



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1427 be amended to read as follows:

- 1 Page 120, between lines 30 and 31, begin a new paragraph and
- 2 insert:
- 3 "SECTION 76. IC 10-17-3-2 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. The state or a
- 5 ~~political subdivision~~ **county recorder** shall provide upon request,
- 6 without charge or fee, one (1) certified copy of a document or record
- 7 if it is shown that the certified copy is necessary to secure benefits to:
- 8 (1) members of the military service;
- 9 (2) honorably discharged veterans; or
- 10 (3) surviving spouses or dependents of an individual described in
- 11 subdivision (1) or (2);
- 12 under a federal or state law.
- 13 SECTION 77. IC 10-17-3-3, AS AMENDED BY P.L.127-2017,
- 14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2025]: Sec. 3. The state or a ~~political subdivision~~ **county**
- 16 **recorder** may collect a charge per copy of not more than the amount
- 17 specified in IC 36-2-7-10(c)(5) if a person requests more than one (1)
- 18 certified copy of ~~the a~~ document or record **under section 2 of this**
- 19 **chapter**. The funds received under this section **by the:**
- 20 (1) **state**, shall be placed in the **state** general fund; ~~of the state or~~
- 21 ~~county; and~~
- 22 (2) **county recorder**, shall be placed in the **county recorder's**
- 23 **records perpetuation fund established under**
- 24 **IC 36-2-7-10(g)**."
- 25 Page 125, between lines 3 and 4, begin a new paragraph and insert:
- 26 "SECTION 81. IC 29-1-7-23, AS AMENDED BY P.L.26-2022,
- 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2025]: Sec. 23. (a) When a person dies, the person's real and personal property passes to persons to whom it is devised by the person's last will or, in the absence of such disposition, to the persons who succeed to the person's estate as the person's heirs; but it shall be subject to the possession of the personal representative and to the election of the surviving spouse and shall be chargeable with the expenses of administering the estate, the payment of other claims and the allowances under IC 29-1-4-1, except as otherwise provided in IC 29-1.

(b) A person may sign and record an affidavit to establish prima facie evidence of the passage of real estate title to distributees under this section. An affidavit under this section may contain the following information:

- (1) The decedent's name and date of death.
 - (2) A statement of the affiant's relationship to the decedent.
 - (3) A description of how the following deeds or other instruments vested in the decedent an ownership or leasehold interest in real property, with a cross-reference if applicable, under ~~IC 36-2-7-10(l)~~ **IC 36-2-7-10(m)** to each deed or other instrument:
 - (A) Deeds or other instruments recorded in the office of the recorder where the real property is located.
 - (B) Deeds or other instruments that disclose a title transaction (as defined in IC 32-20-2-7).
 - (4) The legal description of the conveyed real property as it appears in instruments described in subdivision (3).
 - (5) The names of all distributees known to the affiant.
 - (6) An explanation of how each interest in the real property passed upon the decedent's death to each distributee by:
 - (A) intestate succession under IC 29-1-2-1; or
 - (B) the decedent's last will and testament that has been admitted to probate under section 13 of this chapter, with references to:
 - (i) the name and location of the court that issued the order admitting the will to probate; and
 - (ii) the date when the court admitted the decedent's will to probate.
 - (7) An explanation of how any fractional interests in the real property that may have passed to multiple distributees were calculated and apportioned.
- (c) Upon presentation of an affidavit described in subsection (b), the auditor of the county where the real property described in the affidavit is located must endorse the affidavit as an instrument that is exempt from the requirements to file a sales disclosure form and must enter the names of the distributees shown on the affidavit on the tax duplicate on which the real property is transferred, assessed, and taxed under

1 IC 6-1.1-5-7. After December 31, 2023, an auditor may not refuse to
2 endorse an affidavit because the affidavit is an electronic document.

3 (d) Upon presentation of an affidavit described in subsection (b), the
4 recorder of the county where the real property described in the affidavit
5 is located must:

6 (1) record the affidavit; and

7 (2) index the affidavit as the most recent instrument responsible
8 for the transfer of the real property described in subsection (b)(4).

