



# 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:**

- 1           Page 2, line 16, delete "If" and insert "**Except as provided in**
- 2           **sections 3.1, 3.2, and 3.3 of this chapter, if**".
- 3           Page 5, delete lines 6 through 42, begin a new paragraph and insert:
- 4           "SECTION 2. IC 32-25.5-3-3.1 IS ADDED TO THE INDIANA
- 5           CODE AS A NEW SECTION TO READ AS FOLLOWS
- 6           [EFFECTIVE JULY 1, 2026]: **Sec. 3.1. (a) The amendments made by**
- 7           **HEA 1152-2026 to section 3 of this chapter do not apply to a**
- 8           **homeowners association established before July 1, 2026, if the**
- 9           **homeowners association's governing documents allowed for the**
- 10          **adoption of the annual budget for the ensuing year in an amount**
- 11          **that does not exceed one hundred ten percent (110%) of the**
- 12          **amount of the last approved annual budget as permitted by section**
- 13          **3(f) of this chapter, before the amendment by HEA 1152-2026.**
- 14          **(b) This section does not apply if a homeowners association**
- 15          **described in subsection (a) amends or renews the governing**
- 16          **documents after June 30, 2026.**
- 17          SECTION 3. IC 32-25.5-3-3.2 IS ADDED TO THE INDIANA
- 18          CODE AS A NEW SECTION TO READ AS FOLLOWS
- 19          [EFFECTIVE JULY 1, 2026]: **Sec. 3.2. (a) This section applies to a**

1 homeowners association within the first three (3) years after the  
2 first sale of a lot or unit within the homeowners association from  
3 a developer to a person that is not affiliated with the developer.

4 (b) If the number of members of the homeowners association in  
5 attendance at a meeting held under section 3(d) of this chapter do  
6 not constitute a quorum as defined in the governing documents of  
7 the homeowners association, the board may adopt an annual  
8 budget for the homeowners association for the ensuing year in an  
9 amount that does not exceed one hundred ten percent (110%) of  
10 the amount of the last approved homeowners association annual  
11 budget.

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

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

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

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

31 (1) one hundred five percent (105%) of the amount of the last  
32 approved homeowners association budget; or

33 (2) the last approved homeowners association budget  
34 increased by the average increase of the Consumer Price  
35 Index, published by the United States Bureau of Labor  
36 Statistics, for housing in the midwest region for the prior  
37 twelve (12) months.

38 (c) The governing documents of the homeowners association

1 **must expressly allow a board to adopt a budget in the manner**  
 2 **described in subsection (b) without a quorum.**

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

6 **Chapter 3.8. Homeowners Association Regulation of Amateur**  
 7 **Radio Antennas**

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

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

13 **Sec. 3. This chapter applies only to a homeowners association's**  
 14 **adoption or amendment of governing documents after June 30,**  
 15 **2026.**

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

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

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

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

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

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

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

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

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

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

38 **(1) does not share a common wall with any other structure**

1           **within the homeowners association; and**  
 2           **(2) is designed and built for occupancy by only one (1) family.**  
 3       **Sec. 5. A homeowners association may not:**  
 4           **(1) prohibit or restrict; or**  
 5           **(2) adopt or enforce a regulation, rule, or other policy that has**  
 6           **the effect of prohibiting or restricting;**  
 7       **a person from providing child care in a single family residence that**  
 8       **the person resides within and owns, rents, or leases. The person**  
 9       **holding a license of a Class I child care home must also reside**  
 10       **within the single family residence.**  
 11       **Sec. 6. A homeowners association may adopt or amend**  
 12       **governing documents to permit a person providing child care**  
 13       **within a single family residence that the person resides within and**  
 14       **owns, rents, or leases, to conform with this chapter.**  
 15       **Sec. 7. This chapter does not affect:**  
 16           **(1) a homeowners association that allowed for the operation**  
 17           **of providing child care in a single family residence before July**  
 18           **1, 2026; or**  
 19           **(2) the application of any other laws that apply to providing**  
 20           **child care.".**  
 21       Delete page 6.  
 22       Re-number all SECTIONS consecutively.  
       (Reference is to HB 1152 as printed January 12, 2026.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 9, Nays 1.

**Carrasco**

**Chairperson**