
HOUSE BILL No. 1152

AM115201 has been incorporated into January 12, 2026 printing.

Synopsis: Homeowners association matters.

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HB 1152—LS 6743/DI 129



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January 12, 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.

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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
 16 association.

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

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- (A) in person;
- (B) in writing; or
- (C) by electronic mail.

In addition to the right to inspect the meeting minutes of the homeowners association board, a member of a homeowners association has the right to attend any meeting of the homeowners association board, including an annual meeting of the board. However, the board of directors may meet in private to discuss delinquent assessments. The board of directors may also meet in private with legal counsel to discuss the initiation of litigation, or to discuss litigation that either is pending or has been threatened specifically in writing. As used in this subsection, "litigation" includes any judicial action or administrative law proceeding under state or federal law.

A written request for inspection must identify with reasonable particularity the information being requested. A member's ability to inspect records under this section shall not be unreasonably denied or conditioned upon provision of an appropriate purpose for the request. The homeowners association may charge a reasonable fee for the copying of a record requested under this subsection if the homeowners association member requests a written copy of the record.

(h) Subject to subsections (j) and (k), if there is a dispute between a homeowner and a homeowners association, the officers of the homeowners association must make all communications concerning the dispute available to the homeowner.

- (i) Subject to subsections (j) and (k), the following apply:
 - (1) A homeowners association shall make all communications and information concerning a lot available to the owner of the lot or a home on the lot.
 - (2) If a homeowners association initiates communication with any member about another member's lot, the homeowners association must give a copy of that communication to the other member whose lot is the subject of the communication. However, this subdivision does not apply if the communication concerns suspected criminal activity, or activity that is the subject of a law enforcement investigation, involving the member whose lot is the subject of the communication.

- (j) A homeowners association is not required to make:
 - (1) communications between the homeowners association and the legal counsel of the homeowners association; and
 - (2) other communications or attorney work product prepared in

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1 anticipation of litigation;
2 available to the owner of a lot or home.

3 (k) A homeowners association is not required to make available to
4 a member for inspection any of the following:

5 (1) Unexecuted contracts.

6 (2) Records regarding contract negotiations.

7 (3) Information regarding an individual member's association
8 account to a person who is not a named party on the account.

9 (4) Any information that is prohibited from release under state
10 or federal law.

11 (5) Any records that were created more than two (2) years before
12 the request.

13 (6) Information that:

14 (A) is provided by a member of the homeowners association
15 about another member of the homeowners association; and

16 (B) concerns suspected criminal activity involving the other
17 member.

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

30 (l) Nothing in this chapter:

31 (1) abrogates or eliminates provisions in homeowners
32 association agreements that permit or require additional
33 disclosure or inspection rights not required by this chapter; or

34 (2) prevents a homeowners association from agreeing to make
35 disclosures or to provide inspection rights not required by this
36 chapter.

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

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- 1 (1) The homeowners association shall charge an hourly fee that
- 2 does not exceed thirty-five dollars (\$35) per hour.
- 3 (2) The homeowners association may charge the fee only for
- 4 time that the person making the search actually spends in
- 5 searching for the record.
- 6 (3) The homeowners association shall prorate the fee to reflect
- 7 any search time of less than one (1) hour.
- 8 (4) The total amount of the fee charged by the homeowners
- 9 association for a search may not exceed two hundred dollars
- 10 (\$200).

11 SECTION 2. IC 32-25.5-3-3.1 IS ADDED TO THE INDIANA
 12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2026]: **Sec. 3.1. The amendments made by**
 14 **this act to section 3 of this chapter during the 2026 regular session**
 15 **of the general assembly do not apply to a homeowners association**
 16 **established before July 1, 2026, whose governing documents allow**
 17 **for the adoption of the annual budget for the ensuing year in an**
 18 **amount that does not exceed one hundred ten percent (110%) of**
 19 **the amount of the last approved annual budget as permitted by**
 20 **section 3(f) of this chapter, before its amendment by this act during**
 21 **the 2026 regular session of the general assembly, unless a**
 22 **homeowners association described in this section amends or renews**
 23 **the governing documents after June 30, 2026.**

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

27 **Chapter 3.8. Homeowners Association Regulation of Amateur**
 28 **Radio Antennas**

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

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

34 **Sec. 3. This chapter applies only to a homeowners association's**
 35 **adoption or amendment of governing documents after June 30,**
 36 **2026.**

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

40 SECTION 4. IC 32-25.5-3.9 IS ADDED TO THE INDIANA
 41 CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2026]:

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

3 **Sec. 1. This chapter applies only to a homeowners association's**
 4 **adoption or amendment of governing documents after June 30,**
 5 **2026.**

6 **Sec. 2. As used in this chapter, "child care home" has the**
 7 **meaning set forth in IC 12-7-2-28.6.**

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

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

12 **(1) does not share a common wall with any other structure**
 13 **within the homeowners association; and**

14 **(2) is designed and built for occupancy by only one (1)**
 15 **family.**

16 **Sec. 5. (a) A homeowners association may not prohibit or**
 17 **restrict a person from:**

18 **(1) operating a child care home; or**

19 **(2) providing child care as described in IC 12-17.2-1-1(2);**
 20 **in a single family residence that the person owns, rents, or leases.**

21 **(b) A homeowners association may not adopt or enforce a**
 22 **regulation, rule, or other policy that has the effect of prohibiting or**
 23 **restricting a person from:**

24 **(1) operating a child care home; or**

25 **(2) providing child care as described in IC 12-17.2-1-1(2);**
 26 **in a single family residence that the person owns, rents, or leases.**

27 **Sec. 6. A homeowners association may adopt or amend**
 28 **governing documents to permit the:**

29 **(1) operation of a child care home; or**

30 **(2) provision of child care as described in IC 12-17.2-1-1(2);**
 31 **in a single family residence that a person owns, rents, or leases to**
 32 **conform with this chapter.**

33 **Sec. 7. This chapter does not affect:**

34 **(1) a homeowners association that allowed for the operation**
 35 **of a child care home or the provision of child care as**
 36 **described in IC 12-17.2-1-1(2) in a single family residence**
 37 **before July 1, 2026; or**

38 **(2) the application of any other laws that apply to a child**
 39 **care home or to the provision of child care as described in**
 40 **IC 12-17.2-1-1(2).**

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