9 (e) Any person may rely upon an affidavit recorded with the county
10 recorder:

11 (1) made in good faith; and

12 (2) under this section;

13 as prima facie evidence of an effective transfer of the decedent's title
14 to the real property interest under subsection (a) to the distributee
15 described in the affidavit.

16 (f) If:

17 (1) at least seven (7) months have elapsed since the decedent's
18 death;

19 (2) the clerk of the court described in subsection (b)(6)(B) has not
20 issued letters testamentary or letters of administration to the court
21 appointed personal representative for the decedent within the time
22 limits specified under section 15.1(d) of this chapter; and

23 (3) the court described in subsection (b)(6)(B) has not issued
24 findings and an accompanying order preventing the limitations in
25 section 15.1(b) of this chapter from applying to the decedent's real
26 property;

27 any person may rely upon the affidavit described in subsection (e) as
28 evidence that the real property may not be sold by an executor or
29 administrator of the decedent's estate to pay a debt or obligation of the
30 decedent, which is not a lien of record in the county in which the real
31 property is located, or to pay any costs of administration of the
32 decedent's estate."

33 Page 129, between lines 23 and 24, begin a new paragraph and
34 insert:

35 "SECTION 90. IC 36-2-7-10, AS AMENDED BY P.L.96-2023,
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2025]: Sec. 10. (a) The following definitions apply to this
38 section:

39 (1) "Copy" means:

40 (A) transcribing or duplicating a document by handwriting,
41 photocopy, xerography, or duplicating machine;

42 (B) duplicating electronically stored data onto a disk, tape,
43 drum, or any other means of electronic data storage; or

44 (C) reproducing a document by any other means.

45 (2) "Mortgage" means a transfer of rights to real property, in a
46 form substantially similar to that set forth in IC 32-29-1-5, with or

without warranty from the grantor. The term does not include:

(A) a mortgage modification;

(B) a mortgage assignment; ~~or~~

(C) a mortgage release; **or**

(D) a mortgage assumption.

(3) "Multiple transaction document" means a document containing two (2) or more transactions of the same type.

(4) "Record" or "recording" means the act of placing a document into the official records of the county recorder and includes the functions of filing and filing for record.

(b) The county recorder shall charge and collect the fees prescribed by this section for recording, filing, copying, and other services the recorder renders, and shall pay them into the county treasury at the end of each calendar month. The fees prescribed and collected under this section supersede all other recording fees required by law to be charged for services rendered by the county recorder.

(c) The county recorder shall charge the following:

(1) Twenty-five dollars (\$25) for recording any deed or other instrument, other than a mortgage.

(2) Fifty-five dollars (\$55) for recording any mortgage.

(3) For pages larger than eight and one-half (8 1/2) inches by fourteen (14) inches twenty-five dollars (\$25) for the first page and five dollars (\$5) for each additional page of any document the recorder records, if the pages are larger than eight and one-half (8 1/2) inches by fourteen (14) inches.

(4) If the county recorder has elected to attest to the release, partial release, or assignment of any mortgage, judgment, lien, or oil and gas lease contained on a multiple transaction document, the fee for each transaction after the first is seven dollars (\$7) plus the amount provided in subdivision (1).

(5) For furnishing copies of records, the fee for each copy is:

(A) one dollar (\$1) per page that is not larger than eleven (11) inches by seventeen (17) inches; and

(B) five dollars (\$5) per page that is larger than eleven (11) inches by seventeen (17) inches.

(6) Five dollars (\$5) for acknowledging or certifying to a document.

(7) A fee in an amount authorized by an ordinance adopted by the county legislative body for duplicating a computer tape, a computer disk, an optical disk, microfilm, or similar media. This fee may not cover making a handwritten copy or a photocopy or using xerography or a duplicating machine.

(8) Twenty-five dollars (\$25) per parcel for recording the release of a lien or liens of a political subdivision for a property sold or transferred under IC 6-1.1-24-6.1 or IC 36-1-11, regardless of the number of liens held by the political subdivision. This fee applies

to each political subdivision with a lien or liens on a parcel. In addition to the fee under this subdivision, if a county fiscal body adopts a fee under section 10.7 of this chapter, the county recorder may charge the fee under section 10.7 of this chapter for each document recorded by a political subdivision under this subdivision.

