



Reprinted
February 10, 2026

ENGROSSED HOUSE BILL No. 1150

DIGEST OF HB 1150 (Updated February 9, 2026 2:56 pm - DI 106)

Citations Affected: IC 32-21; IC 32-25.5; IC 36-1; IC 36-7.

Synopsis: Local regulation. Provides that a homeowners association's governing documents may not include a covenant, policy, or similar measure that: (1) prohibits or restricts the use of; (2) distinguishes between types of; or (3) results in differing standards for different types of; motor vehicles or outdoor equipment based on the fuel source that powers the motor vehicle or outdoor equipment. Provides that a
(Continued next page)

Effective: Upon passage; July 1, 2026.

Pressel, Soliday, Jordan

(SENATE SPONSORS — FREEMAN, BALDWIN)

January 5, 2026, read first time and referred to Committee on Roads and Transportation.
January 12, 2026, amended, reported — Do Pass.
January 15, 2026, read second time, ordered engrossed.
January 16, 2026, engrossed.
January 20, 2026, read third time, passed. Yeas 65, nays 23.

SENATE ACTION

January 26, 2026, read first time and referred to Committee on Homeland Security and Transportation.
February 3, 2026, reported favorably — Do Pass.
February 9, 2026, read second time, amended, ordered engrossed.

EH 1150—LS 6695/DI 119



Digest Continued

homeowners association's governing documents may not include a covenant, policy, or similar measure that prohibits the display of an American flag. Prohibits a homeowners association from installing, maintaining, or operating an automated license plate reader (ALPR), and prohibits a homeowners association from permitting the installation, maintenance, or operation of an ALPR on the property of the homeowners association unless the ALPR is installed by a law enforcement agency and only the law enforcement agency has access to the ALPR data. Prohibits a county or municipality from adopting or enforcing a utility usage data ordinance. Prohibits a county, municipality, or township from adopting or enforcing an ordinance, order, regulation, resolution, policy, or similar measure that: (1) prohibits or restricts the use, sale, or lease of; (2) distinguishes between types of; or (3) results in differing regulatory standards for different types of; motor vehicles or machines other than vehicles, including outdoor equipment, based on the fuel source that powers the motor vehicle or machine. Requires political subdivisions located within five miles of the end of a runway of a publicly owned, public use airport to adopt an airspace overlay zoning ordinance.

EH 1150—LS 6695/DI 119



Reprinted
February 10, 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. 1150

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 32-21-13.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]:

4 **Chapter 13.5. Display of the Flag of the United States or the**
5 **Indiana State Flag on Property Subject to Regulation by a**
6 **Property Owners Association**

7 **Sec. 1. This chapter applies to all governing documents**
8 **established, adopted, enacted, or enforced before, on, or after July**
9 **1, 2026.**

10 **Sec. 2. As used in this chapter, "front yard" means a yard**
11 **within a parcel of real property that has a front building setback**
12 **line of at least fifteen (15) feet that extends the full width of the**
13 **parcel between the front lot line and the front building setback line.**

14 **Sec. 3. (a) As used in this chapter, "governing document" means**
15 **each document governing the establishment, maintenance, or**
16 **operation of a property owners association.**

17 **(b) The term includes documents that subject real property to:**

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- 1 (1) restrictive covenants or similar instruments governing the
 2 administration or operation of a property owners association;
 3 (2) properly adopted bylaws, rules, and regulations of a
 4 property owners association; and
 5 (3) all lawful amendments to covenants, bylaws, rules, or
 6 regulations of a property owners association.

7 Sec. 4. As used in this chapter, "property owners association"
 8 means an incorporated or unincorporated:

- 9 (1) homeowners association;
 10 (2) condominium association;
 11 (3) cooperative association;
 12 (4) residential subdivision association; or
 13 (5) similar property owners association;

14 owned by or whose members consist primarily of the owners of the
 15 property covered by a governing document and through which the
 16 owners, or a board of directors or similar governing body, manage
 17 or regulate the property owners association.

18 Sec. 5. Except as provided in section 6 of this chapter, a
 19 property owners association may not adopt or enforce a governing
 20 document provision that prohibits or restricts, or has the effect of
 21 prohibiting or restricting, a member of the property owners
 22 association from displaying the:

- 23 (1) flag of the United States, including displaying the flag of
 24 the United States from a flagpole; or
 25 (2) state flag described in IC 1-2-2-1, including displaying the
 26 state flag from a flagpole.

