
HOUSE BILL No. 1061

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-31.

Synopsis: Application of landlord-tenant statutes. Provides that the residential landlord-tenant statutes apply to a rental agreement that gives the tenant an option to purchase and that is entered into after June 30, 2008.

Effective: July 1, 2008.

Day

January 8, 2008, read first time and referred to Committee on Judiciary.

C
O
P
Y



Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

C
o
p
y

HOUSE BILL No. 1061



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 32-31-2.9-4 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 4. The residential
- 3 landlord-tenant statutes do not apply to any of the following
- 4 arrangements unless the arrangement was created to avoid application
- 5 of the residential landlord-tenant statutes:
- 6 (1) Residence at a rental unit owned or operated by an institution
- 7 that is directly related to detention or the provision of medical
- 8 care, maternity home care, education, counseling, religious
- 9 service, geriatric service, or a similar service.
- 10 (2) Occupancy under a contract of sale of a rental unit or the
- 11 property of which the rental unit is a part if the occupant is the
- 12 purchaser or a person who succeeds to the purchaser's interest.
- 13 **However, the residential landlord-tenant statutes apply to**
- 14 **occupancy of a rental unit under a rental agreement described**
- 15 **in IC 32-31-3-7(b).**
- 16 (3) Occupancy by a member of a fraternal or social organization
- 17 in the part of a structure operated for the benefit of the



1 organization.

2 (4) Transient occupancy in a hotel, motel, or other lodging.

3 (5) Occupancy by an employee of a landlord whose right to

4 occupancy is conditional upon employment in or about the

5 premises.

6 (6) Occupancy by an owner of a condominium unit or a holder of

7 a proprietary lease in a cooperative.

8 (7) Occupancy under a rental agreement covering property used

9 by the occupant primarily for agricultural purposes.

10 SECTION 2. IC 32-31-3-7 IS AMENDED TO READ AS

11 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) As used in this

12 chapter, "rental agreement" means an agreement together with any

13 modifications, embodying the terms and conditions concerning the use

14 and occupancy of a rental unit.

15 (b) **The term includes an agreement, regardless of what the**

16 **agreement is called, that satisfies the following:**

17 (1) **The agreement is entered into after June 30, 2008.**

18 (2) **The agreement provides for a rental period, explicitly or**

19 **implicitly, regardless of the term of the rental period.**

20 (3) **The agreement contains an option to purchase.**

21 SECTION 3. IC 32-31-7-1 IS AMENDED TO READ AS

22 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) Except as

23 provided in subsection (b), this chapter applies only to dwelling units

24 that are let for rent **under a rental agreement entered into** after June

25 30, 2002.

26 (b) This chapter does not apply to dwelling units that are let for rent

27 with an option to purchase **under an agreement entered into before**

28 **July 1, 2008.**

29 SECTION 4. IC 32-31-8-1 IS AMENDED TO READ AS

30 FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 1. (a) Except as

31 provided in subsection (b), this chapter applies only to dwelling units

32 that are let for rent **under a rental agreement entered into** after June

33 30, 2002.

34 (b) This chapter does not apply to dwelling units that are let for rent

35 with an option to purchase **under an agreement entered into before**

36 **July 1, 2008.**

C
o
p
y