(9) This subdivision applies in a county only if at least one (1) unit in the county has established an affordable housing fund under IC 5-20-5-15.5 and the county fiscal body adopts an ordinance authorizing the fee described in this subdivision. An ordinance adopted under this subdivision may authorize the county recorder to charge a fee of ten dollars (\$10) for each document the recorder records.

(10) This subdivision applies in a county containing a consolidated city that has established a housing trust fund under IC 36-7-15.1-35.5(e). This subdivision does not apply if the county fiscal body adopts a fee under section 10.7 of this chapter. The county fiscal body may adopt an ordinance authorizing the fee described in this subdivision. An ordinance adopted under this subdivision may authorize the county recorder to charge a fee of:

(A) two dollars and fifty cents (\$2.50) for the first page; and

(B) one dollar (\$1) for each additional page;

of each document the recorder records.

(d) This subsection does not apply in a county containing a consolidated city. Section 10.5 of this chapter applies to the deposit of fees collected under subsection (c)(1) and (c)(8) in a county containing a consolidated city. The county recorder shall deposit the fees collected under subsection (c)(1) and (c)(8) as follows:

(1) Eight dollars (\$8) in the county general fund.

(2) Five dollars (\$5) in the county surveyor's corner perpetuation fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).

(3) Ten dollars (\$10) in the county recorder's records perpetuation fund established under subsection ~~(f)~~ (g).

(4) One dollar (\$1) in the county identification security protection fund established under IC 36-2-7.5-11.

(5) One dollar (\$1) in the county elected officials training fund under IC 36-2-7-19.

(e) This subsection does not apply in a county containing a consolidated city. Section 10.5 of this chapter applies to the deposit of fees collected under subsection (c)(2) in a county containing a consolidated city. The county recorder shall deposit the fees collected under subsection (c)(2) as follows:

(1) Thirty-four dollars (\$34) in the county general fund.

(2) Five dollars (\$5) in the county surveyor's corner perpetuation fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).

(3) Eleven dollars and fifty cents (\$11.50) in the county recorder's

records perpetuation fund established under subsection ~~(f)~~: **(g)**.

(4) Two dollars and fifty cents (\$2.50) with the county treasurer to be distributed in accordance with IC 24-9-9-3 and IC 24-9-9-4.

(5) One dollar (\$1) in the county identification security protection fund established under IC 36-2-7.5-11.

(6) One dollar (\$1) in the county elected officials training fund under IC 36-2-7-19.

(f) This subsection applies to all counties. A county recorder shall deposit fees collected under subsection (c)(3), (c)(4), (c)(5), (c)(6), and (c)(7) in the county recorder's records perpetuation fund established under subsection (g).

~~(f)~~ **(g)** The county treasurer shall establish a county recorder's records perpetuation fund. The fund consists of all fees collected under this section for deposit in the fund and amounts transferred to the fund from the county identification security protection fund under IC 36-2-7.5-11. ~~and the county elected officials training fund under section 19(c)(4) of this chapter.~~ Except as provided in section 10.2 of this chapter, the county recorder may use any money in this fund without appropriation for:

(1) the preservation of records; and

(2) the improvement of record keeping systems and equipment; within the control of the county recorder. Money from the fund may not be deposited or transferred into the county general fund and does not revert to the county general fund at the end of a fiscal year.

~~(g)~~ **(h)** The county recorder shall post the fees set forth in subsection (c) in a prominent place within the county recorder's office where the fee schedule will be readily accessible to the public.

~~(h)~~ **(i)** The county recorder may not charge or collect any fee for:

(1) recording an official bond of a public officer, a deputy, an appointee, or an employee; or

(2) performing any service under any of the following:

(A) IC 6-1.1-22-2(c).

(B) IC 8-23-7.

(C) IC 8-23-23.

(D) IC 10-17-2-3.

(E) IC 10-17-3-2.

(F) IC 12-14-13.

(G) IC 12-14-16.

