



February 13, 2026

ENGROSSED HOUSE BILL No. 1152

DIGEST OF HB 1152 (Updated February 11, 2026 3:15 pm - DI 149)

Citations Affected: IC 32-25.5.

Synopsis: Homeowners association matters. Allows, if certain conditions are met, a homeowners association to increase a budget, without a quorum, in an amount not to exceed 110% of the amount of the last approved budget, within three years after the first sale of a lot or unit from a developer to a person not associated with the developer. Allows, if certain conditions are met, a homeowners association to increase an annual budget without a quorum in an amount that does not exceed the lesser of: (1) 105% of the last approved budget; or (2) the average increase of the Consumer Price Index for housing in Midwest for the prior 12 months. Specifies that a homeowners association may not prohibit or restrict a person from operating a Class I child care home or providing certain child care if the person resides within and owns, rents, or leases the single family residence where child care services are provided.

Effective: July 1, 2026.

**Lawson, Miller D, O'Brien,
Garcia Wilburn**

(SENATE SPONSORS — WALKER K, ROGERS, ALEXANDER)

January 5, 2026, read first time and referred to Committee on Judiciary.
January 12, 2026, reported — Do Pass.
January 15, 2026, read second time, ordered engrossed.
January 16, 2026, engrossed.
January 20, 2026, read third time, passed. Yeas 87, nays 1.

SENATE ACTION

January 26, 2026, read first time and referred to Committee on Judiciary.
February 12, 2026, amended, reported favorably — Do Pass.

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February 13, 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. 1152

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 32-25.5-3-3, AS AMENDED BY P.L.164-2016,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 3. (a) A homeowners association shall prepare an
4 annual budget.
5 (b) The annual budget must reflect:
6 (1) the estimated revenues and expenses for the budget year; and
7 (2) the estimated surplus or deficit as of the end of the current
8 budget year.
9 (c) The homeowners association shall provide each member of the
10 homeowners association with:
11 (1) a:
12 (A) copy of the proposed annual budget; or
13 (B) written notice that a copy of the proposed annual budget
14 is available upon request at no charge to the member; and
15 (2) a written notice of the amount of any increase or decrease in
16 a regular annual assessment paid by the members that would
17 occur if the proposed annual budget is approved;

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1 before the homeowners association meeting held under subsection (d).

2 (d) Subject to subsection (f) **and section 3.1 of this chapter**, a
3 homeowners association budget must be approved at a meeting of the
4 homeowners association members by a majority of the members of the
5 homeowners association in attendance at a meeting called and
6 conducted in accordance with the requirements of the homeowners
7 association's governing documents.

8 (e) For purposes of this section, a member of a homeowners
9 association is considered to be in attendance at a meeting if the
10 member attends:

11 (1) in person;

12 (2) by proxy; or

13 (3) by any other means allowed under:

14 (A) state law; or

15 (B) the governing documents of the homeowners association.

16 (f) **Except as provided in sections 3.1, 3.2, and 3.3 of this**
17 **chapter**, if the number of members of the homeowners association in
18 attendance at a meeting held under subsection (d) does not constitute
19 a quorum as defined in the governing documents of the homeowners
20 association, the board may adopt an annual budget for the homeowners
21 association for the ensuing year in an amount that does not exceed one
22 hundred percent (100%) of the amount of the last approved
23 homeowners association annual budget. ~~However, the board may adopt~~
24 ~~an annual budget for the homeowners association for the ensuing year~~
25 ~~in an amount that does not exceed one hundred ten percent (110%) of~~
26 ~~the amount of the last approved homeowners association annual budget~~
27 ~~if the governing documents of the homeowners association allow the~~
28 ~~board to adopt an annual budget under this subsection for the ensuing~~
29 ~~year in an amount that does not exceed one hundred ten percent~~
30 ~~(110%) of the amount of the last approved homeowners association~~
31 ~~annual budget.~~

32 (g) Subject to subsection (k):

