



February 20, 2026

ENGROSSED HOUSE BILL No. 1115

DIGEST OF HB 1115 (Updated February 18, 2026 6:19 pm - DI 149)

Citations Affected: IC 32-21; IC 32-25.5.

Synopsis: Homeowners association governance. Prohibits a homeowners association (HOA), an agent of a HOA, or an HOA management company from charging a homeowner a fee associated with any service provided by the HOA. Requires the board of a HOA to provide to HOA members at least four days advance written notice of any meeting of the board. Provides that the meeting notice must include: (1) a meeting agenda; and (2) in the case of a notice for an annual meeting, a statement of the right of HOA members to demand a special meeting of the members, including a statement of the required number of members needed to demand a special meeting. Provides that an HOA member is considered to be in attendance at a meeting of the HOA if the member attends by remote or virtual means in accordance
(Continued next page)

Effective: July 1, 2026.

Olthoff, Lawson, Andrade, Bascom

(SENATE SPONSORS — DEERY, DERNULC)

January 5, 2026, read first time and referred to Committee on Judiciary.
January 22, 2026, amended, reported — Do Pass.
January 27, 2026, read second time, ordered engrossed.
January 28, 2026, engrossed. Read third time, passed. Yeas 90, nays 2.

SENATE ACTION

February 2, 2026, read first time and referred to Committee on Judiciary.
February 19, 2026, amended, reported favorably — Do Pass.

EH 1115—LS 6598/DI 101



Digest Continued

with the statutory procedures for remote meetings of nonprofit corporations. Provides that the governing documents of a homeowners association (HOA) may not require that the consent of more than 2/3 of the owners be required to amend the HOA's governing documents. Provides that an HOA's governing documents may not require the consent of more than 2/3 of first lien mortgage holders in order to amend the governing documents. Removes the provision in current law that provides that the governing documents may require the approval of at least 95% of the owners to convey common areas or to dissolve the plan of governance for the HOA. Authorizes an HOA to assess a fine for a member's violation of a covenant if the HOA first: (1) adopts a schedule of fines for specified violations; and (2) provides to the member a notice setting forth the violation, the amount of the fine, and the date on which the fine will be assessed. Requires a schedule of fines to include a maximum aggregate fine amount for any single violation.

EH 1115—LS 6598/DI 101



February 20, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1115

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 32-21-5-8.5, AS ADDED BY P.L.141-2015,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 8.5. (a) This section applies to all transfers of title
4 to property after June 30, 2015.
5 (b) The definitions in IC 32-25.5-2 apply in this section.
6 (c) As used in this section, "property" refers to real property covered
7 by the governing documents of a homeowners association.
8 (d) As used in this section, "purchaser" refers to a person who
9 purchases property.
10 (e) The following must be provided by the seller to a purchaser not
11 later than ten (10) days before the sale of the property closes:
12 (1) A disclosure that the property is in a community governed by
13 a homeowners association.
14 (2) A copy of the recorded governing documents.
15 (3) A statement indicating whether there are assessments and the
16 amount of any assessments.
17 (4) The following information about a board member,

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1 homeowners association agent, or other person who has a contract
 2 with the homeowners association to provide any management
 3 services for the homeowners association:

4 (A) The name.

5 (B) The business or home address.

6 (f) A homeowners association or agent of a homeowners association
 7 providing a statement of unpaid assessments or other charges of the
 8 homeowners association relating to the property may **not charge not**
 9 **more than two hundred fifty dollars (\$250) a fee** for the statement.

10 (g) The failure to provide any of the documents listed in subsection
 11 (e) does not limit or prevent enforcement of the governing documents
 12 by the homeowners association.

13 SECTION 2. IC 32-25.5-3-2, AS AMENDED BY P.L.1-2010,
 14 SECTION 128, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) In addition to any other
 16 meeting held by a board, a board shall hold a special meeting of the
 17 members of a homeowners association if at least ten percent (10%) of
 18 the members of the homeowners association submit to the board at
 19 least one (1) written demand for the special meeting that:

20 (1) describes the purpose for which the meeting is to be held; and

21 (2) is signed by the members requesting the special meeting.

22 (b) If a board does not send out a notice of the date, time, and place
 23 for a special meeting not more than thirty (30) days after the date the
 24 board receives a valid written demand for the special meeting under
 25 subsection (a), a member of the homeowners association who signed
 26 the written demand may:

27 (1) set the date, time, and place for the special meeting; and

28 (2) send out the notice for the special meeting to the other
 29 members.