~~(i)~~ **(j)** The state and its agencies and instrumentalities are required to pay the recording fees and charges that this section prescribes.

~~(j)~~ **(k)** This subsection applies to a county other than a county containing a consolidated city. The county treasurer shall distribute money collected by the county recorder under subsection (c)(9) as follows:

(1) Sixty percent (60%) of the money collected by the county recorder under subsection (c)(9) shall be distributed to the units

in the county that have established an affordable housing fund under IC 5-20-5-15.5 for deposit in the fund. The amount to be distributed to a unit is the amount available for distribution multiplied by a fraction. The numerator of the fraction is the population of the unit. The denominator of the fraction is the population of all units in the county that have established an affordable housing fund. The population to be used for a county that establishes an affordable housing fund is the population of the county outside any city or town that has established an affordable housing fund.

(2) Forty percent (40%) of the money collected by the county recorder under subsection (c)(9) shall be distributed to the treasurer of state for deposit in the affordable housing and community development fund established under IC 5-20-4-7 for the purposes of the fund.

Money shall be distributed under this subsection before the sixteenth day of the month following the month in which the money is collected from the county recorder.

~~(k)~~ **(l)** This subsection applies to a county described in subsection (c)(10). The county treasurer shall distribute money collected by the county recorder under subsection (c)(10) as follows:

(1) Sixty percent (60%) of the money collected by the county recorder under subsection (c)(10) shall be deposited in the housing trust fund established under IC 36-7-15.1-35.5(e) for the purposes of the fund.

(2) Forty percent (40%) of the money collected by the county recorder under subsection (c)(10) shall be distributed to the treasurer of state for deposit in the affordable housing and community development fund established under IC 5-20-4-7 for the purposes of the fund.

Money shall be distributed under this subsection before the sixteenth day of the month following the month in which the money is collected from the county recorder.

~~(h)~~ **(m)** The county recorder may also include a cross-reference or multiple cross-references identified in a document for recording under this section. For cross-references not otherwise required by statute or county ordinance, the person submitting the document for recording shall clearly identify on the front page of the instrument the specific cross-reference or cross-references to be included with the recorded documents.

SECTION 91. IC 36-2-7-10.1, AS AMENDED BY P.L.86-2018, SECTION 338, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10.1. (a) The following definitions apply throughout this section:

(1) "Bulk form copy" means an aggregation of:

(A) copies of all recorded documents received by the county

- 1 recorder for recording in a calendar day, week, month, or year;
- 2 (B) the indices for finding, retrieving, and viewing all recorded
- 3 documents received by the county recorder for recording in a
- 4 calendar day, week, month, or year; or
- 5 (C) the items under both clauses (A) and (B).
- 6 (2) "Bulk user" means an individual, a corporation, a partnership,
- 7 a limited liability company, or an unincorporated association that
- 8 receives bulk form copies under a contract with the county
- 9 recorder.
- 10 (3) "Copy" means a reproduction, including an image of a
- 11 recorded document or indices created by:
- 12 (A) duplicating electronically stored data onto a disk, tape,
- 13 drum, or any other medium of electronic data storage; or
- 14 (B) reproducing on microfilm.
- 15 (4) "Indices" means all of the indexing information used by the
- 16 county recorder for finding, retrieving, and viewing a recorded
- 17 document.
- 18 (5) "Recorded document" means a writing, a paper, a document,
- 19 a plat, a map, a survey, or anything else received at any time for
- 20 recording or filing in the public records maintained by the county
- 21 recorder or the county recorder's designee.
- 22 (b) A county executive shall establish by ordinance the manner and
- 23 form in which the county recorder may provide bulk form copies to
- 24 bulk users. The ordinance must establish whether the county recorder
- 25 may provide bulk form copies to a bulk user:
- 26 (1) on a disk, tape, drum, or any other medium of electronic data
- 27 storage or microfilm;
- 28 (2) by electronically transmitting the copies using an electronic
- 29 transfer process; or
- 30 (3) under both subdivisions (1) and (2).
- 31 (c) A bulk user must submit a written request to the county recorder
- 32 that identifies the requested bulk form copies with reasonable
- 33 particularity. Unless the request is refused under subsection (j), upon
- 34 receipt of a valid written request the county recorder or the county
- 35 recorder's designee shall provide the bulk form copies to the bulk user
- 36 by the method or methods established by ordinance. The bulk form
- 37 copies shall be provided within a reasonable time after the later of the
- 38 following events:
- 39 (1) The recorder's archival process is completed and bulk form
- 40 copies become available in the county recorder's office.
- 41 (2) The bulk form user executes a contract that meets the
- 42 requirements of subsection (g) with:
- 43 (A) the county recorder; and
- 44 (B) if the county recorder uses a third party to provide bulk
- 45 copy services, the county recorder's designee.
- 46 The county recorder or the county recorder's designee shall work with