27 Sec. 6. A property owners association may adopt or enforce
 28 reasonable governing document provisions that do any of the
 29 following:

- 30 (1) Require:
 31 (A) that the flag of the United States must be displayed in
 32 accordance with:
 33 (i) 4 U.S.C. 5 through 4 U.S.C. 10; and
 34 (ii) the federal Freedom to Display the American Flag
 35 Act of 2005 (120 Stat. 572);
 36 (B) that a flagpole attached to a dwelling or a freestanding
 37 flagpole:
 38 (i) must be constructed of permanent, durable materials;
 39 and
 40 (ii) must have a finish appropriate to the materials used
 41 in the construction of the flagpole and harmonious with
 42 the dwelling;



- 1 (C) that the display of a flag, or the location and
 2 construction of the supporting flagpole, must comply with
 3 applicable zoning ordinances, easements, and setbacks of
 4 record; and
 5 (D) that:
 6 (i) a displayed flag and the flagpole on which it is flown
 7 must be maintained in good condition; and
 8 (ii) any deteriorated flag or deteriorated or structurally
 9 unsafe flagpole must be repaired, replaced, or removed.
 10 (2) Regulate the size, number, and location of flagpoles on
 11 which flags are displayed, except that the regulation may not
 12 prevent the installation of at least one (1) flagpole per
 13 property that:
 14 (A) is:
 15 (i) located in the front yard of the property;
 16 (ii) not more than twenty (20) feet in height; and
 17 (iii) subject to applicable zoning ordinances, easements,
 18 and setbacks of record; or
 19 (B) is attached to any part of a residential structure:
 20 (i) owned by the member; and
 21 (ii) not maintained by the property owners association.
 22 (3) Govern the size of a displayed flag.
 23 (4) Regulate the:
 24 (A) size;
 25 (B) location; and
 26 (C) intensity;
 27 of any lights used to illuminate a displayed flag.
 28 (5) Impose reasonable restrictions to abate noise caused by an
 29 external halyard of a flagpole.
 30 (6) Prohibit a member from locating a displayed flag or
 31 flagpole on property that is:
 32 (A) owned or maintained by the property owners
 33 association; or
 34 (B) owned in common by the members of the property
 35 owners association.
 36 SECTION 2. IC 32-25.5-3.6 IS ADDED TO THE INDIANA CODE
 37 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2026]:
 39 Chapter 3.6. Homeowners Association Restrictions on Outdoor
 40 Equipment
 41 Sec. 0.5. This chapter applies to all governing documents
 42 established, adopted, enacted, or enforced before, on, or after July



1 1, 2026.

2 Sec. 1. As used in this chapter, "motor vehicle" means a vehicle
3 that is:

- 4 (1) self-propelled;
5 (2) designed for transporting people or property on a street or
6 highway; and
7 (3) certified by the vehicle's maker under all applicable
8 federal safety and emissions standards and requirements for
9 distribution and sale in the United States.

10 Sec. 2. As used in this chapter, "outdoor equipment" has the
11 meaning set forth in IC 36-1-3-1.8.

12 Sec. 3. A homeowners association's governing documents may
13 not include a covenant, policy, or similar measure that:

- 14 (1) prohibits or restricts the use of a motor vehicle or outdoor
15 equipment;
16 (2) distinguishes:
17 (A) between types of motor vehicles; or
18 (B) between types of outdoor equipment; or
19 (3) results in:
20 (A) differing standards for different types of motor
21 vehicles; or
22 (B) differing standards for different types of outdoor
23 equipment;

24 based on the fuel source that powers the motor vehicle or outdoor
25 equipment.

26 SECTION 3. IC 32-25.5-3.8 IS ADDED TO THE INDIANA CODE
27 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2026]:

29 **Chapter 3.8. Homeowners Association Use of Automated**
30 **License Plate Readers**

31 Sec. 1. This chapter applies to a homeowners association
32 established before, on, or after July 1, 2026.

33 Sec. 2. "Automated license plate reader" means a camera
34 designed to automatically capture an image of a vehicle's license
35 plate and convert the image into computer readable data to permit
36 comparison of the license plate number of the captured image with
37 license plate numbers contained in one (1) or more databases. The
38 term does not include a security camera that may incidentally
39 capture the image of a license plate.