33 (1) the financial records, including all contracts, invoices, bills,
34 receipts, and bank records, of a homeowners association must be
35 available for inspection by each member of the homeowners
36 association upon written request; and

37 (2) the minutes of meetings of the homeowners association board,
38 including the annual meeting, must be available to a member of
39 the homeowners association for inspection upon the homeowners
40 association member's request, which may be submitted:

41 (A) in person;

42 (B) in writing; or



- 1 (C) by electronic mail.
- 2 In addition to the right to inspect the meeting minutes of the
- 3 homeowners association board, a member of a homeowners
- 4 association has the right to attend any meeting of the homeowners
- 5 association board, including an annual meeting of the board.
- 6 However, the board of directors may meet in private to discuss
- 7 delinquent assessments. The board of directors may also meet in
- 8 private with legal counsel to discuss the initiation of litigation, or
- 9 to discuss litigation that either is pending or has been threatened
- 10 specifically in writing. As used in this subsection, "litigation"
- 11 includes any judicial action or administrative law proceeding
- 12 under state or federal law.
- 13 A written request for inspection must identify with reasonable
- 14 particularity the information being requested. A member's ability to
- 15 inspect records under this section shall not be unreasonably denied or
- 16 conditioned upon provision of an appropriate purpose for the request.
- 17 The homeowners association may charge a reasonable fee for the
- 18 copying of a record requested under this subsection if the homeowners
- 19 association member requests a written copy of the record.
- 20 (h) Subject to subsections (j) and (k), if there is a dispute between
- 21 a homeowner and a homeowners association, the officers of the
- 22 homeowners association must make all communications concerning the
- 23 dispute available to the homeowner.
- 24 (i) Subject to subsections (j) and (k), the following apply:
- 25 (1) A homeowners association shall make all communications and
- 26 information concerning a lot available to the owner of the lot or
- 27 a home on the lot.
- 28 (2) If a homeowners association initiates communication with any
- 29 member about another member's lot, the homeowners association
- 30 must give a copy of that communication to the other member
- 31 whose lot is the subject of the communication. However, this
- 32 subdivision does not apply if the communication concerns
- 33 suspected criminal activity, or activity that is the subject of a law
- 34 enforcement investigation, involving the member whose lot is the
- 35 subject of the communication.
- 36 (j) A homeowners association is not required to make:
- 37 (1) communications between the homeowners association and the
- 38 legal counsel of the homeowners association; and
- 39 (2) other communications or attorney work product prepared in
- 40 anticipation of litigation;
- 41 available to the owner of a lot or home.
- 42 (k) A homeowners association is not required to make available to



1 a member for inspection any of the following:

- 2 (1) Unexecuted contracts.
 3 (2) Records regarding contract negotiations.
 4 (3) Information regarding an individual member's association
 5 account to a person who is not a named party on the account.
 6 (4) Any information that is prohibited from release under state or
 7 federal law.
 8 (5) Any records that were created more than two (2) years before
 9 the request.
 10 (6) Information that:
 11 (A) is provided by a member of the homeowners association
 12 about another member of the homeowners association; and
 13 (B) concerns suspected criminal activity involving the other
 14 member.

15 Except as otherwise provided in this article (including subsection (j)
 16 and this subsection), other applicable law, or the governing documents
 17 of the homeowners association, a homeowners association is not
 18 required to retain a record of a written or electronic communication for
 19 any specific period of time. However, a homeowners association or a
 20 member of the board of a homeowners association shall retain for at
 21 least two (2) years after receipt, and during that period shall make
 22 available to a member of the homeowners association at the member's
 23 request, any written or electronic communication received by the
 24 homeowners association or board member that relates to a financial
 25 transaction of the homeowners association and that is not otherwise
 26 excepted from disclosure under this article or other applicable law.

27 (l) Nothing in this chapter:

- 28 (1) abrogates or eliminates provisions in homeowners association
 29 agreements that permit or require additional disclosure or
 30 inspection rights not required by this chapter; or
 31 (2) prevents a homeowners association from agreeing to make
 32 disclosures or to provide inspection rights not required by this
 33 chapter.

