. The ordinance may establish criteria for
- 15 the identification of vacant parcels and certificates of sale for vacant
- 16 parcels to be offered for sale under this section. The criteria may
- 17 include the following:
- 18 (1) Limitations on the use of the parcel under local zoning and
- 19 land use requirements.
- 20 (2) If the parcel is unimproved, the minimum parcel area
- 21 sufficient for construction of improvements.
- 22 (3) Any other factor considered appropriate by the county
- 23 legislative body.
- 24 In a county containing a consolidated city, the county legislative body
- 25 may adopt an ordinance under this subsection only upon
- 26 recommendation by the board of commissioners provided in
- 27 IC 36-3-3-10.
- 28 (d) If the county legislative body adopts an ordinance under
- 29 subsection (c), the county executive shall for each sale under this
- 30 section:
- 31 (1) by resolution, and subject to the criteria adopted by the county
- 32 legislative body under subsection (c), identify each vacant parcel
- 33 for which the county executive desires to sell the vacant parcel or
- 34 the certificate of sale for the vacant parcel under this section; and
- 35 (2) subject to subsection (e), give written notice to the owner of
- 36 record of each parcel referred to in subsection ~~(b)(4)~~ (b)(3) that
- 37 is contiguous to the vacant parcel.
- 38 (e) The notice under subsection (d)(2) with respect to each vacant
- 39 parcel must include at least the following:
- 40 (1) A description of the vacant parcel by:
- 41 (A) legal description; and
- 42 (B) parcel number or street address, or both.
- 43 (2) Notice that the county executive will accept written
- 44 applications from owners of parcels described in subsection ~~(b)(4)~~
- 45 (b)(3) as provided in subsection (f).
- 46 (3) Notice of the deadline for applications referred to in
- 47 subdivision (2) and of the information to be included in the
- 48 applications.
- 49 (4) Notice that the vacant parcel or certificate of sale for the
- 50 vacant parcel will be sold to the successful applicant for:

- 1 (A) one dollar (\$1); plus
 2 (B) the amounts described in section 5(f)(4) through 5(f)(6) of
 3 this chapter.
- 4 (f) To be eligible to purchase a vacant parcel or the certificate of
 5 sale for a vacant parcel under this section, the owner of a contiguous
 6 parcel referred to in subsection ~~(b)(4)~~ **(b)(3)** must file a written
 7 application with the county executive. The application must:
- 8 (1) identify the vacant parcel or certificate of sale that the
 9 applicant desires to purchase; and
 10 (2) include any other information required by the county
 11 executive.
- 12 (g) If more than one (1) application to purchase a single vacant
 13 parcel or the certificate of sale for a single vacant parcel is filed with
 14 the county executive, the county executive shall conduct a drawing
 15 between or among the applicants in which each applicant has an equal
 16 chance to be selected as the transferee of the vacant parcel or certificate
 17 of sale for the vacant parcel.
- 18 (h) The county executive shall by resolution make a final
 19 determination concerning the vacant parcels or certificates of sale for
 20 vacant parcels that are to be sold under this section.
- 21 (i) After the final determination of the vacant parcels and
 22 certificates of sale for vacant parcels to be sold under subsection (h),
 23 the county executive shall:
- 24 (1) on behalf of the county, cause all delinquent taxes, special
 25 assessments, penalties, and interest with respect to the vacant
 26 parcels to be removed from the tax duplicate; and
 27 (2) give notice of the final determination to:
 28 (A) the successful applicant;
 29 (B) the county auditor; and
 30 (C) the township assessor, or the county assessor if there is no
 31 township assessor for the township.
- 32 (j) Upon receipt of notice under subsection (i)(2):
 33 (1) the county auditor shall:
 34 (A) collect the purchase price from each successful applicant;
 35 and
 36 (B) subject to subsection (k), prepare a **tax** deed transferring
 37 each vacant parcel to the successful applicant, if the conditions
 38 of IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied; and
 39 (2) if the vacant parcel is unimproved, the township assessor or
 40 county assessor shall consolidate each unimproved parcel sold
 41 and the contiguous parcel owned by the successful applicant into
 42 a single parcel.
- 43 (k) For a deed issued under subsection (j)(1)(B) before July 1, 2013,
 44 a county auditor shall include in the deed prepared under subsection
 45 (j)(1)(B) reference to the exemption under subsection (l).
- 46 (l) This subsection applies only to a vacant parcel consolidated with
 47 a successful applicant's contiguous parcel under this section before July
 48 1, 2013. Subject to subsection (m), each consolidated parcel to which
 49 this subsection applies is exempt from property taxation for the period
 50 beginning on the assessment date that next succeeds the consolidation

1 in the amount of the assessed value at the time of consolidation of the
2 vacant parcel that was subject to the consolidation.

3 (m) This subsection applies only to a vacant parcel consolidated
4 with a successful applicant's contiguous parcel under this section
5 before July 1, 2013. The exemption under subsection (l) is terminated
6 as of the assessment date that next succeeds the earlier of the
7 following:

8 (1) Five (5) years after the transfer of title to the successful
9 applicant.