reasonable diligence to ensure that bulk form copies are timely produced to the bulk user.

(d) The county recorder shall charge a fee for producing bulk form copies. Except as provided in subsection (e), the amount of the fee shall be as follows:

(1) Ten cents (\$0.10) per page for a copy of a recorded document, including the instrument's book and page, if applicable.

(2) Ten cents (\$0.10) per recorded document for a copy of the indices used by the county recorder for finding, retrieving, and viewing a recorded document.

(e) If the county executive makes a finding and determination that the costs incurred by the county recorder of producing bulk form copies, including applying a watermark or other protective feature, exceed the amount of the fee under subsection (d), the county executive may adopt an ordinance that establishes a greater fee in an amount not to exceed the following:

(1) Twenty cents (\$0.20) per page for a copy of a recorded document, including the instrument's book and page, if applicable.

(2) Twenty cents (\$0.20) per recorded document for a copy of the indices used by the county recorder for finding, retrieving, and viewing a recorded document.

If the county executive adopts an ordinance under this subsection, the county recorder shall charge the fee in the amount set by the ordinance, instead of the amount set forth in subsection (d).

(f) The fees charged by the county recorder are subject to the following requirements:

(1) The county recorder shall pay the fees into the county treasury at the end of each calendar month.

(2) The fees prescribed and collected under this section supersede all other fees for bulk form copies required by law to be charged for services rendered by the county recorder to bulk users.

(3) All revenue generated by the county recorder under this section shall be deposited in the county recorder's records perpetuation fund and used by the recorder in accordance with section ~~10(f)~~ **10(g)** of this chapter.

(g) A bulk user must enter into a contract with the county recorder and if the county recorder uses a third party to provide bulk copy services, the county recorder's designee, in order to receive bulk form copies. The contract must be in writing and must require that the bulk user agree not to do any of the following:

(1) Except as provided in subsection (h), provide, transfer, or allow the transfer of any copy of a recorded document obtained by the bulk user under this section to a third party.

(2) Engage in unauthorized access to recorded documents.

(3) Engage in unauthorized alteration of recorded documents.

1 A contract required under this subsection may not include any
 2 restrictions on a bulk form user's use of the bulk form copies other than
 3 those contained in this section.

4 (h) A bulk user that is licensed under IC 27-1-15.6-6(d) or holds a
 5 certificate of authority under IC 27-7-3-6 may provide bulk form copies
 6 related to the specific order for a title search (as defined in IC 27-7-3-2)
 7 when operating as:

8 (1) a title plant for the issuance of title insurance (as defined in
 9 IC 27-7-3-2); or

10 (2) title company (as defined in IC 27-7-3-2).

11 A bulk user that meets the requirements of this subsection may charge
 12 its customers a fee for using the bulk form copies obtained by the bulk
 13 user that may not exceed the costs incurred by the bulk user for
 14 obtaining the bulk form copies. A bulk user that meets the requirements
 15 of this subsection may not resell, provide, transfer, or allow the transfer
 16 of any copy of a recorded document, whether in bulk form or as
 17 individual copies or images, to any other bulk user or title plant.

18 (i) A bulk user that does not meet the requirements of subsection (h)
 19 is prohibited from selling, offering for sale, advertising for sale,
 20 soliciting a purchase of, loaning, giving away, allowing subscription
 21 service to, or otherwise transferring, providing, or allowing the transfer
 22 of bulk form copies for commercial purposes to a third party, whether
 23 the copies are in bulk form or individual copies or images.