34 (m) A homeowners association may not charge a fee for the first
 35 hour required to search for a record in response to a written request
 36 submitted under this chapter. A homeowners association may charge
 37 a search fee for any time that exceeds one (1) hour. The following
 38 provisions apply if a homeowners association charges a search fee:

- 39 (1) The homeowners association shall charge an hourly fee that
 40 does not exceed thirty-five dollars (\$35) per hour.
 41 (2) The homeowners association may charge the fee only for time
 42 that the person making the search actually spends in searching for



- 1 the record.
- 2 (3) The homeowners association shall prorate the fee to reflect
- 3 any search time of less than one (1) hour.
- 4 (4) The total amount of the fee charged by the homeowners
- 5 association for a search may not exceed two hundred dollars
- 6 (\$200).
- 7 SECTION 2. IC 32-25.5-3-3.1 IS ADDED TO THE INDIANA
- 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 9 [EFFECTIVE JULY 1, 2026]: **Sec. 3.1. (a) The amendments made by**
- 10 **HEA 1152-2026 to section 3 of this chapter do not apply to a**
- 11 **homeowners association established before July 1, 2026, if the**
- 12 **homeowners association's governing documents allowed for the**
- 13 **adoption of the annual budget for the ensuing year in an amount**
- 14 **that does not exceed one hundred ten percent (110%) of the**
- 15 **amount of the last approved annual budget as permitted by section**
- 16 **3(f) of this chapter, before the amendment by HEA 1152-2026.**
- 17 **(b) This section does not apply if a homeowners association**
- 18 **described in subsection (a) amends or renews the governing**
- 19 **documents after June 30, 2026.**
- 20 SECTION 3. IC 32-25.5-3-3.2 IS ADDED TO THE INDIANA
- 21 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 22 [EFFECTIVE JULY 1, 2026]: **Sec. 3.2. (a) This section applies to a**
- 23 **homeowners association within the first three (3) years after the**
- 24 **first sale of a lot or unit within the homeowners association from**
- 25 **a developer to a person that is not affiliated with the developer.**
- 26 **(b) If the number of members of the homeowners association in**
- 27 **attendance at a meeting held under section 3(d) of this chapter do**
- 28 **not constitute a quorum as defined in the governing documents of**
- 29 **the homeowners association, the board may adopt an annual**
- 30 **budget for the homeowners association for the ensuing year in an**
- 31 **amount that does not exceed one hundred ten percent (110%) of**
- 32 **the amount of the last approved homeowners association annual**
- 33 **budget.**
- 34 **(c) The governing documents of the homeowners association**
- 35 **must expressly allow a board to adopt a budget in the manner**
- 36 **described in subsection (b) without a quorum.**
- 37 **(d) The governing documents of a homeowners association may**
- 38 **not allow a budget to be increased under this section after the**
- 39 **expiration of the third year following the first sale of a lot or unit**
- 40 **by a developer to a person that is not affiliated with the developer.**
- 41 SECTION 4. IC 32-25.5-3-3.3 IS ADDED TO THE INDIANA
- 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: **Sec. 3.3. (a) This section applies to a**
 2 **homeowners association after the expiration of the third year**
 3 **following the first sale of a lot or unit by a developer to a person**
 4 **that is not affiliated with the developer.**

5 **(b) If the number of members of the homeowners association in**
 6 **attendance at a meeting held under section 3(d) of this chapter do**
 7 **not constitute a quorum as defined in the governing documents of**
 8 **the homeowners association, the board may adopt an annual**
 9 **budget for the homeowners association for the ensuing year in an**
 10 **amount that does not exceed the lesser of:**

11 **(1) one hundred five percent (105%) of the amount of the last**
 12 **approved homeowners association budget; or**

13 **(2) the last approved homeowners association budget**
 14 **increased by the average increase of the Consumer Price**
 15 **Index, published by the United States Bureau of Labor**
 16 **Statistics, for housing in the midwest region for the prior**
 17 **twelve (12) months.**