10 (2) The first transfer of title to the consolidated parcel that occurs
11 after the consolidation.

12 (n) If a tax deed is issued for an improved vacant parcel after June
13 30, 2013, under this section or under IC 6-1.1-25-4.6 following the
14 purchase of a certificate of sale under this section, the successful
15 applicant may not sell the improved vacant parcel until after the first
16 anniversary of the date on which the tax deed for the improved vacant
17 parcel is issued to the successful applicant.

18 SECTION 12. IC 6-1.1-24-6.9 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2013]: **Sec. 6.9. (a) For purposes of this**
21 **section, in a county having a consolidated city, "county executive"**
22 **refers to the board of commissioners of the county as provided in**
23 **IC 36-3-3-10.**

24 **(b) The county executive may:**

25 **(1) by resolution, identify the property described in section 6**
26 **of this chapter that the county executive desires to transfer to**
27 **a person able to satisfactorily repair and maintain the**
28 **property, if repair and maintenance of the property are in the**
29 **public interest; and**

30 **(2) set a date, time, and place for a public hearing to consider**
31 **the transfer of the property.**

32 **(c) Notice of the property identified under subsection (b) and the**
33 **date, time, and place for the hearing on the proposed transfer of**
34 **the property shall be published in accordance with IC 5-3-1. The**
35 **notice must include a description of the property by:**

36 **(1) legal description; and**

37 **(2) parcel number or street address, or both.**

38 **The notice must specify that the county executive will accept**
39 **applications submitted by persons able to satisfactorily repair and**
40 **maintain the property as provided in subsection (e) and hear any**
41 **opposition to a proposed transfer.**

42 **(d) After the hearing set under subsection (b), the county**
43 **executive shall by resolution make a final determination**
44 **concerning:**

45 **(1) the properties that are to be transferred;**

46 **(2) the person to which each property is to be transferred; and**

47 **(3) the terms and conditions of the transfer.**

48 **(e) To be eligible to receive a property under this section, a**
49 **person must file an application with the county executive. The**
50 **application must identify the property that the person desires to**
51 **acquire, the use to be made of the property, and the time**

1 anticipated for implementation of the use. The application must be
 2 accompanied by documentation demonstrating the person's ability
 3 to satisfactorily repair and maintain the property, including
 4 evidence of the person's:

- 5 (1) ability to repair and maintain the property personally, if
 6 applicable;
- 7 (2) financial resources, if the services of a contractor may be
 8 required to satisfactorily repair or maintain the property; and
- 9 (3) previous experience in repairing or maintaining property,
 10 if applicable.

11 The application must be signed by the person. If more than one (1)
 12 application for a single property is filed, the county executive shall
 13 determine which application is to be accepted based on the benefit
 14 to be provided to the public and the neighborhood, the suitability
 15 of the stated use for the property and the surrounding area, and
 16 the likelihood that the person will satisfactorily repair and
 17 maintain the property. The county executive may require the
 18 person to pay a reasonable deposit or post a performance bond to
 19 be forfeited if the person does not satisfactorily repair and
 20 maintain the property.

21 (f) After the hearing set under subsection (b) and the final
 22 determination of the properties to be transferred under subsection
 23 (d), the county executive, on behalf of the county, shall cause all
 24 delinquent taxes, special assessments, penalties, interest, and costs
 25 of sale to be removed from the tax duplicate and the person is
 26 entitled to a tax deed if the conditions of IC 6-1.1-25-4.5 and
 27 IC 6-1.1-25-4.6 are satisfied. The deed must provide for:

- 28 (1) the use to be made of the property;
- 29 (2) the time within which the use must be implemented and
 30 maintained;
- 31 (3) any other terms and conditions that are established by the
 32 county executive;
- 33 (4) the reversion of the property to the county executive if the
 34 grantee fails to comply with the terms and conditions; and
- 35 (5) the forfeiture of any bond or deposit to the county
 36 executive if the grantee fails to comply with the terms and
 37 conditions.

38 If the grantee fails to comply with the terms and conditions of the
 39 transfer and title to the property reverts to the county executive,
 40 the property may be retained by the county executive or disposed
 41 of under any of the provisions of this chapter or IC 6-1.1-25, or
 42 both.

43 SECTION 13. IC 9-13-2-96 IS AMENDED TO READ AS
 44 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 96. (a) "Manufactured
 45 home" means, except as provided in subsection (b), a structure that:

- 46 (1) is assembled in a factory;
- 47 (2) bears a seal certifying that it was built in compliance with the
 48 federal Manufactured Housing Construction and Safety Standards
 49 Law (42 U.S.C. 5401 et seq.);
- 50 (3) is designed to be transported from the factory to another site
 51 in one (1) or more units;

