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HOUSE BILL No. 1150

Proposed Changes to introduced printing by AM115006

DIGEST OF PROPOSED AMENDMENT

Reporting of utility usage. Adds a provision prohibiting a county or municipality from adopting or enforcing a utility usage data ordinance.

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

4 **Chapter 3.6. Homeowners Association Restrictions on**
5 **Outdoor Equipment**

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

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

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

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

- 18 (1) prohibits or restricts the use of a motor vehicle or
19 outdoor equipment;
20 (2) distinguishes:
21 (A) between types of motor vehicles; or

2026

IN 1150—LS 6695/DI 119



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(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 2. 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 3. 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 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.

] SECTION ~~4~~ [5]. 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

2026

IN 1150—LS 6695/DI 119



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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 ~~6~~⁶. 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



1 **CFR 77 to address airspace protection.**
2 **SECTION 7. An emergency is declared for this act.**
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IN 1150—LS 6695/DI 119

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