30 **(c) In the meeting notice of the board's annual meeting, the**
 31 **board shall include a written statement that:**

32 **(1) notifies homeowners association members of the right to**
 33 **demand a special meeting of the members under this section;**
 34 **and**

35 **(2) states the number of members required to demand a**
 36 **special meeting, as determined under subsection (a);**

37 **in accordance with section 3(g) of this chapter.**

38 SECTION 3. IC 32-25.5-3-3, AS AMENDED BY P.L.164-2016,
 39 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2026]: Sec. 3. (a) A homeowners association shall prepare an
 41 annual budget.

42 (b) The annual budget must reflect:



- 1 (1) the estimated revenues and expenses for the budget year; and
 2 (2) the estimated surplus or deficit as of the end of the current
 3 budget year.
- 4 (c) The homeowners association shall provide each member of the
 5 homeowners association with:
- 6 (1) a:
- 7 (A) copy of the proposed annual budget; or
 8 (B) written notice that a copy of the proposed annual budget
 9 is available upon request at no charge to the member; and
- 10 (2) a written notice of the amount of any increase or decrease in
 11 a regular annual assessment paid by the members that would
 12 occur if the proposed annual budget is approved;
- 13 before the homeowners association meeting held under subsection (d).
- 14 (d) Subject to subsection (f), a homeowners association budget must
 15 be approved at a meeting of the homeowners association members by
 16 a majority of the members of the homeowners association in attendance
 17 at a meeting called and conducted in accordance with the requirements
 18 of the homeowners association's governing documents.
- 19 (e) For purposes of this section, a member of a homeowners
 20 association is considered to be in attendance at a meeting if the
 21 member attends:
- 22 (1) in person;
 23 (2) by proxy; ~~or~~
- 24 **(3) by remote or virtual means in accordance with the**
 25 **procedures set forth in IC 23-17-10-1(d) through**
 26 **IC 23-17-10-1(f); or**
- 27 ~~(3)~~ **(4)** by any other means allowed under:
- 28 (A) state law; or
 29 (B) the governing documents of the homeowners association.
- 30 (f) If the number of members of the homeowners association in
 31 attendance at a meeting held under subsection (d) does not constitute
 32 a quorum as defined in the governing documents of the homeowners
 33 association, the board may adopt an annual budget for the homeowners
 34 association for the ensuing year in an amount that does not exceed one
 35 hundred percent (100%) of the amount of the last approved
 36 homeowners association annual budget. However, the board may adopt
 37 an annual budget for the homeowners association for the ensuing year
 38 in an amount that does not exceed one hundred ten percent (110%) of
 39 the amount of the last approved homeowners association annual budget
 40 if the governing documents of the homeowners association allow the
 41 board to adopt an annual budget under this subsection for the ensuing
 42 year in an amount that does not exceed one hundred ten percent



1 (110%) of the amount of the last approved homeowners association
2 annual budget.

3 (g) Subject to subsection (k):

4 (1) the financial records, including all contracts, invoices, bills,
5 receipts, and bank records, of a homeowners association must be
6 available for inspection by each member of the homeowners
7 association upon written request; and

8 (2) the minutes of meetings of the homeowners association board,
9 including the annual meeting, must be available to a member of
10 the homeowners association for inspection upon the homeowners
11 association member's request, which may be submitted:

12 (A) in person;

13 (B) in writing; or

14 (C) by electronic mail **or other electronic means.**

15 In addition to the right to inspect the meeting minutes of the
16 homeowners association board, a member of a homeowners
17 association has the right to attend any meeting of the homeowners
18 association board, including an annual meeting of the board. **For**
19 **each meeting of the homeowners association board, the board**
20 **must provide at least four (4) days advance written notice of**
21 **the meeting to members of the homeowners association. The**
22 **meeting notice must include an agenda for the meeting. The**
23 **meeting notice for the annual meeting of the board must also**
24 **include a statement of the right of homeowners association**
25 **members to demand a special meeting of the members under**
26 **section 2 of this chapter, including a statement of the number**
27 **of members required to demand a special meeting, as**
28 **determined under section 2(a) of this chapter. The board may**
29 **provide a written meeting notice required under this**
30 **subsection by hand delivery, United States mail, or electronic**
31 **mail or other electronic means.** However, the board of directors
32 may meet in private to discuss delinquent assessments. The board
33 of directors may also meet in private with legal counsel to discuss
34 the initiation of litigation or to discuss litigation that either is
35 pending or has been threatened specifically in writing. As used in
36 this subsection, "litigation" includes any judicial action or
37 administrative law proceeding under state or federal law.

