

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.

HOUSE ENROLLED ACT No. 1150

AN ACT to amend the Indiana Code concerning local government.

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

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

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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.

SECTION 2. IC 32-25.5-3.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 3.6. Homeowners Association Restrictions on Outdoor Equipment

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

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

- (1) self-propelled;
- (2) designed for transporting people or property on a street or



highway; and

(3) certified by the vehicle's maker under all applicable federal safety and emissions standards and requirements for distribution and sale in the United States.

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

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

(1) prohibits or restricts the use of a motor vehicle or outdoor equipment;

(2) distinguishes:

(A) between types of motor vehicles; or

(B) between types of outdoor equipment; or

(3) results in:

(A) differing standards for different types of motor vehicles; or

(B) differing standards for different types of outdoor equipment;

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

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.

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

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

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

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

SECTION 6. 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.

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

- (1) Require that a particular component, design, or type of material be used in the construction of a building or other structure because of the energy saving or energy producing qualities of the component, design, or material.
- (2) Prohibit the use of a particular component, design, or type of material in the construction of a building or other structure because the component, design, or material does not meet a standard for energy saving.
- (3) Require that a building or other structure be retrofitted with a particular device or type of material because of the energy saving or energy producing qualities of the device or material.
- (4) Adopt an ordinance, order, regulation, resolution, policy, or similar measure that:**

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

(B) distinguishes:

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

(C) results in:

- (i) differing regulatory standards for different types of vehicles; or**
- (ii) differing regulatory standards for different types of machines other than vehicles;**

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

- (5) Prohibit the sale, installation, or use of any of the following:
 - (A) Natural gas powered home heating equipment.
 - (B) Natural gas powered home appliances.
 - (C) Grills, stoves, and other food preparation appliances designed to be used outdoors.



- (D) Natural gas powered:
- (i) heating appliances; and
 - (ii) torches, lamps, and other decorative features; designed to be used outdoors.

(6) Enact an ordinance, adopt a resolution, or enforce an ordinance or resolution that purports to exercise a power denied by subdivisions (1) through (5).

(b) This section does not apply to requirements included in procurement documents used to procure goods and services, including the construction or design of buildings, to be owned or used by the unit. A unit may adopt bid specifications for a public works project that include energy savings or energy production provisions with respect to the components, design, or materials for the specific project.

SECTION 8. IC 36-7-4-201.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 201.2. (a) This section applies to a political subdivision with local planning and zoning powers that:**

- (1) is located within five (5) miles of the end of a runway of a publicly owned, public use airport that is classified as a primary, national, or regional airport by the Federal Aviation Administration, as shown on the airport's Federal Aviation Administration accepted airport master plan or airport layout plan; and**
- (2) has not adopted an airspace overlay zoning ordinance that complies with the requirements of subsection (c).**

(b) Not later than July 1, 2028, the administration of the publicly owned, public use airport must provide the political subdivision with a draft airspace overlay zoning ordinance.

(c) Not later than one (1) year after the political subdivision receives the draft airspace overlay zoning ordinance required under subsection (b), the political subdivision shall adopt an airspace overlay zoning ordinance that:

- (1) provides for compatible land use with respect to airport flight activities as specified in Federal Aviation Administration Advisory Circular 150/5190-4B; and**
- (2) is consistent with the requirements of IC 8-21-10-3 and 14 CFR 77 to address airspace protection.**

SECTION 9. An emergency is declared for this act.



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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