

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.

HOUSE ENROLLED ACT No. 1313

AN ACT to amend the Indiana Code concerning local government.

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

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 relating to any of the following:**

- (1) Landlord and tenant relations.**
- (2) Rental agreements.**
- (3) Real property subject to a rental agreement.**

(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 or increases 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 related to the purposes listed in subsection (a).**



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- (c) This chapter does not prohibit a political subdivision from:**
 - (1) establishing a rental unit inspection program; or**
 - (2) imposing or increasing a fee relating to the construction of a rental unit, such as a building permit fee.**

(d) 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.

SECTION 3. [EFFECTIVE MARCH 1, 2013 (RETROACTIVE)] (a) As used in this SECTION, "builder" means a person engaged in constructing new homes.

(b) As used in this SECTION, "person" means an individual, firm, limited liability company, corporation, association, or other legal entity.

(c) As used in this SECTION, "remodeler" means a person engaged in altering, repairing, restoring, maintaining, or modifying an existing residential dwelling.

(d) As used in this SECTION, "residential dwelling" means a building or part of a building occupied by or intended for the occupancy of one (1) or more individuals. The term does not include a residential dwelling that is owned by the political subdivision.

(e) After February 28, 2013, a political subdivision may not adopt an ordinance, rule, policy, or other requirement providing that a builder or remodeler must be licensed, certified, permitted, registered, or listed by the political subdivision as a condition to the builder or remodeler:

- (1) constructing a new residential dwelling; or**



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- (2) remodeling an existing residential dwelling.**
 - (f) This SECTION does not do any of the following:**
 - (1) Void an ordinance, rule, policy, or other requirement of a political subdivision adopted before March 1, 2013.**
 - (2) Prohibit a political subdivision from doing any of the following:**
 - (A) Requiring a person who engages in a specific building or construction trade, including an electrician, a plumber, a tile layer, a landscaper, or a practitioner of another specific trade, to be licensed, permitted, registered, or listed by the political subdivision before engaging in the specific building or construction trade.**
 - (B) Issuing building permits, septic system permits, certificates of appropriateness, zoning approvals, plat approvals, and other permits and approvals that regulate the use, planning, and development of property.**
 - (g) This SECTION expires July 1, 2015.**
- SECTION 4. An emergency is declared for this act.**

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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