38 A written request for inspection must identify with reasonable
39 particularity the information being requested. A member's ability to
40 inspect records under this section shall not be unreasonably denied or
41 conditioned upon provision of an appropriate purpose for the request.
42 The homeowners association may **not** charge a ~~reasonable~~ fee for the



1 copying of a record requested under this subsection if the homeowners
2 association member requests a written copy of the record.

3 (h) Subject to subsections (j) and (k), if there is a dispute between
4 a homeowner and a homeowners association, the officers of the
5 homeowners association must make all communications concerning the
6 dispute available to the homeowner.

7 (i) Subject to subsections (j) and (k), the following apply:

8 (1) A homeowners association shall make all communications and
9 information concerning a lot available to the owner of the lot or
10 a home on the lot.

11 (2) If a homeowners association initiates communication with any
12 member about another member's lot, the homeowners association
13 must give a copy of that communication to the other member
14 whose lot is the subject of the communication. However, this
15 subdivision does not apply if the communication concerns
16 suspected criminal activity, or activity that is the subject of a law
17 enforcement investigation, involving the member whose lot is the
18 subject of the communication.

19 (j) A homeowners association is not required to make:

- 20 (1) communications between the homeowners association and the
21 legal counsel of the homeowners association; and
22 (2) other communications or attorney work product prepared in
23 anticipation of litigation;

24 available to the owner of a lot or home.

25 (k) A homeowners association is not required to make available to
26 a member for inspection any of the following:

- 27 (1) Unexecuted contracts.
28 (2) Records regarding contract negotiations.
29 (3) Information regarding an individual member's association
30 account to a person who is not a named party on the account.
31 (4) Any information that is prohibited from release under state or
32 federal law.
33 (5) Any records that were created more than two (2) years before
34 the request.
35 (6) Information that:
36 (A) is provided by a member of the homeowners association
37 about another member of the homeowners association; and
38 (B) concerns suspected criminal activity involving the other
39 member.

40 Except as otherwise provided in this article (including subsection (j)
41 and this subsection), other applicable law, or the governing documents
42 of the homeowners association, a homeowners association is not



1 required to retain a record of a written or electronic communication for
 2 any specific period of time. However, a homeowners association or a
 3 member of the board of a homeowners association shall retain for at
 4 least two (2) years after ~~receipt~~, **the date it is received or sent**, and
 5 during that period shall make available to a member of the homeowners
 6 association at the member's request, any written or electronic
 7 communication received **or sent** by the homeowners association or
 8 board member that relates to a financial transaction of the homeowners
 9 association and that is not otherwise excepted from disclosure under
 10 this article or other applicable law.

11 (l) **Except for information described in subsection (k)(4)**, nothing
 12 in this chapter:

13 (1) abrogates or eliminates provisions in homeowners association
 14 agreements that permit or require additional disclosure or
 15 inspection rights not required by this chapter; or

16 (2) prevents a homeowners association from agreeing to make
 17 disclosures or to provide inspection rights not required by this
 18 chapter.

19 (m) A homeowners association may not charge a fee for the first
 20 hour required to search for a record in response to a written request
 21 submitted under this chapter. ~~A homeowners association may charge~~
 22 ~~a search fee for any time that exceeds one (1) hour. The following~~
 23 ~~provisions apply if a homeowners association charges a search fee:~~

24 (1) ~~The homeowners association shall charge an hourly fee that~~
 25 ~~does not exceed thirty-five dollars (\$35) per hour.~~

26 (2) ~~The homeowners association may charge the fee only for time~~
 27 ~~that the person making the search actually spends in searching for~~
 28 ~~the record.~~

29 (3) ~~The homeowners association shall prorate the fee to reflect~~
 30 ~~any search time of less than one (1) hour.~~

31 (4) ~~The total amount of the fee charged by the homeowners~~
 32 ~~association for a search may not exceed two hundred dollars~~
 33 ~~(\$200).~~

34 SECTION 4. IC 32-25.5-3-9, AS AMENDED BY P.L.164-2016,
 35 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2026]: Sec. 9. (a) **The amendments made to this section by**
 37 **HEA 1115-2026 apply only to governing documents adopted or**
 38 **amended after June 30, 2026.**