- 1 (4) is suitable for use as a dwelling in any season; and
 2 (5) is more than thirty-five (35) feet long.
 3 (b) "Manufactured home", for purposes of IC 9-17-6, means **either**
 4 **of the following:**
 5 (1) A structure having the meaning set forth in the federal
 6 Manufactured Housing Construction and Safety Standards Law of
 7 1974 (42 U.S.C. 5401 et seq.).
 8 (2) **A mobile home.**
 9 SECTION 14. IC 9-13-2-103.2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 103.2. (a) "**Mobile**
 11 **home**" means, except as provided in subsection (b), a structure
 12 **that:**
 13 (1) **is assembled in a factory;**
 14 (2) **is designed to be transported from the factory to another**
 15 **site in one (1) or more units;**
 16 (3) **is suitable for use as a dwelling in any season;**
 17 (4) **is more than thirty-five (35) feet long; and**
 18 (5) **either:**
 19 (A) **bears a seal certifying that the structure was built in**
 20 **compliance with the federal Manufactured Housing**
 21 **Construction and Safety Standards Law (42 U.S.C. 5401 et**
 22 **seq.); or**
 23 (B) **was manufactured before the effective date of the**
 24 **federal Manufactured Housing Construction and Safety**
 25 **Standards Law of 1974 (42 U.S.C. 5401 et seq.).**
 26 (b) "Mobile home", for purposes of IC 9-22-1.5, has the meaning set
 27 forth in IC 6-6-5-1.
 28 SECTION 15. IC 9-17-6-0.5 IS ADDED TO THE INDIANA CODE
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 30 1, 2013]: **Sec. 0.5. For purposes of this chapter, a reference to a**
 31 **manufactured home must be construed to also refer to a mobile**
 32 **home.**
 33 SECTION 16. IC 9-17-6-17 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2013]: **Sec. 17. A purchase contract for a manufactured home**
 36 **that is subject to section 1 of this chapter is subject to the following**
 37 **terms and conditions:**
 38 (1) **The seller must provide a copy of the title to the**
 39 **manufactured home.**
 40 (2) **The contract must specify whether the seller or buyer is**
 41 **responsible for the payment of property taxes assessed against**
 42 **the manufactured home under IC 6-1.1-7.**
 43 (3) **The buyer of the manufactured home must record the**
 44 **contract in the county recorder's office.**
 45 SECTION 17. IC 9-18-2-7, AS AMENDED BY SEA 563-2013,
 46 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 47 JULY 1, 2013]: Sec. 7. (a) A person who owns a vehicle that is
 48 operated on Indiana roadways and subject to registration shall register
 49 the vehicle as follows:
 50 (1) A vehicle subject to section 8 of this chapter shall be
 51 registered under section 8 of this chapter.

- 1 (2) Subject to subsection (g) or (h), a vehicle not subject to
 2 section 8 or 8.5 of this chapter or to the International Registration
 3 Plan shall be registered before:
 4 (A) March 1 of each year; or
 5 (B) an earlier date subsequent to January 1 of each year as set
 6 by the bureau.
- 7 (3) School buses owned by a school corporation are exempt from
 8 annual registration but are subject to registration under
 9 IC 20-27-7.
- 10 (4) Subject to subsection (f), a vehicle subject to the International
 11 Registration Plan shall be registered before April 1 of each year.
- 12 (5) A school bus not owned by a school corporation shall be
 13 registered subject to section 8.5 of this chapter.
- 14 (b) Registrations and reregistrations under this section are for the
 15 calendar year. Registration and reregistration for school buses owned
 16 by a school corporation may be for more than a calendar year.
- 17 (c) License plates for a vehicle subject to this section may be
 18 displayed during:
 19 (1) the calendar year for which the vehicle is registered; and
 20 (2) the period of time:
 21 (A) subsequent to the calendar year; and
 22 (B) before the date that the vehicle must be reregistered.
- 23 (d) Except as provided in IC 9-18-12-2.5, a person who owns or
 24 operates a vehicle may not operate or permit the operation of a vehicle
 25 that:
 26 (1) is required to be registered under this chapter; and
 27 (2) has expired license plates.
- 28 (e) If a vehicle that is required to be registered under this chapter
 29 has:
 30 (1) been operated on the highways; and
 31 (2) not been properly registered under this chapter;
 32 the bureau shall, before the vehicle is reregistered, collect the
 33 registration fee that the owner of the vehicle would have paid if the
 34 vehicle had been properly registered.
- 35 (f) The department of state revenue may adopt rules under IC 4-22-2
 36 to issue staggered registration to motor vehicles subject to the
 37 International Registration Plan.
- 38 (g) Except as provided in section 8.5 of this chapter, the bureau may
 39 adopt rules under IC 4-22-2 to issue staggered registration to motor
 40 vehicles described in subsection (a)(2).
- 41 (h) After June 30, 2011, the registration of a vehicle under
 42 IC 9-18-16-1(a)(1) or IC 9-18-16-1(a)(2) expires on December 14 of
 43 each year. However, if a vehicle is registered under IC 9-18-16-1(a)(1)
 44 or IC 9-18-16-1(a)(2) and the registration of the vehicle is in effect on
 45 June 30, 2011, the registration of the vehicle remains valid:
 46 (1) throughout calendar year 2011; and
 47 (2) during the period that:
 48 (A) begins January 1, 2012; and
 49 (B) ends on the date on which the vehicle was due for
 50 reregistration under the law in effect before this subsection

- 1 took effect.
- 2 (i) If a vehicle is registered under IC 9-18-47 (before its repeal) and
- 3 the registration of the vehicle is in effect on June 30, 2013, the
- 4 registration of the vehicle remains valid:
- 5 (1) throughout calendar year 2013; and
- 6 (2) during the period that:
- 7 (A) begins January 1, 2014; and
- 8 (B) ends on the date on which the vehicle was due for
- 9 reregistration under IC 9-18.

