



SENATE MOTION

MR. PRESIDENT:

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

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 36-7-4.5 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2026]:
- 5 **Chapter 4.5. Residential Development Districts**
- 6 **Sec. 1. As used in this chapter, "administrative review" means**
- 7 **a review that is based solely on objective standards, without**
- 8 **discretionary judgment, that complies with applicable building and**
- 9 **safety codes.**
- 10 **Sec. 2. As used in this chapter, "by-right development" means**
- 11 **a development that:**
- 12 **(1) complies with zoning, building, and safety standards; and**
- 13 **(2) does not require a discretionary review, conditional use**
- 14 **approval, special use exception, variance, or public hearing**
- 15 **beyond administrative review.**
- 16 **Sec. 3. As used in this chapter, "qualifying housing unit" means**
- 17 **a new residential dwelling unit in a residential development district**
- 18 **that complies with applicable building and safety codes.**
- 19 **Sec. 4. As used in this chapter, "residential development**
- 20 **district" means a geographically defined area designated by a local**
- 21 **unit in which housing development is considered by-right**
- 22 **development.**
- 23 **Sec. 5. The legislative body of a local unit may adopt an**
- 24 **ordinance creating a residential development district that allows**
- 25 **for:**
- 26 **(1) greater housing density;**
- 27 **(2) smaller setbacks;**
- 28 **(3) relaxed architectural standards; and**

- 1 (4) other factors that encourage accessible, affordable
- 2 housing.
- 3 **Sec. 6. (a) An ordinance adopted under section 5 of this chapter**
- 4 **must include the following:**
- 5 (1) Residential development in the residential development
- 6 district is considered by-right development.
- 7 (2) No discretionary review process applies to qualifying
- 8 housing developments.
- 9 (3) Objective standards governing development that are
- 10 clearly published and administrable.
- 11 (4) Permitting decisions for qualifying housing units must be
- 12 completed within not more than ninety (90) days of
- 13 submission of a completed application.
- 14 (5) The residential development district is not subject to
- 15 regulatory provisions that would materially impede housing
- 16 production, including duplicative approval processes.
- 17 (6) Nothing in the ordinance preempts compliance with
- 18 federal health, safety, or civil rights laws.
- 19 (7) A definition for affordable housing and what housing can
- 20 exist within the residential development district.
- 21 **(b) A local unit shall consult with a member of the builder**
- 22 **community and a member of the realtor community when drafting**
- 23 **an ordinance.**
- 24 **Sec. 7. A local unit shall retain authority to determine the**
- 25 **following:**
- 26 (1) The geographic boundaries of a residential development
- 27 district.
- 28 (2) The applicable objective development standards.
- 29 **Sec. 8. (a) A local unit that establishes a residential development**
- 30 **district under this chapter shall conduct a comprehensive**
- 31 **evaluation of the residential development district two (2) years**
- 32 **after an ordinance is adopted under section 5 of this chapter. The**
- 33 **evaluation must include:**
- 34 (1) the impact on housing production;
- 35 (2) the cost effectiveness of development in the residential
- 36 development district; and
- 37 (3) the effect of the residential development district on
- 38 housing affordability.
- 39 **(b) A local unit that establishes a residential development**
- 40 **district under this chapter must also submit an annual written**
- 41 **report to the general assembly in an electronic format under**
- 42 **IC 5-14-6, including:**
- 43 (1) the number of qualifying housing units permitted within
- 44 each residential development district;
- 45 (2) the affordability levels of the qualifying housing units;
- 46 (3) permitting timelines; and
- 47 (4) any amendments to the residential development district

1 **ordinance.**
2 **Sec. 9. Nothing in this chapter allows for discrimination in**
3 **housing or for a violation of federal fair housing laws, including the**
4 **federal Fair Housing Act.**

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

Senator TAYLOR G