



March 21, 2003

**ENGROSSED
HOUSE BILL No. 1897**

DIGEST OF HB 1897 (Updated March 18, 2003 12:57 PM - DI 110)

Citations Affected: IC 32-31.

Synopsis: Landlord-tenant law. Provides that certain landlord-tenant statutes do not apply to certain arrangements. Repeals a superseded landlord-tenant statute.

Effective: July 1, 2003.

Dvorak, Foley, Day, Hasler

(SENATE SPONSORS — ZAKAS, BRODEN)

January 23, 2003, read first time and referred to Committee on Commerce and Economic Development.

February 18, 2003, reported — Do Pass.

February 24, 2003, read second time, ordered engrossed. Engrossed.

February 26, 2003, read third time, passed. Yeas 93, nays 0.

SENATE ACTION

February 27, 2003, read first time and referred to Committee on Commerce and Consumer Affairs.

March 20, 2003, reported favorably — Do Pass.

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EH 1897—LS 7536/DI 75+



March 21, 2003

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1897

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

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

1 SECTION 1. IC 32-31-2.9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]:

4 **Chapter 2.9. Application of Residential Landlord-Tenant**
5 **Statutes**

6 **Sec. 1. The definitions in IC 32-31-3 apply throughout this**
7 **chapter.**

8 **Sec. 2. As used in this chapter, "residential landlord-tenant**
9 **statute" refers to any of the following:**

10 (1) IC 32-31-3.

11 (2) IC 32-31-4.

12 (3) IC 32-31-5.

13 (4) IC 32-31-6.

14 (5) IC 32-31-7.

15 (6) IC 32-31-8.

16 **Sec. 3. The residential landlord-tenant statutes apply to rental**
17 **agreements for dwelling units located in Indiana.**

EH 1897—LS 7536/DI 75+



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Sec. 4. The residential landlord-tenant statutes do not apply to any of the following arrangements unless the arrangement was created to avoid application of the residential landlord-tenant statutes:

- (1) Residence at a rental unit owned or operated by an institution that is directly related to detention or the provision of medical care, maternity home care, education, counseling, religious service, geriatric service, or a similar service.**
- (2) Occupancy under a contract of sale of a rental unit or the property of which the rental unit is a part if the occupant is the purchaser or a person who succeeds to the purchaser's interest.**
- (3) Occupancy by a member of a fraternal or social organization in the part of a structure operated for the benefit of the organization.**
- (4) Transient occupancy in a hotel, motel, or other lodging.**
- (5) Occupancy by an employee of a landlord whose right to occupancy is conditional upon employment in or about the premises.**
- (6) Occupancy by an owner of a condominium unit or a holder of a proprietary lease in a cooperative.**
- (7) Occupancy under a rental agreement covering property used by the occupant primarily for agricultural purposes.**

Sec. 5. This chapter does not limit the application of a statute that is not a residential landlord-tenant statute to a residential landlord-tenant relationship if the statute would otherwise be applicable to the relationship.

SECTION 2. IC 32-31-3-1 IS REPEALED [EFFECTIVE JULY 1, 2003].

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1897, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STEVENSON, Chair

Committee Vote: yeas 12, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Consumer Affairs, to which was referred House Bill No. 1897, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1897 as printed February 19, 2003.)

SERVER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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