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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

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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.

9 SECTION 2. IC 36-1-3-1.6 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2026]: **Sec. 1.6. As used in this chapter, "machine" includes**
12 **outdoor equipment.**

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

**25 The term includes lawn mowers, powered lawn trimmers, and leaf
26 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

(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



1 **requires:**

2 **(A) the owner or tenant of a building; or**
 3 **(B) a utility providing utility service to a building;**
 4 **to report to the unit, or to any other party, whether directly**
 5 **or indirectly, data on the utility service used or consumed at**
 6 **a building during a specified reporting period; and**
 7 **(2) does not include an ordinance that authorizes or**
 8 **facilitates the voluntary reporting of data described in**
 9 **subdivision (1) by:**

10 **(A) the owner or tenant of a building; or**
 11 **(B) a utility providing utility service to a building.**

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

14 1 SECTION ~~44~~[5]. IC 36-1-3-13, AS ADDED BY P.L.180-2021,
 15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2026]: Sec. 13. (a) Unless required under IC 36-7-2-9, a unit
 17 does not have the power to do the following:

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

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

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

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

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

33 (B) **distinguishes:**

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

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

36 **or**

37 (C) **results in:**

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

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

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



1 machine.

2 (5) Prohibit the sale, installation, or use of any of the following:

3 (A) Natural gas powered home heating equipment.

4 (B) Natural gas powered home appliances.

5 (C) Grills, stoves, and other food preparation appliances
6 designed to be used outdoors.

7 (D) Natural gas powered:

8 (i) heating appliances; and

9 (ii) torches, lamps, and other decorative features;

10 designed to be used outdoors.

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

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

20 SECTION ~~↔~~⁶ IC 36-7-4-201.2 IS ADDED TO THE
21 INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2026]: **Sec. 201.2. (a) This section applies to**
23 **a political subdivision with local planning and zoning powers that:**

24 (1) is located within five (5) miles of the end of a runway of
25 a publicly owned, public use airport that is classified as a
26 primary, national, or regional airport by the Federal
27 Aviation Administration, as shown on the airport's Federal
28 Aviation Administration accepted airport master plan or
29 airport layout plan; and

30 (2) has not adopted an airspace overlay zoning ordinance
31 that complies with the requirements of subsection (c).

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

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

39 (1) provides for compatible land use with respect to airport
40 flight activities as specified in Federal Aviation
41 Administration Advisory Circular 150/5190-4B; and

42 (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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