40 Sec. 3. A homeowners association may not install, maintain, or
41 operate an automated license plate reader.

42 Sec. 4. A homeowners association may not permit the



1 installation, maintenance, or operation of an automated license
2 plate reader on the property of the homeowners association unless:

- 3 (1) the automated license plate reader is installed by or on
4 behalf of a law enforcement agency;
5 (2) only a law enforcement agency has access to the data and
6 images captured by the automated license plate reader; and
7 (3) the homeowners association does not have access to the
8 images or data captured by the automated license plate
9 reader.

10 SECTION 4. IC 36-1-3-1.6 IS ADDED TO THE INDIANA CODE
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 2026]: **Sec. 1.6. As used in this chapter, "machine" includes
13 outdoor equipment.**

14 SECTION 5. IC 36-1-3-1.8 IS ADDED TO THE INDIANA CODE
15 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2026]: **Sec. 1.8. As used in this chapter, "outdoor equipment"
17 means a mechanical device that:**

- 18 (1) is powered by a motor;
19 (2) is designed to be used outdoors for the purpose of
20 facilitating or assisting in the performance of tasks associated
21 with:
22 (A) home or lawn maintenance; or
23 (B) construction; and
24 (3) if self-propelled, is not permitted under IC 9 to be driven
25 or operated on an interstate highway.

26 **The term includes lawn mowers, powered lawn trimmers, and leaf
27 blowers.**

28 SECTION 6. IC 36-1-3-8.7 IS ADDED TO THE INDIANA CODE
29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
30 UPON PASSAGE]: **Sec. 8.7. (a) As used in this section, "unit"
31 means a county or a municipality.**

32 (b) As used in this section, "utility" means a utility, however
33 organized, that provides utility service to customers in Indiana.
34 **The term includes a utility that is owned, operated, or held in trust
35 by a consolidated city.**

36 (c) As used in this section, "utility service" means:

- 37 (1) electric;
38 (2) natural gas;
39 (3) water; or
40 (4) wastewater;

41 **service that is provided at retail.**

42 (d) As used in this section, "utility usage data ordinance":



1 (1) means an ordinance that is adopted by a unit and that
2 requires:

3 (A) the owner or tenant of a building; or

4 (B) a utility providing utility service to a building;
5 to report to the unit, or to any other party, whether directly
6 or indirectly, data on the utility service used or consumed at
7 a building during a specified reporting period; and

8 (2) does not include an ordinance that authorizes or facilitates
9 the voluntary reporting of data described in subdivision (1)
10 by:

11 (A) the owner or tenant of a building; or

12 (B) a utility providing utility service to a building.

13 (e) After March 15, 2026, a unit may not adopt or enforce a
14 utility usage data ordinance.

15 SECTION 7. IC 36-1-3-13, AS ADDED BY P.L.180-2021,
16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2026]: Sec. 13. (a) Unless required under IC 36-7-2-9, a unit
18 does not have the power to do the following:

19 (1) Require that a particular component, design, or type of
20 material be used in the construction of a building or other
21 structure because of the energy saving or energy producing
22 qualities of the component, design, or material.

23 (2) Prohibit the use of a particular component, design, or type of
24 material in the construction of a building or other structure
25 because the component, design, or material does not meet a
26 standard for energy saving.

27 (3) Require that a building or other structure be retrofitted with a
28 particular device or type of material because of the energy saving
29 or energy producing qualities of the device or material.

30 (4) **Adopt an ordinance, order, regulation, resolution, policy,
31 or similar measure that:**

32 (A) **Prohibit prohibits or restrict restricts** the purchase or use
33 of vehicles or ~~other machines~~ **other than vehicles;**

34 (B) **distinguishes:**

35 (i) **between types of vehicles; or**

36 (ii) **between types of machines other than vehicles; or**

37 (C) **results in:**

38 (i) **differing regulatory standards for different types of
39 vehicles; or**

40 (ii) **differing regulatory standards for different types of
41 machines other than vehicles;**

42 based upon the type of energy that powers the vehicle or machine.