18 **(c) The governing documents of the homeowners association**
 19 **must expressly allow a board to adopt a budget in the manner**
 20 **described in subsection (b) without a quorum.**

21 SECTION 5. IC 32-25.5-3.8 IS ADDED TO THE INDIANA CODE
 22 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2026]:

24 **Chapter 3.8. Homeowners Association Regulation of Amateur**
 25 **Radio Antennas**

26 **Sec. 1. As used in this chapter, "amateur radio antenna" means**
 27 **an antenna, support structure, tower, feed line, or related**
 28 **equipment used by an amateur station as defined by 47 CFR 97.3.**

29 **Sec. 2. As used in this chapter, "governing documents" has the**
 30 **meaning set forth in IC 32-25.5-2-3.**

31 **Sec. 3. This chapter applies only to a homeowners association's**
 32 **adoption or amendment of governing documents after June 30,**
 33 **2026.**

34 **Sec. 4. A homeowners association may not prohibit or prevent**
 35 **a person from maintaining an amateur radio antenna on a**
 36 **property that the person owns, rents, or leases.**

37 SECTION 6. IC 32-25.5-3.9 IS ADDED TO THE INDIANA CODE
 38 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2026]:

40 **Chapter 3.9. Homeowners Association Regulation of Property**
 41 **Used to Provide Child Care**

42 **Sec. 1. (a) This chapter applies only to a homeowners**



1 association's adoption or amendment of governing documents after
2 June 30, 2026.

3 (b) This chapter does not apply to an age-restricted community
4 governed by a homeowners association that is in compliance with
5 the Housing for Older Persons Act of 1995.

6 Sec. 2. As used in this chapter, "governing documents" has the
7 meaning set forth in IC 32-25.5-2-3.

8 Sec. 3. As used in this chapter, "providing child care" means:

9 (1) the operation of a Class I child care home as defined in
10 IC 12-7-2-33.7; or

11 (2) providing child care described in IC 12-17.2-1-1(2).

12 Sec. 4. As used in this chapter, "single family residence" means
13 a residential structure that:

14 (1) does not share a common wall with any other structure
15 within the homeowners association; and

16 (2) is designed and built for occupancy by only one (1) family.

17 Sec. 5. A homeowners association may not:

18 (1) prohibit or restrict; or

19 (2) adopt or enforce a regulation, rule, or other policy that has
20 the effect of prohibiting or restricting;

21 a person from providing child care in a single family residence that
22 the person resides within and owns, rents, or leases. The person
23 holding a license of a Class I child care home must also reside
24 within the single family residence.

25 Sec. 6. A homeowners association may adopt or amend
26 governing documents to permit a person providing child care
27 within a single family residence that the person resides within and
28 owns, rents, or leases, to conform with this chapter.

29 Sec. 7. This chapter does not affect:

30 (1) a homeowners association that allowed for the operation
31 of providing child care in a single family residence before July
32 1, 2026; or

33 (2) the application of any other laws that apply to providing
34 child care.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1152, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1152 as introduced.)

JETER

Committee Vote: Yeas 12, Nays 1

COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill No. 1152, 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 2, line 16, delete "If" and insert "**Except as provided in sections 3.1, 3.2, and 3.3 of this chapter, if**".

Page 5, delete lines 6 through 42, begin a new paragraph and insert:

"SECTION 2. IC 32-25.5-3-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.1. (a) The amendments made by HEA 1152-2026 to section 3 of this chapter do not apply to a homeowners association established before July 1, 2026, if the homeowners association's governing documents allowed for the adoption of the annual budget for the ensuing year in an amount that does not exceed one hundred ten percent (110%) of the amount of the last approved annual budget as permitted by section 3(f) of this chapter, before the amendment by HEA 1152-2026.**

(b) This section does not apply if a homeowners association described in subsection (a) amends or renews the governing documents after June 30, 2026.