10 This subsection expires January 1, 2016.

11 SECTION 18. IC 16-41-27-31, AS AMENDED BY P.L.87-2005,

12 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

13 JULY 1, 2013]: Sec. 31. Each mobile home community operator shall

14 maintain a register open for the inspection of **by the township assessor**

15 **or county assessor responsible for assessing mobile homes and**

16 **manufactured homes located in the mobile home community under**

17 **IC 6-1.1-7 and by the state department or the state department's**

18 **representatives. containing The register must contain the following**

19 **information** for each mobile home and manufactured home in a mobile

20 home community:

- 21 (1) The names and ages of all occupants.
- 22 (2) The name of the owner of the mobile home or manufactured
- 23 home.

24 SECTION 19. IC 32-30-10.6-1, AS ADDED BY P.L.102-2012,

25 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

26 JULY 1, 2013]: Sec. 1. This chapter applies to **the following:**

- 27 (1) A mortgage foreclosure action filed under IC 32-30-10-3.
- 28 (2) **A determination that property is abandoned or vacant for**
- 29 **purposes of IC 6-1.1-24.**

30 SECTION 20. IC 32-30-10.6-2, AS ADDED BY P.L.102-2012,

31 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

32 JULY 1, 2013]: Sec. 2. As used in this chapter, "enforcement authority"

33 refers to the enforcement authority (as defined in IC 36-7-9-2) that has

34 jurisdiction in the location of the property. ~~that is the subject of a~~

35 ~~mortgage foreclosure action.~~

36 SECTION 21. IC 32-30-10.6-3.5 IS ADDED TO THE INDIANA

37 CODE AS A **NEW SECTION TO READ AS FOLLOWS**

38 **[EFFECTIVE JULY 1, 2013]: Sec. 3.5. (a) This section applies to a**

39 **property whether or not there is a mortgage on the property.**

40 **(b) As an alternative to seeking a determination of abandonment**

41 **under any other statute, the executive of a city or town that:**

- 42 (1) has jurisdiction in the location of a property; and
- 43 (2) does not have a person designated as a hearing authority,
- 44 as defined by IC 36-7-9-2;

45 **may petition a court for a determination that the property is**

46 **abandoned.**

47 **(c) A petition filed with the court under this section must do all**

48 **the following:**

- 49 (1) **Include a statement of the enforcement authority's**
- 50 **jurisdiction in the location of the property.**
- 51 (2) **Allege that the property is abandoned.**

1 **(3) Include evidence that one (1) or more of the conditions set**
 2 **forth in section 5(a) or 5(b) of this chapter apply.**

3 **(d) A petition under this section shall be served on:**

4 **(1) the creditor and the debtor, if the property is subject to a**
 5 **mortgage; and**

6 **(2) any other appropriate party;**

7 **in the manner prescribed by the Indiana Rules of Trial Procedure.**

8 SECTION 22. IC 32-30-10.6-4, AS ADDED BY P.L.102-2012,
 9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2013]: Sec. 4. (a) Upon receiving a request for a
 11 determination of abandonment from a creditor or an enforcement
 12 authority through a petition or motion filed with the court and served
 13 on the required parties in accordance with section 3 **or 3.5** of this
 14 chapter, the court shall issue an order to show cause as to why the
 15 property should not be found to be abandoned and directing the
 16 petitioner, the debtor, and any other person or party the court considers
 17 appropriate to appear before the court on a date and time specified in
 18 the order under subdivision (1). The court's order under this subsection
 19 must do the following:

20 (1) Direct the parties subject to the order to appear before the
 21 court on a date and time specified by the court. The date specified
 22 under this subdivision must not be:

23 (A) earlier than fifteen (15) days; or

24 (B) later than twenty-five (25) days;

25 after the date of the court's order under this section.

26 (2) Notify the parties subject to the order that any party ordered
 27 to appear:

28 (A) may present evidence or objections on the issue of
 29 abandonment to the court:

30 (i) in writing before the appearance date specified by the
 31 court under subdivision (1); or

32 (ii) in writing or by oral testimony on the date and at the
 33 time specified by the court under subdivision (1);

34 in the manner specified by the court; and

35 (B) has the right to be represented by an attorney when
 36 appearing before the court.