- 1 (5) Prohibit the sale, installation, or use of any of the following:
 2 (A) Natural gas powered home heating equipment.
 3 (B) Natural gas powered home appliances.
 4 (C) Grills, stoves, and other food preparation appliances
 5 designed to be used outdoors.
 6 (D) Natural gas powered:
 7 (i) heating appliances; and
 8 (ii) torches, lamps, and other decorative features;
 9 designed to be used outdoors.
- 10 (6) Enact an ordinance, adopt a resolution, or enforce an
 11 ordinance or resolution that purports to exercise a power denied
 12 by subdivisions (1) through (5).
- 13 (b) This section does not apply to requirements included in
 14 procurement documents used to procure goods and services, including
 15 the construction or design of buildings, to be owned or used by the unit.
 16 A unit may adopt bid specifications for a public works project that
 17 include energy savings or energy production provisions with respect to
 18 the components, design, or materials for the specific project.
- 19 SECTION 8. IC 36-7-4-201.2 IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2026]: **Sec. 201.2. (a) This section applies to**
 22 **a political subdivision with local planning and zoning powers that:**
 23 **(1) is located within five (5) miles of the end of a runway of a**
 24 **publicly owned, public use airport that is classified as a**
 25 **primary, national, or regional airport by the Federal Aviation**
 26 **Administration, as shown on the airport's Federal Aviation**
 27 **Administration accepted airport master plan or airport**
 28 **layout plan; and**
 29 **(2) has not adopted an airspace overlay zoning ordinance that**
 30 **complies with the requirements of subsection (c).**
- 31 **(b) Not later than July 1, 2028, the administration of the**
 32 **publicly owned, public use airport must provide the political**
 33 **subdivision with a draft airspace overlay zoning ordinance.**
- 34 **(c) Not later than one (1) year after the political subdivision**
 35 **receives the draft airspace overlay zoning ordinance required**
 36 **under subsection (b), the political subdivision shall adopt an**
 37 **airspace overlay zoning ordinance that:**
 38 **(1) provides for compatible land use with respect to airport**
 39 **flight activities as specified in Federal Aviation**
 40 **Administration Advisory Circular 150/5190-4B; and**
 41 **(2) is consistent with the requirements of IC 8-21-10-3 and 14**
 42 **CFR 77 to address airspace protection.**



1 **SECTION 9. An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1150, 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 2, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 4. IC 36-1-3-8.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.7. (a) As used in this section, "unit" means a county or a municipality.**

(b) As used in this section, "utility" means a utility, however organized, that provides utility service to customers in Indiana. The term includes a utility that is owned, operated, or held in trust by a consolidated city.

(c) As used in this section, "utility service" means:

- (1) electric;**
- (2) natural gas;**
- (3) water; or**
- (4) wastewater;**

service that is provided at retail.

(d) As used in this section, "utility usage data ordinance":

(1) means an ordinance that is adopted by a unit and that requires:

(A) the owner or tenant of a building; or

(B) a utility providing utility service to a building;

to report to the unit, or to any other party, whether directly or indirectly, data on the utility service used or consumed at a building during a specified reporting period; and

(2) does not include an ordinance that authorizes or facilitates the voluntary reporting of data described in subdivision (1)

by:

(A) the owner or tenant of a building; or

(B) a utility providing utility service to a building.

(e) After March 15, 2026, a unit may not adopt or enforce a utility usage data ordinance."

Page 4, after line 16, begin a new paragraph and insert:

"SECTION 7. **An emergency is declared for this act.**"

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.



(Reference is to HB 1150 as introduced.)

PRESSEL

Committee Vote: yeas 9, nays 4.

COMMITTEE REPORT

Mr. President: The Senate Committee on Homeland Security and Transportation, to which was referred House Bill No. 1150, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to HB 1150 as printed January 12, 2026.)

CRIDER, Chairperson

Committee Vote: Yeas 6, Nays 1

SENATE MOTION

Mr. President: I move that Engrossed House Bill 1150 be amended to read as follows:

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

"SECTION 1. IC 32-21-13.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 13.5. Display of the Flag of the United States or the Indiana State Flag on Property Subject to Regulation by a Property Owners Association

Sec. 1. This chapter applies to all governing documents established, adopted, enacted, or enforced before, on, or after July 1, 2026.

Sec. 2. As used in this chapter, "front yard" means a yard within a parcel of real property that has a front building setback line of at least fifteen (15) feet that extends the full width of the parcel between the front lot line and the front building setback line.