SECTION 3. IC 32-25.5-3-3.2 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.2. (a) This section applies to a homeowners association within the first three (3) years after the first sale of a lot or unit within the homeowners association from a developer to a person that is not affiliated with the developer.**

(b) If the number of members of the homeowners association in attendance at a meeting held under section 3(d) of this chapter do not constitute a quorum as defined in the governing documents of

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the homeowners association, the board may adopt an annual budget for the homeowners association for the ensuing year in an amount that does not exceed one hundred ten percent (110%) of the amount of the last approved homeowners association annual budget.

(c) The governing documents of the homeowners association must expressly allow a board to adopt a budget in the manner described in subsection (b) without a quorum.

(d) The governing documents of a homeowners association may not allow a budget to be increased under this section after the expiration of the third year following the first sale of a lot or unit by a developer to a person that is not affiliated with the developer.

SECTION 4. IC 32-25.5-3-3.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.3. (a) This section applies to a homeowners association after the expiration of the third year following the first sale of a lot or unit by a developer to a person that is not affiliated with the developer.**

(b) If the number of members of the homeowners association in attendance at a meeting held under section 3(d) of this chapter do not constitute a quorum as defined in the governing documents of the homeowners association, the board may adopt an annual budget for the homeowners association for the ensuing year in an amount that does not exceed the lesser of:

- (1) one hundred five percent (105%) of the amount of the last approved homeowners association budget; or
- (2) the last approved homeowners association budget increased by the average increase of the Consumer Price Index, published by the United States Bureau of Labor Statistics, for housing in the midwest region for the prior twelve (12) months.

(c) The governing documents of the homeowners association must expressly allow a board to adopt a budget in the manner described in subsection (b) without a quorum.

SECTION 5. 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 Regulation of Amateur Radio Antennas

Sec. 1. As used in this chapter, "amateur radio antenna" means an antenna, support structure, tower, feed line, or related equipment used by an amateur station as defined by 47 CFR 97.3.



Sec. 2. As used in this chapter, "governing documents" has the meaning set forth in IC 32-25.5-2-3.

Sec. 3. This chapter applies only to a homeowners association's adoption or amendment of governing documents after June 30, 2026.

Sec. 4. A homeowners association may not prohibit or prevent a person from maintaining an amateur radio antenna on a property that the person owns, rents, or leases.

SECTION 6. IC 32-25.5-3.9 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 3.9. Homeowners Association Regulation of Property Used to Provide Child Care

Sec. 1. (a) This chapter applies only to a homeowners association's adoption or amendment of governing documents after June 30, 2026.

(b) This chapter does not apply to an age-restricted community governed by a homeowners association that is in compliance with the Housing for Older Persons Act of 1995.

Sec. 2. As used in this chapter, "governing documents" has the meaning set forth in IC 32-25.5-2-3.

Sec. 3. As used in this chapter, "providing child care" means:

- (1)** the operation of a Class I child care home as defined in IC 12-7-2-33.7; or
- (2)** providing child care described in IC 12-17.2-1-1(2).

Sec. 4. As used in this chapter, "single family residence" means a residential structure that:

- (1)** does not share a common wall with any other structure within the homeowners association; and
- (2)** is designed and built for occupancy by only one (1) family.

Sec. 5. A homeowners association may not:

- (1)** prohibit or restrict; or
- (2)** adopt or enforce a regulation, rule, or other policy that has the effect of prohibiting or restricting;

a person from providing child care in a single family residence that the person resides within and owns, rents, or leases. The person holding a license of a Class I child care home must also reside within the single family residence.

Sec. 6. A homeowners association may adopt or amend governing documents to permit a person providing child care within a single family residence that the person resides within and owns, rents, or leases, to conform with this chapter.



Sec. 7. This chapter does not affect:

- (1) a homeowners association that allowed for the operation of providing child care in a single family residence before July 1, 2026; or**
- (2) the application of any other laws that apply to providing child care."**

Delete page 6.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1152 as printed January 12, 2026.)

CARRASCO, Chairperson

Committee Vote: Yeas 9, Nays 1.