37 (3) Notify the parties subject to the order that if ~~the debtor a party~~
 38 fails to:

39 (A) submit written evidence or objections to the court before
 40 the appearance date specified by the court under subdivision
 41 (1); or

42 (B) appear before the court on the date and at the time
 43 specified by the court under subdivision (1);

44 the ~~debtor's party's~~ failure to submit evidence or objections or to
 45 appear before the court will result in a finding of abandonment by
 46 the court.

47 (b) A party subject to an order issued by the court under this section
 48 has the following rights, as described in the court's order under
 49 subsection (a):

50 (1) The right to present evidence or objections on the issue of
 51 abandonment to the court:

1 (A) in writing before the appearance date specified in the
 2 court's order under subsection (a)(1); or
 3 (B) in writing or by oral testimony on the date and at the time
 4 specified in the court's order under subsection (a)(1);
 5 in the manner specified by the court.

6 (2) The right to be represented by an attorney when appearing
 7 before the court.

8 SECTION 23. IC 32-30-10.6-5, AS ADDED BY P.L.102-2012,
 9 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2013]: Sec. 5. (a) Subject to subsection (b), for purposes of an
 11 abandonment determination under this chapter, one (1) or more of the
 12 following constitute prima facie evidence that mortgaged property is
 13 abandoned:

14 (1) The enforcement authority that has jurisdiction in the location
 15 of the mortgaged property has issued an order under IC 36-7-36-9
 16 with respect to the property.

17 (2) Windows or entrances to the mortgaged property are boarded
 18 up or closed off.

19 (3) Multiple window panes on the mortgaged property are broken
 20 and unrepaired.

21 (4) One (1) or more doors to the mortgaged property are smashed
 22 through, broken off, unhinged, or continuously unlocked.

23 (5) Gas service, electric service, water service, or other utility
 24 service to the mortgaged property has been terminated.

25 (6) Rubbish, trash, or debris has accumulated on the mortgaged
 26 property.

27 (7) The mortgaged property is deteriorating and is either below or
 28 in imminent danger of falling below minimum community
 29 standards for public safety and sanitation.

30 (8) The creditor has changed the locks on the mortgaged property
 31 and for at least fifteen (15) days after the changing of the locks
 32 the owner has not requested entrance to the mortgaged property.

33 (9) There exist one (1) or more written statements, including
 34 documents of conveyance, that have been executed by the debtor,
 35 or by the debtor's personal representatives or assigns, and that
 36 indicate a clear intent to abandon the mortgaged property.

37 (10) There exists other evidence indicating a clear intent to
 38 abandon the mortgaged property.

39 (b) Regardless of whether any of the conditions described in
 40 subsection (a) are found to apply, the debtor's failure to either:

41 (1) present evidence or objections on the issue of abandonment to
 42 the court in writing before the appearance date specified in the
 43 court's order under section 4(a)(1) of this chapter; or

44 (2) appear before the court on the date specified in the court's
 45 order under section 4(a)(1) of this chapter;

46 constitutes prima facie evidence that the mortgaged property is
 47 abandoned.

48 (c) If the court finds that:

49 (1) one (1) or more of the conditions described in subsection (a)
 50 apply; or

1 (2) the circumstances described in subsection (b) apply;
 2 the court shall issue an order finding that the ~~mortgaged~~ property is
 3 abandoned.

4 SECTION 24. IC 34-30-26-5, AS ADDED BY P.L.170-2011,
 5 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2013]: Sec. 5. (a) Except as provided in subsection (d), a
 7 person who is not the owner of real property **or who is a creditor**, and
 8 who suspects that the property may be vacant or abandoned, may enter
 9 upon the premises of the real property to do the following:

10 (1) Without entering any structure located on the real property,
 11 visually inspect the real property to determine whether the real
 12 property may be vacant or abandoned.

13 (2) Perform any of the following actions:

14 (A) Secure the real property.

15 (B) Remove trash or debris from the grounds of the real
 16 property.

17 (C) Landscape, maintain, or mow the grounds of the real
 18 property.

19 **(D) Remove or paint over graffiti on the real property.**

20 (b) A person who:

21 (1) enters upon the premises of real property to visually inspect
 22 the property, as permitted under subsection (a)(1); and

23 (2) after inspecting the real property, determines that the real
 24 property may be vacant or abandoned;

25 may notify the appropriate enforcement authority of the suspected
 26 vacant or abandoned status of the property and request that the
 27 enforcement authority inspect the property to determine whether the
 28 property is in fact vacant or abandoned.

29 (c) A person that enters upon the premises of real property as
 30 permitted under this section:

31 (1) is immune from civil liability for an act or omission related to
 32 the entry or to any action described in subsection (a)(2), unless
 33 the act or omission constitutes gross negligence or willful,
 34 wanton, or intentional misconduct; and

35 (2) shall be held harmless from and against all claims of civil or
 36 criminal trespass.

37 (d) In the case of real property that is subject to a mortgage, the
 38 creditor in the mortgage transaction may not enter upon the premises
 39 of the real property under subsection (a) if entry is barred by an
 40 automatic stay issued by a bankruptcy court.

