



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-1.2-15.5-10, AS AMENDED BY P.L.90-2024,
- 4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2026]: Sec. 10. ~~Loans from the fund must be allocated and~~
- 6 ~~made available to participants as follows: The authority shall set~~
- 7 ~~aside~~ ~~(†)~~ seventy percent (70%) of the money in the fund ~~must be used~~
- 8 for housing infrastructure benefitting political subdivisions with a
- 9 population of less than fifty thousand (50,000). ~~(2) Thirty percent~~
- 10 ~~(30%) of the money in the fund must be used for housing infrastructure~~
- 11 ~~in all other political subdivisions not described in subdivision (†):"~~
- 12 Page 4, delete lines 4 through 26, begin a new paragraph and insert:
- 13 "SECTION 5. IC 14-8-2-50.2 IS ADDED TO THE INDIANA
- 14 CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2026]: **Sec. 50.2. "Compensatory storage",**
- 15 **for purposes of IC 14-28-3-9, has the meaning set forth in**
- 16 **IC 14-28-3-9.**
- 17 SECTION 6. IC 14-8-2-289, AS AMENDED BY P.L.35-2024,
- 18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 19 JULY 1, 2026]: Sec. 289. "Unit of local government", for purposes of
- 20 IC 14-12-1, IC 14-15-14, ~~and~~ IC 14-22-10, **and IC 14-28-3-9**, means
- 21 a:
- 22 (1) county;
- 23 (2) city;
- 24 (3) town; or
- 25 (4) township;
- 26 located in Indiana.
- 27

1 SECTION 7. IC 14-28-3-9 IS ADDED TO THE INDIANA CODE
 2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2026]: **Sec. 9. (a) As used in this section, "compensatory storage"**
 4 **includes artificial storage used to balance the loss of natural flood**
 5 **storage capacity as a result of placing fill material or other**
 6 **obstructions within a flood plain.**

7 **(b) The state or a unit of local government may not require a**
 8 **person who intends to fill land in a flood plain to provide**
 9 **compensatory storage at a ratio greater than three (3) (mitigated**
 10 **land) to one (1) (filled land)."**

11 Page 14, delete lines 20 through 34.

12 Page 18, delete lines 30 through 42, begin a new paragraph and
 13 insert:

14 **"(s) This subsection applies after December 31, 2026. If a person**
 15 **files with the appropriate local authority a complete application for**
 16 **a permit or approval, the permit or approval must be granted, if**
 17 **the project that is the subject of the application satisfies the legal**
 18 **restrictions, including the zoning ordinance, zone maps, or**
 19 **subdivision control ordinance in effect on the date the permit**
 20 **application is submitted."**

21 Page 31, delete lines 23 through 35, begin a new paragraph and
 22 insert:

23 **"Sec. 4. Unless a unit adopts an ordinance to opt out of this**
 24 **section not later than December 31, 2026, if an area is zoned for**
 25 **residential use, any one (1) of the following is a permitted use on**
 26 **each lot or parcel:**

27 **(1) At least two (2) single family dwellings. However, a unit**
 28 **may require a will-serve letter for a single family dwelling.**

29 **(2) At least one (1) duplex. However, a unit may require a**
 30 **will-serve letter for a duplex.**

31 **Sec. 5. (a) This section only applies to an accessory dwelling unit**
 32 **located within the corporate boundaries of a municipality.**

33 **(b) Unless a unit adopts an ordinance to opt out of this section**
 34 **not later than December 31, 2026, an accessory dwelling unit is a**
 35 **permitted use on a lot within an area that is zoned residential if the**
 36 **following requirements are satisfied:**

37 **(1) Only one (1) accessory dwelling unit is located on the lot.**

38 **(2) The property owner permanently resides in the principal**
 39 **dwelling unit or the accessory dwelling unit.**

40 **(3) Exterior finish materials must visually match in type, size**
 41 **and placement, the exterior finish materials of the primary**
 42 **dwelling.**

43 **(4) Notwithstanding IC 36-7-1-1.5(1), the maximum size of a**
 44 **detached accessory dwelling unit shall be limited to:**

45 **(A) thirty percent (30%) of the primary home's total floor**
 46 **area or eight hundred (800) square feet, whichever is**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

**greater; and
(B) the maximum height must adhere to the accessory dwelling height maximum for the respective district or zone.**

All other requirements for an accessory structure must be met.

(5) There must be a sidewalk from the street to the primary entrance of a detached accessory dwelling unit.

(6) An accessory dwelling unit on the upper floors of the principal structure shall have an interior stairway to the primary entrance of the accessory unit. Secondary stairways may be located on the exterior, but not on the front exterior of the building.

(7) Provided that the parking requirement is met for the principal single family dwelling, no additional parking is required.

(8) All utilities extended to serve the accessory dwelling unit must be underground."

Page 33, line 5, delete "or multi-family residential".

Re-number all SECTIONS consecutively.

(Reference is to EHB 1001 as printed February 20, 2026.)

Senator GARTEN