

PRINTING CODE. Deletions appear in <this style type>. Insertions appear in [this style type]. Typeface changes are shown in <this >> style >> type > or in [this] [style] [type].

# HOUSE BILL No. 1152

Proposed Changes to January 12, 2026 printing by AM115201

## DIGEST OF PROPOSED AMENDMENT

Amateur radio antenna. Provides that a homeowners association may not prohibit a person from maintaining an amateur radio antenna located on a property that the person owns, rents, or leases.

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;
- 18 before the homeowners association meeting held under subsection (d).
- 19 (d) Subject to subsection (f) **and section 3.1 of this chapter**, a
- 20 homeowners association budget must be approved at a meeting of the

HB 1152—LS 6743/DI 129



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

1 homeowners association members by a majority of the members of the  
 2 homeowners association in attendance at a meeting called and  
 3 conducted in accordance with the requirements of the homeowners  
 4 association's governing documents.

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

8 (1) in person;

9 (2) by proxy; or

10 (3) by any other means allowed under:

11 (A) state law; or

12 (B) the governing documents of the homeowners  
 13 association.

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

29 (g) Subject to subsection (k):

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

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

39 (A) in person;

40 (B) in writing; or

41 (C) by electronic mail.

42 In addition to the right to inspect the meeting minutes of the

HB 1152—LS 6743/DI 129



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

M  
a  
r  
k  
u  
p

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

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

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

22 (i) Subject to subsections (j) and (k), the following apply:

23 (1) A homeowners association shall make all communications  
 24 and information concerning a lot available to the owner of the lot  
 25 or a home on the lot.

26 (2) If a homeowners association initiates communication with  
 27 any member about another member's lot, the homeowners  
 28 association must give a copy of that communication to the other  
 29 member whose lot is the subject of the communication.  
 30 However, this subdivision does not apply if the communication  
 31 concerns suspected criminal activity, or activity that is the  
 32 subject of a law enforcement investigation, involving the  
 33 member whose lot is the subject of the communication.

34 (j) A homeowners association is not required to make:

35 (1) communications between the homeowners association and  
 36 the legal counsel of the homeowners association; and

37 (2) other communications or attorney work product prepared in  
 38 anticipation of litigation;

39 available to the owner of a lot or home.

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

42 (1) Unexecuted contracts.

**HB 1152—LS 6743/DI 129**



**DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY**

M  
a  
r  
k  
u  
p

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

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

- 25 (l) Nothing in this chapter:
- 26 (1) abrogates or eliminates provisions in homeowners
- 27 association agreements that permit or require additional
- 28 disclosure or inspection rights not required by this chapter; or
- 29 (2) prevents a homeowners association from agreeing to make
- 30 disclosures or to provide inspection rights not required by this
- 31 chapter.

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

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

M  
a  
r  
k  
u  
p

**HB 1152—LS 6743/DI 129**



**DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY**

1 any search time of less than one (1) hour.  
2 (4) The total amount of the fee charged by the homeowners  
3 association for a search may not exceed two hundred dollars  
4 (\$200).

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

18 SECTION 3. IC 32-25.5-3. ~~8~~ [8] IS ADDED TO THE INDIANA  
19 CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
20 [EFFECTIVE JULY 1, 2026]:

21 **Chapter 3. [8. Homeowners Association Regulation of Amateur**  
22 **Radio Antennas**

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

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

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

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

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

37 **Chapter 3. [9. Homeowners Association Regulation of Property**  
38 **Used to Provide Child Care**

39 **Sec. 1. This chapter applies only to a homeowners association's**  
40 **adoption or amendment of governing documents after June 30,**  
41 **2026.**

42 **Sec. 2. As used in this chapter, "child care home" has the**

M  
a  
r  
k  
u  
p



1 meaning set forth in IC 12-7-2-28.6.  
 2 Sec. 3. As used in this chapter, "governing documents" has the  
 3 meaning set forth in IC 32-25.5-2-3.  
 4 Sec. 4. As used in this chapter, "single family residence" means  
 5 a residential structure that:  
 6 (1) does not share a common wall with any other structure  
 7 within the homeowners association; and  
 8 (2) is designed and built for occupancy by only one (1)  
 9 family.  
 10 Sec. 5. (a) A homeowners association may not prohibit or  
 11 restrict a person from:  
 12 (1) operating a child care home; or  
 13 (2) providing child care as described in IC 12-17.2-1-1(2);  
 14 in a single family residence that the person owns, rents, or leases.  
 15 (b) A homeowners association may not adopt or enforce a  
 16 regulation, rule, or other policy that has the effect of prohibiting or  
 17 restricting 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 Sec. 6. A homeowners association may adopt or amend  
 22 governing documents to permit the:  
 23 (1) operation of a child care home; or  
 24 (2) provision of child care as described in IC 12-17.2-1-1(2);  
 25 in a single family residence that a person owns, rents, or leases to  
 26 conform with this chapter.  
 27 Sec. 7. This chapter does not affect:  
 28 (1) a homeowners association that allowed for the operation  
 29 of a child care home or the provision of child care as  
 30 described in IC 12-17.2-1-1(2) in a single family residence  
 31 before July 1, 2026; or  
 32 (2) the application of any other laws that apply to a child  
 33 care home or to the provision of child care as described in  
 34 IC 12-17.2-1-1(2).

M  
a  
r  
k  
u  
p