Sec. 3. (a) As used in this chapter, "governing document" means each document governing the establishment, maintenance, or operation of a property owners association.



- (b) The term includes documents that subject real property to:
- (1) restrictive covenants or similar instruments governing the administration or operation of a property owners association;
 - (2) properly adopted bylaws, rules, and regulations of a property owners association; and
 - (3) all lawful amendments to covenants, bylaws, rules, or regulations of a property owners association.

Sec. 4. As used in this chapter, "property owners association" means an incorporated or unincorporated:

- (1) homeowners association;
- (2) condominium association;
- (3) cooperative association;
- (4) residential subdivision association; or
- (5) similar property owners association;

owned by or whose members consist primarily of the owners of the property covered by a governing document and through which the owners, or a board of directors or similar governing body, manage or regulate the property owners association.

Sec. 5. Except as provided in section 6 of this chapter, a property owners association may not adopt or enforce a governing document provision that prohibits or restricts, or has the effect of prohibiting or restricting, a member of the property owners association from displaying the:

- (1) flag of the United States, including displaying the flag of the United States from a flagpole; or
- (2) state flag described in IC 1-2-2-1, including displaying the state flag from a flagpole.

Sec. 6. A property owners association may adopt or enforce reasonable governing document provisions that do any of the following:

- (1) Require:
 - (A) that the flag of the United States must be displayed in accordance with:
 - (i) 4 U.S.C. 5 through 4 U.S.C. 10; and
 - (ii) the federal Freedom to Display the American Flag Act of 2005 (120 Stat. 572);
 - (B) that a flagpole attached to a dwelling or a freestanding flagpole:
 - (i) must be constructed of permanent, durable materials; and
 - (ii) must have a finish appropriate to the materials used in the construction of the flagpole and harmonious with



the dwelling;

(C) that the display of a flag, or the location and construction of the supporting flagpole, must comply with applicable zoning ordinances, easements, and setbacks of record; and

(D) that:

(i) a displayed flag and the flagpole on which it is flown must be maintained in good condition; and

(ii) any deteriorated flag or deteriorated or structurally unsafe flagpole must be repaired, replaced, or removed.

(2) Regulate the size, number, and location of flagpoles on which flags are displayed, except that the regulation may not prevent the installation of at least one (1) flagpole per property that:

(A) is:

(i) located in the front yard of the property;

(ii) not more than twenty (20) feet in height; and

(iii) subject to applicable zoning ordinances, easements, and setbacks of record; or

(B) is attached to any part of a residential structure:

(i) owned by the member; and

(ii) not maintained by the property owners association.

(3) Govern the size of a displayed flag.

(4) Regulate the:

(A) size;

(B) location; and

(C) intensity;

of any lights used to illuminate a displayed flag.

(5) Impose reasonable restrictions to abate noise caused by an external halyard of a flagpole.

(6) Prohibit a member from locating a displayed flag or flagpole on property that is:

(A) owned or maintained by the property owners association; or

(B) owned in common by the members of the property owners association."

Page 1, between lines 5 and 6, begin a new paragraph and insert:

"Sec. 0.5. This chapter applies to all governing documents established, adopted, enacted, or enforced before, on, or after July 1, 2026."

Page 2, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 3. IC 32-25.5-3.8 IS ADDED TO THE INDIANA



CODE AS A NEW CHAPTER TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2026]:

Chapter 3.8. Homeowners Association Use of Automated License Plate Readers

Sec. 1. This chapter applies to a homeowners association established before, on, or after July 1, 2026.

Sec. 2. "Automated license plate reader" means a camera designed to automatically capture an image of a vehicle's license plate and convert the image into computer readable data to permit comparison of the license plate number of the captured image with license plate numbers contained in one (1) or more databases. The term does not include a security camera that may incidentally capture the image of a license plate.

Sec. 3. A homeowners association may not install, maintain, or operate an automated license plate reader.

Sec. 4. A homeowners association may not permit the installation, maintenance, or operation of an automated license plate reader on the property of the homeowners association unless:

- (1) the automated license plate reader is installed by or on behalf of a law enforcement agency;
- (2) only a law enforcement agency has access to the data and images captured by the automated license plate reader; and
- (3) the homeowners association does not have access to the images or data captured by the automated license plate reader."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1150 as printed February 4, 2026.)

FREEMAN

