

HOUSE BILL No. 1897

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-31-2.9; IC 32-31-3-1.

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 Repeals a superseded landlord-tenant statute.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

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

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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.

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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.**



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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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