41 SECTION 25. IC 35-43-2-2, AS AMENDED BY P.L.88-2009,
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 43 JULY 1, 2013]: Sec. 2. (a) A person who:

44 (1) not having a contractual interest in the property, knowingly or
 45 intentionally enters the real property of another person after
 46 having been denied entry by the other person or that person's
 47 agent;

48 (2) not having a contractual interest in the property, knowingly or
 49 intentionally refuses to leave the real property of another person
 50 after having been asked to leave by the other person or that

- 1 person's agent;
- 2 (3) accompanies another person in a vehicle, with knowledge that
- 3 the other person knowingly or intentionally is exerting
- 4 unauthorized control over the vehicle;
- 5 (4) knowingly or intentionally interferes with the possession or
- 6 use of the property of another person without the person's consent;
- 7 (5) not having a contractual interest in the property, knowingly or
- 8 intentionally enters the dwelling of another person without the
- 9 person's consent;
- 10 (6) knowingly or intentionally:
- 11 (A) travels by train without lawful authority or the railroad
- 12 carrier's consent; and
- 13 (B) rides on the outside of a train or inside a passenger car,
- 14 locomotive, or freight car, including a boxcar, flatbed, or
- 15 container without lawful authority or the railroad carrier's
- 16 consent;
- 17 (7) not having a contractual interest in the property, knowingly or
- 18 intentionally enters or refuses to leave the property of another
- 19 person after having been prohibited from entering or asked to
- 20 leave the property by a law enforcement officer when the property
- 21 is
- 22 ~~(A) vacant or designated by a municipality or county~~
- 23 ~~enforcement authority to be abandoned property and~~
- 24 ~~(B) subject to abatement under IC 32-30-6, IC 32-30-7,~~
- 25 ~~IC 32-30-8, IC 36-7-9, or IC 36-7-36; or an abandoned~~
- 26 ~~structure (as defined in IC 36-7-36-1); or~~
- 27 (8) knowingly or intentionally enters the property of another
- 28 person after being denied entry by a court order that has been
- 29 issued to the person or issued to the general public by
- 30 conspicuous posting on or around the premises in areas where a
- 31 person can observe the order when the property
- 32 ~~(A) has been designated by a municipality or county~~
- 33 ~~enforcement authority to be a vacant property, or an~~
- 34 ~~abandoned property, and~~
- 35 ~~(B) is subject to an abatement order under IC 32-30-6,~~
- 36 ~~IC 32-30-7, IC 32-30-8, IC 36-7-9, or IC 36-7-36; or an~~
- 37 ~~abandoned structure (as defined in IC 36-7-36-1);~~
- 38 commits criminal trespass, a Class A misdemeanor. However, the
- 39 offense is a Class D felony if it is committed on a scientific research
- 40 facility, on a key facility, on a facility belonging to a public utility (as
- 41 defined in IC 32-24-1-5.9(a)), on school property, or on a school bus or
- 42 the person has a prior unrelated conviction for an offense under this
- 43 section concerning the same property.
- 44 (b) A person has been denied entry under subdivision (a)(1) of this
- 45 section when the person has been denied entry by means of:
- 46 (1) personal communication, oral or written;
- 47 (2) posting or exhibiting a notice at the main entrance in a manner
- 48 that is either prescribed by law or likely to come to the attention
- 49 of the public; or
- 50 (3) a hearing authority or court order under IC 32-30-6,

- 1 IC 32-30-7, IC 32-30-8, IC 36-7-9, or IC 36-7-36.
- 2 (c) A law enforcement officer may not deny entry to property or ask
3 a person to leave a property under subsection (a)(7) unless there is
4 reasonable suspicion that criminal activity has occurred or is occurring.
- 5 (d) A person described in subsection (a)(7) violates subsection
6 (a)(7) unless the person has the written permission of the owner,
7 owner's agent, enforcement authority, or court to come onto the
8 property for purposes of performing maintenance, repair, or demolition.
- 9 (e) A person described in subsection (a)(8) violates subsection
10 (a)(8) unless the court that issued the order denying the person entry
11 grants permission for the person to come onto the property.
- 12 (f) Subsections (a), (b), and (e) do not apply to the following:
- 13 (1) A passenger on a train.
- 14 (2) An employee of a railroad carrier while engaged in the
15 performance of official duties.
- 16 (3) A law enforcement officer, firefighter, or emergency response
17 personnel while engaged in the performance of official duties.
- 18 (4) A person going on railroad property in an emergency to rescue
19 a person or animal from harm's way or to remove an object that
20 the person reasonably believes poses an imminent threat to life or
21 limb.
- 22 (5) A person on the station grounds or in the depot of a railroad
23 carrier:
- 24 (A) as a passenger; or
25 (B) for the purpose of transacting lawful business.
- 26 (6) A:
- 27 (A) person; or
28 (B) person's:
- 29 (i) family member;
30 (ii) invitee;
31 (iii) employee;
32 (iv) agent; or
33 (v) independent contractor;
- 34 going on a railroad's right-of-way for the purpose of crossing at a
35 private crossing site approved by the railroad carrier to obtain
36 access to land that the person owns, leases, or operates.
- 37 (7) A person having written permission from the railroad carrier
38 to go on specified railroad property.
- 39 (8) A representative of the Indiana department of transportation
40 while engaged in the performance of official duties.
- 41 (9) A representative of the federal Railroad Administration while
42 engaged in the performance of official duties.
- 43 (10) A representative of the National Transportation Safety Board
44 while engaged in the performance of official duties.
- 45 SECTION 26. IC 36-2-11-14.5 IS ADDED TO THE INDIANA
46 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
47 [EFFECTIVE JULY 1, 2013]: **Sec. 14.5. (a) As used in this section,**
48 **"manufactured home" has the meaning set forth in**
49 **IC 9-13-2-96(b).**
- 50 **(b) As used in this section, "mobile home" has the meaning set**

