

State Board of Accounts

New Legislation

2025 Recorders Conference



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PAUL D. JOYCE, CPA STATE EXAMINER

Indiana's State Examiner and the agency head for the State Board of Accounts, Paul Joyce coordinates and manages the post-audits and examinations of over 4,000 state and local governmental entities in Indiana.

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As a reminder the 2025 legislative session is not yet complete and this is only a representation of the bills that potentially will be passed in the 2025 session that are in regard to the County Recorder.



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HB 1032 Foreign interests

- IC 32-22-3.5-7 (NEW) effective 7-1-2025

(b)(3) Upon commencement of an action under this section, the attorney general shall promptly file a notice of lis pendens with the clerk of court. Upon the entry of an order for the sale of the real property under this section, the attorney general shall promptly record a copy of the order in the office of the recorder of the county where the property is located.



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HB 1134 Executive sessions

- IC 5-14-1.5-6.1 effective 7-1-2025

(b) (16) To discuss either of the following:

- (A) Employee health care options with respect to special exceptions for coverage.**
- (B) Employee handbook changes.**



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HB 1213 Insurance and transfer on death deeds

- IC 27-1-13-18 effective 7-1-25

(c) (6) "Transfer" means an ownership change in a named insured's insurable interest in real property to a beneficiary of a transfer on death **deed** that occurs as a consequence of the named insured's death.

And

(c) (8):"Transfer on death deed" has the meaning set forth in IC 32-17-14-3(16).



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HB 1213 Insurance and transfer on death deeds

▪ IC 32-17-14-11 effective 7-1-25

(j) For a transfer on death deed executed after, **June 30, 2025**, the transfer on death deed may include the following warning:

"WARNING: After the death of the owner, the owner's insurance policy is required by IC 27-1-13-18 to cover the real property transferred for a period of time as set forth in IC 27-1-13-18(e) and IC 27-1-13-18(f). Once the period of time as set forth in IC 27-1-13-18(e) and IC 27-1-13-18(f) expires, the insurance policy may no longer cover the real property and the beneficiary of a transfer on death deed and the real property may become uninsured."

A transfer on death deed is not invalid due to the failure to include the warning described in this subsection, or due to a defect in the wording of the warning described in this subsection.



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HB 1641 County government matters

▪ IC 10-17-3-2 effective 7-1-25

The state or a political subdivision **county recorder** shall provide upon request, without charge or fee, one (1) certified copy of a document or record if it is shown that the certified copy is necessary to secure benefits to:

- (1) members of the military service;
- (2) honorably discharged veterans; or
- (3) surviving spouses or dependents of an individual described in subdivision (1) or (2); under a federal or state law



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HB 1641 County government matters

▪ IC 10-17-3-3 effective 7-1-25

The state or a **county recorder** may collect a charge per copy of not more than the amount specified in IC 36-2-7-10(c)(5) if a person requests more than one (1) certified copy of a document or record **under section 2 of this chapter**. The funds received under this section by the:

- (1) **state**, shall be placed in the **state** general fund; and
- (2) **county recorder**, shall be placed in the **county recorder's** records perpetuation fund established under IC 36-2-7-10(g).



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HB 1641 County government matters

▪ IC 36-2-7-10 effective 7-1-25

(a)(2) "Mortgage" means a transfer of rights to real property, in a form substantially similar to that set forth in IC32-29-1-5, with or warranty from the grantor. The term does not include:

- (A) a mortgage modification;
- (B) a mortgage assignment; or
- (C) a mortgage release; or
- (D) a **mortgage assumption**



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HB 1641 County government matters

- IC 36-2-7-10 effective 7-1-25

(f) This subsection applies to all counties. A county recorder shall deposit fees collected under subsection (c)(3), (c)(4), (c)(5), (c)(6), and (c)(7) in the county recorder's records perpetuation fund established under subsection (g).



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HB 1679 Various elections matters

- IC 3-5-4-15 (NEW) effective 7-1-2025

(b) Except as provided in subsection (c), a county, city, town, township, or school shall provide to an employee of a local government office who requests leave to serve:

- (1) on primary election day or general election day; and**
- (2) as a precinct election officer; a paid day of leave to serve as a precinct election officer**



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