39 (b) The governing documents must contain a provision allowing the
 40 owners to amend the governing documents at any time, from time to
 41 time, subject to the following:

42 (1) The declarant's consent to an amendment may be required if:



- 1 (A) the declarant owns one (1) or more units within the
 2 subdivision; and
 3 (B) not more than seven (7) years have passed since the
 4 original governing documents were first recorded.
- 5 (2) The consent of the owners to the amendment has been
 6 obtained as evidenced by either of the following:
 7 (A) The vote of the owners at a meeting duly called for the
 8 purpose of considering the amendment, **including a special**
 9 **meeting called upon the demand of members of the**
 10 **homeowners association under section 2 of this chapter.**
 11 (B) A written instrument signed by the owners.
- 12 The governing documents may not require that the consent of
 13 more than ~~seventy-five percent (75%)~~ **two-thirds (2/3)** of the
 14 owners ~~is~~ **be** required for consent under this subdivision.
- 15 (3) If the consent of first mortgage holders is required, only first
 16 mortgage holders that provide an address to the secretary of the
 17 board must be notified. The consent of a first mortgage holder
 18 must be indicated in a written instrument signed by the mortgage
 19 holder. However, a mortgage holder is considered to have
 20 consented to a proposed amendment if the mortgage holder does
 21 not respond to a written request for consent within thirty (30) days
 22 after the mortgage holder receives the request. The governing
 23 documents may not require that the consent of more than
 24 ~~seventy-five percent (75%)~~ **two-thirds (2/3)** of first mortgage
 25 holders eligible to receive notice ~~is~~ **be** required for consent under
 26 this subdivision.
- 27 ~~(4) Notwithstanding subdivisions (1) through (3), the governing~~
 28 ~~documents may require the approval of at least ninety-five percent~~
 29 ~~(95%) of the owners to convey common areas or to dissolve the~~
 30 ~~plan of governance for the homeowners association.~~
- 31 SECTION 5. IC 32-25.5-3-12 IS ADDED TO THE INDIANA
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2026]: **Sec. 12. (a) A homeowners association**
 34 **may assess a fine for a member's violation of a covenant described**
 35 **in IC 32-25.5-2-3(2) if the board first adopts a schedule of fines that**
 36 **sets forth:**
 37 (1) **the covenant violations that are subject to a fine;**
 38 (2) **the amount of the fine that applies to each violation**
 39 **identified under subdivision (1);**
 40 (3) **if any of the fines listed in subdivision (2) will be assessed**
 41 **on an ongoing or recurring basis:**
 42 (A) **for a defined period or a specified number of days; or**



- 1 **(B) until the violation is cured or another contingency**
 2 **occurs;**
 3 **a statement of that fact, along with a description of how the**
 4 **fine will be calculated and assessed; and**
 5 **(4) a maximum aggregate fine amount for any single violation.**
 6 **A fine assessed on an ongoing or recurring basis may not**
 7 **exceed the maximum aggregate amount stated in the schedule**
 8 **of fines.**
- 9 **(b) If the board will adopt a schedule of fines under this section**
 10 **at a meeting of the board, the board shall give notice of the meeting**
 11 **to members in accordance with the homeowners association's**
 12 **governing documents. The notice must include the proposed**
 13 **schedule of fines.**
- 14 **(c) A schedule of fines adopted under this section must be**
 15 **available to any member for inspection upon the member's request,**
 16 **which may be submitted:**
- 17 **(1) in person;**
 18 **(2) in writing; or**
 19 **(3) by electronic mail or other electronic means.**
- 20 **(d) The board may, from time to time, amend or repeal a**
 21 **schedule of fines adopted under this section if notice of:**
- 22 **(1) the amendment or repeal, including the amended schedule**
 23 **of fines in the case of an amendment; and**
 24 **(2) any meeting held to adopt the amendment or repeal;**
 25 **is given to members in accordance with the homeowners**
 26 **association's governing documents.**
- 27 **(e) Members may submit to the board under section 2 of this**
 28 **chapter a written demand for a special meeting of the members of**
 29 **the homeowners association for the purpose of voting to amend a**
 30 **schedule of fines adopted under this section. An amended schedule**
 31 **of fines shall be:**
- 32 **(1) adopted as proposed; or**
 33 **(2) revised and adopted;**
 34 **if so approved by a majority of members present at the meeting.**
- 35 **(f) After a schedule of fines has been adopted under this section,**
 36 **the board may assess a member a fine for a violation included in**
 37 **the schedule of fines under subsection (a)(1) if the board first**
 38 **provides notice to the member of:**
- 39 **(1) the violation for which the fine will be assessed;**
 40 **(2) the amount of the fine;**
 41 **(3) the date on which the fine will be assessed; and**
 42 **(4) if the fine will be assessed on an ongoing or recurring**