1 **forth in IC 6-1.1-7-1(b).**

2 **(c) A person must do the following to record a purchase**
 3 **contract that is subject to IC 9-17-6-17:**

4 **(1) Submit the following to the county recorder:**

5 **(A) A copy of the title to the manufactured home or mobile**
 6 **home.**

7 **(B) An affidavit stating whether the contract requires the**
 8 **seller or the buyer to pay the property taxes imposed on**
 9 **the manufactured home or mobile home.**

10 **(2) Pay any applicable recording fees.**

11 **(d) The county recorder shall record a purchase contract**
 12 **submitted for recording under IC 9-17-6-17 by a person who**
 13 **complies with subsection (c). The county recorder shall do the**
 14 **following:**

15 **(1) Provide the following to the county treasurer with respect**
 16 **to each contract recorded under this section:**

17 **(A) The copy of the title to the manufactured home or**
 18 **mobile home received by the county recorder under**
 19 **subsection (c)(1)(A).**

20 **(B) The affidavit received by the county recorder under**
 21 **subsection (c)(1)(B).**

22 **(2) Notify the township assessor of the township in which the**
 23 **mobile home is located, or to which the mobile home will be**
 24 **moved, that a contract for the sale of the mobile home has**
 25 **been recorded. If there is no township assessor for the**
 26 **township, the county recorder shall provide the notice**
 27 **required by this subdivision to the county assessor.**

28 SECTION 27. IC 36-7-9-5, AS AMENDED BY P.L.1-2010,
 29 SECTION 149, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) The enforcement authority
 31 may issue an order requiring action relative to any unsafe premises,
 32 including:

33 (1) vacating of an unsafe building;

34 (2) sealing an unsafe building against intrusion by unauthorized
 35 persons, in accordance with a uniform standard established by
 36 ordinance;

37 (3) extermination of vermin in and about the unsafe premises;

38 (4) removal of trash, debris, fire hazardous material, or a public
 39 health hazard in and about the unsafe premises;

40 (5) repair or rehabilitation of an unsafe building to bring it into
 41 compliance with standards for building condition or maintenance
 42 required for human habitation, occupancy, or use by a statute, a
 43 rule adopted under IC 4-22-2, or an ordinance;

44 (6) demolition and removal of part of an unsafe building;

45 (7) demolition and removal of an unsafe building if:

46 (A) the general condition of the building warrants removal; or

47 (B) the building continues to require reinspection and
 48 additional abatement action after an initial abatement action
 49 was taken pursuant to notice and an order; and

50 (8) requiring, for an unsafe building that will be sealed for a
 51 period of more than ninety (90) days:

- 1 (A) sealing against intrusion by unauthorized persons and the
 2 effects of weather;
 3 (B) exterior improvements to make the building compatible in
 4 appearance with other buildings in the area; and
 5 (C) continuing maintenance and upkeep of the building and
 6 premises;
 7 in accordance with standards established by ordinance.
- 8 Notice of the order must be given under section 25 of this chapter. The
 9 ordered action must be reasonably related to the condition of the unsafe
 10 premises and the nature and use of nearby properties. The order
 11 supersedes any permit relating to building or land use, whether that
 12 permit is obtained before or after the order is issued.
- 13 (b) The order must contain:
- 14 (1) the name of the person to whom the order is issued;
 15 (2) the legal description or address of the unsafe premises that are
 16 the subject of the order;
 17 (3) the action that the order requires;
 18 (4) the period of time in which the action is required to be
 19 accomplished, measured from the time when the notice of the
 20 order is given;
 21 (5) if a hearing is required, a statement indicating the exact time
 22 and place of the hearing, and stating that person to whom the
 23 order was issued is entitled to appear at the hearing with or
 24 without legal counsel, present evidence, cross-examine opposing
 25 witnesses, and present arguments;
 26 (6) if a hearing is not required, a statement that an order under
 27 subsection (a)(2), (a)(3), (a)(4), or (a)(5) becomes final ten (10)
 28 days after notice is given, unless a hearing is requested in writing
 29 by a person holding a fee interest, life estate interest, or equitable
 30 interest of a contract purchaser in the unsafe premises, and the
 31 request is delivered to the enforcement authority before the end
 32 of the ten (10) day period;
 33 (7) a statement briefly indicating what action can be taken by the
 34 enforcement authority if the order is not complied with;
 35 (8) a statement indicating the obligation created by section 27 of
 36 this chapter relating to notification of subsequent interest holders
 37 and the enforcement authority; and
 38 (9) the name, address, and telephone number of the enforcement
 39 authority.
- 40 (c) The order must allow a sufficient time, of at least ten (10) days,
 41 but not more than sixty (60) days, from the time when notice of the
 42 order is given, to accomplish the required action. If the order allows
 43 more than thirty (30) days to accomplish the action, the order may
 44 require that a substantial beginning be made in accomplishing the
 45 action within thirty (30) days.
- 46 (d) The order expires two (2) years from the day the notice of the
 47 order is given, unless one (1) or more of the following events occurs
 48 within that two (2) year period:
- 49 (1) A complaint requesting judicial review is filed under section
 50 8 of this chapter.

