



2022 Indiana End of Legislative Session Report

CAI's Indiana Legislative Action Committee (IN LAC) had an active legislative session advocating [on behalf of the 840,000 Hoosiers living in 338,000 homes in nearly 5,000 community associations in the state](#). The 17-member committee volunteered hundreds of collective hours to review bills, draft testimony, meet with legislators and other decision-makers, and testify for or against bills. Indiana legislators introduced more than 1,800 bills and the LAC closely monitored 16 bills that would have directly affected community associations; their top priority bills are summarized below.

HB 1025, Septic system inspection before property transfer. IN LAC monitored this bill which would have provided that, beginning June 30, 2023, if a dwelling is connected to a residential onsite sewage system: (1) the residential onsite sewage system must be inspected by a qualified inspector and the property owner must state the inspector's determination in the real estate sales disclosure form required under current law; and (2) if the residential onsite sewage system is not inspected, if the inspector determines that the residential onsite sewage system is failing and the property owner does not state the inspector's determination in the disclosure form, or if the property owner does not submit a disclosure form to the buyer before accepting the buyer's offer, the transaction transferring ownership of the dwelling is voidable at the election of the buyer, even after the closing.

Status: FAILED

HB 1048, Sheriff's Sale in Mortgage Foreclosure Action. IN LAC monitored this bill, which allows the sheriff to conduct a public auction electronically. Prohibits certain persons and entities from purchasing a tract at a sheriff's sale. Requires each person bidding at a sheriff's sale to sign a statement containing a notice of the law and certain affirmations. Raises the amount that a sheriff can charge for administrative fees from \$200 to \$300. Makes a conforming amendment. Makes a technical correction.

Status: PASSED

HB 1110, Annexation of Residential Development. IN LAC monitored this bill, which allows a third-class city to annex: (1) a noncontiguous residential development; and (2) the right of way of a public highway connecting the development to the city. Provides that annexation is initiated by: (1) the homeowner's association board petitioning the city legislative body for annexation of the development; and (2) the city legislative body adopting a resolution approving initiation of the annexation process. Requires the city to satisfy statutory requirements for annexation including adopting a written fiscal plan and annexation ordinance and conducting an outreach program. Changes population parameters to reflect the population count determined under the 2020 decennial census.

Status: PASSED

HB 1196, Homeowners associations and solar power. IN LAC monitored this bill that provided that, provides that: (1) a homeowners association may require certain screening and preapproval procedures before an owner of a dwelling unit may install a solar energy system; and (2) a homeowners association may prohibit the installation, use, or removal of a solar energy system under certain circumstances. This law does not apply to a solar energy system that has been (1) approved by a homeowners association; or (2) installed on the dwelling unit or property of a member of a homeowners association before March 14, 2022.

Status: PASSED

Indiana Contact Information

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Your Assistance is Needed

Expenses incurred by the LAC are paid for with donations and by Advocacy Fund fees. Corporate contributions are allowed and appreciated. Most community association boards can legally allocate money to support the IN LAC. Please visit www.caionline.org/lacdonate/ and donate to “Indiana” to support our continued efforts.

For more information visit www.caionline.org/INLAC.