- 1 **basis:**
 2 (A) for a defined period or a specified number of days; or
 3 (B) until the violation is cured or another contingency
 4 occurs;
 5 a statement of that fact, along with a description of how the
 6 fine will be calculated and assessed.
 7 (g) If a member is assessed a fine under this section, the amount
 8 of the fine that has accrued must be available to the member upon
 9 the member's request, which may be submitted:
 10 (1) in person;
 11 (2) in writing; or
 12 (3) by electronic mail or other electronic means.
 13 (h) The assessment of a fine by a homeowners association under
 14 this section does not operate as a waiver of the homeowners
 15 association's rights to pursue alternative remedies provided for in
 16 the homeowners association's governing documents, including any
 17 right to injunctive relief or to pursue a claim for damages.
 18 (i) Notwithstanding any other law, a homeowners association,
 19 an agent of a homeowners association, or a homeowners
 20 association management company may not charge a homeowner a
 21 fee associated with any service provided by the homeowners
 22 association, other than the homeowners association dues or fines
 23 expressly identified in the homeowners association's governing
 24 documents or adopted in a schedule of fines. This subsection does
 25 not affect the ability of a homeowners association to take debt
 26 collection efforts for dues or fines allowable under the homeowners
 27 association's governing documents.
 28 SECTION 6. IC 32-25.5-5-4, AS ADDED BY P.L.141-2015,
 29 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 4. As used in this chapter, "exempt claim" refers
 31 to any of the following claims or actions:
 32 (1) A claim by the homeowners association for assessments or
 33 dues and any action by the association to collect assessments or
 34 dues. **This subdivision does not include a claim that involves**
 35 **the assessment or enforcement of a fine under IC 32-25.5-3-12**
 36 **by a homeowners association for a member's violation of a**
 37 **covenant of the homeowners association.**
 38 (2) An action by a party to obtain a temporary restraining order or
 39 equivalent emergency equitable relief:
 40 (A) to maintain the status quo and preserve the party's ability
 41 to enforce the governing documents; or
 42 (B) when an emergency condition exists that jeopardizes the



- 1 health or safety of any of the residents within the community
- 2 governed by the homeowners association.
- 3 (3) A suit to which an applicable statute of limitations would
- 4 expire within the notice period. This subdivision does not apply
- 5 if a party against which the claim is made agrees to toll the statute
- 6 of limitations as to the claim for the period reasonably necessary
- 7 to comply with this chapter.
- 8 (4) A dispute that is subject to mediation, arbitration, or other
- 9 alternate dispute resolution under applicable law, contract,
- 10 warranty agreement, or other instrument.
- 11 (5) A claim that is substantively identical to a claim:
- 12 (A) that was previously addressed by the parties; or
- 13 (B) that was resolved by a judicial determination in favor of
- 14 one (1) of the parties.
- 15 SECTION 7. IC 32-25.5-5-10, AS ADDED BY P.L.141-2015,
- 16 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2026]: Sec. 10. A claimant must provide notice of the claim
- 18 to the respondent, stating plainly and concisely the following
- 19 information:
- 20 (1) The nature of the claim, including the date, time, location,
- 21 persons involved, and the respondent's role in the claim.
- 22 (2) The basis of the claim, including the provision of the
- 23 governing documents or other authority out of which the claim
- 24 arises.
- 25 (3) What the claimant wants the respondent to do or not to do to
- 26 resolve the claim.
- 27 (4) That the respondent has a right to meet with the claimant, if
- 28 the respondent makes a written request for a meeting **not later**
- 29 **than ten (10) business days after the date of the notice.**
- 30 (5) The name and address of the person ~~from~~ whom the
- 31 respondent must **contact to:**
- 32 (A) request a meeting under subdivision (4); **or**
- 33 (B) **provide notice that the violation on which the claim is**
- 34 **based has been cured.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1115, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 1, delete "Subject to subsection (n), if" and insert "If".