1 (2) A contract for action required by the order is let at public bid
2 under section 11 of this chapter.

3 (3) A civil action is filed under section 17 of this chapter.

4 **(e) If the order contains a statement under subsection (a)(6) or**
5 **(a)(7), notice of the order shall be given to each person with a**
6 **known or recorded substantial property interest.**

7 SECTION 28. IC 36-7-10.1-3, AS AMENDED BY P.L.137-2012,
8 SECTION 119, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The legislative body of a
10 municipality or county may by ordinance require the owners of real
11 property located within the municipality or the unincorporated area of
12 the county to cut and remove weeds and other rank vegetation growing
13 on the property. As used in this chapter, "weeds and other rank
14 vegetation" does not include agricultural crops, such as hay and
15 pasture.

16 (b) An ordinance adopted under subsection (a) must specify the
17 following:

18 (1) The department of the municipality or county responsible for
19 the administration of the ordinance.

20 (2) The definitions of weeds and rank vegetation.

21 (3) The height at which weeds or rank vegetation becomes a
22 violation of the ordinance, specifying the appropriate heights for
23 various types of weeds and rank vegetation.

24 (4) The procedure for issuing notice to the owner of real property
25 of a violation of the ordinance, including any procedures for
26 issuing a continuous abatement notice under subsection (d).

27 (5) The procedure under which the municipality or county, or its
28 contractors, may enter real property to abate a violation of the
29 ordinance if the owner fails to abate the violation.

30 (6) The procedure for issuing a bill to the owner of real property
31 for the costs incurred by the municipality or county in abating the
32 violation, including administrative costs and removal costs. The
33 cost of sending notice under subsection (c) is an administrative
34 cost that may be billed to the owner under this subdivision.

35 (7) The procedure for appealing a notice of violation or a bill
36 issued under the ordinance.

37 (c) An ordinance adopted under subsection (a) must provide that a
38 notice sent to the property owner must be sent by **certified first class**
39 **mail return receipt requested**, or an equivalent service permitted under
40 IC 1-1-7-1, to:

41 (1) the owner of record of real property with a single owner; or

42 (2) at least one (1) of the owners of real property with multiple
43 owners;

44 at the last address of the owner for the property as indicated in the
45 records of the county auditor on the date of the notice.

46 (d) If an initial notice of the violation of an ordinance adopted under
47 this section was provided by certified mail, **first class mail**, or
48 equivalent service under subsection (c), a continuous abatement notice
49 may be posted at the property at the time of abatement instead of by
50 certified mail, **first class mail**, or equivalent service as required under

1 subsection (c). A continuous abatement notice serves as notice to the
2 real property owner that each subsequent violation during the same
3 year for which the initial notice of the violation was provided may be
4 abated by the municipality or county, or its contractors.

5 SECTION 29. IC 36-7-10.1-4 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. **(a) Except as**
7 **provided in subsection (b)**, if the owner of real property fails to pay
8 a bill issued under section 3 of this chapter within the time specified in
9 the ordinance, the department specified in the ordinance shall certify
10 to the county auditor the amount of the bill, plus any additional
11 administrative costs incurred in the certification. The auditor shall
12 place the total amount certified on the tax duplicate for the property
13 affected, and the total amount, including any accrued interest, shall be
14 collected as delinquent taxes are collected and shall be disbursed to the
15 general fund of the municipality or county.

16 **(b) If the owner of real property fails to pay a bill issued under**
17 **section 3 of this chapter within the time specified in the ordinance,**
18 **the municipality or county may bring an action in an appropriate**
19 **court to collect the amount of the bill, plus any additional costs**
20 **incurred in the collection, including court costs and reasonable**
21 **attorney's fees. If the municipality or county obtains a judgment**
22 **under this subsection, the municipality or county may obtain a lien**
23 **in the amount of the judgment on any real or personal property of**
24 **the owner.**

25 SECTION 30. **An emergency is declared for this act.**

(Reference is to ESB 433 as reprinted April 5, 2013.)

Conference Committee Report
on
Engrossed Senate Bill 433

Signed by:

Senator Paul
Chairperson

Representative Hamm

Senator Broden

Representative Pryor

Senate Conferees

House Conferees