Page 6, delete lines 5 through 17.

Page 9, delete lines 8 through 42.

Delete page 10.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1115 as introduced.)

JETER

Committee Vote: yeas 11, nays 0.

 COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill No. 1115, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 32-21-5-8.5, AS ADDED BY P.L.141-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. (a) This section applies to all transfers of title to property after June 30, 2015.

(b) The definitions in IC 32-25.5-2 apply in this section.

(c) As used in this section, "property" refers to real property covered by the governing documents of a homeowners association.

(d) As used in this section, "purchaser" refers to a person who purchases property.

(e) The following must be provided by the seller to a purchaser not later than ten (10) days before the sale of the property closes:

(1) A disclosure that the property is in a community governed by a homeowners association.

(2) A copy of the recorded governing documents.

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(3) A statement indicating whether there are assessments and the amount of any assessments.

(4) The following information about a board member, homeowners association agent, or other person who has a contract with the homeowners association to provide any management services for the homeowners association:

(A) The name.

(B) The business or home address.

(f) A homeowners association or agent of a homeowners association providing a statement of unpaid assessments or other charges of the homeowners association relating to the property may **not** charge ~~not more than two hundred fifty dollars (\$250)~~ a fee for the statement.

(g) The failure to provide any of the documents listed in subsection (e) does not limit or prevent enforcement of the governing documents by the homeowners association."

Page 4, line 13, after "may" insert "**not**".

Page 4, line 13, strike "reasonable".

Page 5, line 32, strike "for the first".

Page 5, line 33, strike "hour required".

Page 5, line 34, strike "A homeowners association may charge".

Page 5, strike lines 35 through 42.

Page 6, strike lines 1 through 4.

Page 6, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 3. IC 32-25.5-3-9, AS AMENDED BY P.L.164-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. **(a) The amendments made to this section by HEA 1115-2026 apply only to governing documents adopted or amended after June 30, 2026.**

(b) The governing documents must contain a provision allowing the owners to amend the governing documents at any time, from time to time, subject to the following:

(1) The declarant's consent to an amendment may be required if:

(A) the declarant owns one (1) or more units within the subdivision; and

(B) not more than seven (7) years have passed since the original governing documents were first recorded.

(2) The consent of the owners to the amendment has been obtained as evidenced by either of the following:

(A) The vote of the owners at a meeting duly called for the purpose of considering the amendment, **including a special meeting called upon the demand of members of the homeowners association under section 2 of this chapter.**



(B) A written instrument signed by the owners.

The governing documents may not require that the consent of more than ~~seventy-five percent (75%)~~ **two-thirds (2/3)** of the owners ~~is be~~ required for consent under this subdivision.

(3) If the consent of first mortgage holders is required, only first mortgage holders that provide an address to the secretary of the board must be notified. The consent of a first mortgage holder must be indicated in a written instrument signed by the mortgage holder. However, a mortgage holder is considered to have consented to a proposed amendment if the mortgage holder does not respond to a written request for consent within thirty (30) days after the mortgage holder receives the request. The governing documents may not require that the consent of more than ~~seventy-five percent (75%)~~ **two-thirds (2/3)** of first mortgage holders eligible to receive notice ~~is be~~ required for consent under this subdivision.

~~(4) Notwithstanding subdivisions (1) through (3), the governing documents may require the approval of at least ninety-five percent (95%) of the owners to convey common areas or to dissolve the plan of governance for the homeowners association."~~

Page 6, line 13, delete "and".

Page 6, line 20, delete "assessed." and insert "**assessed; and**

(4) a maximum aggregate fine amount for any single violation. A fine assessed on an ongoing or recurring basis may not exceed the maximum aggregate amount stated in the schedule of fines."

Page 7, between lines 29 and 30, begin a new paragraph and insert:

"(i) Notwithstanding any other law, a homeowners association, an agent of a homeowners association, or a homeowners association management company may not charge a homeowner a fee associated with any service provided by the homeowners association, other than the homeowners association dues or fines expressly identified in the homeowners association's governing documents or adopted in a schedule of fines. This subsection does not affect the ability of a homeowners association to take debt collection efforts for dues or fines allowable under the homeowners association's governing documents."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1115 as printed January 22, 2026.)

EH 1115—LS 6598/DI 101



CARRASCO, Chairperson

Committee Vote: Yeas 10, Nays 1.

EH 1115—LS 6598/DI 101