24 (j) If a bulk user does not comply with a contract, the county
 25 recorder may terminate the contract, immediately stop providing bulk
 26 form copies to the bulk user, and refuse to provide the bulk form copies
 27 requested by the bulk user if all termination provisions and procedures
 28 in the contract have been met by the county recorder. The county
 29 recorder may refuse subsequent requests from a bulk user for bulk form
 30 copies in the following circumstances:

31 (1) The bulk user is a person that has had a previous bulk form
 32 copy contract terminated by the county recorder because the
 33 recorder determined that the bulk user failed to comply with the
 34 contract.

35 (2) The bulk user is a corporation or limited liability company in
 36 which a person has a majority or controlling interest and:

37 (A) the person requested bulk form copies under a previous
 38 contract with the county recorder; and

39 (B) the contract was terminated by the county recorder
 40 because the county recorder determined that the person failed
 41 to comply with the contract.

42 (k) This section does not apply to enhanced access under
 43 IC 5-14-3-3.

44 SECTION 92. IC 36-2-7-10.2, AS AMENDED BY P.L.127-2017,
 45 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 46 JULY 1, 2025]: Sec. 10.2. (a) As used in this section, "fund" refers to

1 the county recorder's records perpetuation fund established under
2 section ~~10(f)~~ **10(g)** of this chapter.

3 (b) A county recorder may pay all or a portion of the expenses of the
4 county recorder's office for the following calendar year from the fund
5 only if:

6 (1) the county recorder submits to the county fiscal body a sworn
7 statement that:

8 (A) the current revenue to the fund is sufficient to fulfill the
9 statutory purpose of the fund;

10 (B) the technology of the county recorder's office is presently
11 updated and at a level to sufficiently meet the statutory
12 purposes of the fund and the county recorder's office;

13 (C) the fund has a sufficient reserve, consistent with the
14 recorder's plan, to capitalize the next technology or other
15 records management upgrade necessary to fulfill the statutory
16 purpose of the fund and the county recorder's office; and

17 (D) the county recorder specifically requests that all or a
18 specific, identifiable portion of the fund be used to pay the
19 expenses of the county recorder's office for the following
20 calendar year; and

21 (2) the county fiscal body adopts an ordinance approving the
22 recorder's request under subsection (c).

23 (c) Upon receiving the county recorder's sworn statement, the
24 county fiscal body may adopt an ordinance approving the county
25 recorder's request. If the ordinance is adopted, the county fiscal body
26 shall, if specifically requested by the recorder for the following
27 calendar year, approve sufficient money from the fund. The county
28 fiscal body may not approve any more money from the fund for any
29 purpose in excess of that requested by the county recorder.

30 (d) A county recorder's request and the county fiscal body's approval
31 are valid for only the following calendar year. The requirements of this
32 section must be met for each calendar year.

33 SECTION 93. IC 36-2-7-10.5, AS AMENDED BY P.L.19-2021,
34 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2025]: Sec. 10.5. (a) This section applies only in a county
36 containing a consolidated city.

37 (b) The county recorder shall deposit the fees collected under
38 section 10(c)(1) and 10(c)(8) of this chapter as follows:

39 (1) Nine dollars (\$9) in the county general fund.

40 (2) Five dollars (\$5) in the county surveyor's corner perpetuation
41 fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).

42 (3) Ten dollars (\$10) in the county recorder's records perpetuation
43 fund established under section ~~10(f)~~ **10(g)** of this chapter.

44 (4) Fifty cents (\$0.50) in the county identification security
45 protection fund established under IC 36-2-7.5-11.

46 (5) Fifty cents (\$0.50) in the county elected officials training fund

under IC 36-2-7-19.

(c) The county recorder shall deposit the fees collected under section 10(c)(2) of this chapter as follows:

(1) Thirty-five dollars (\$35) in the county general fund.

(2) Five dollars (\$5) in the county surveyor's corner perpetuation fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).

(3) Eleven dollars and fifty cents (\$11.50) in the county recorder's records perpetuation fund established under section ~~10(f)~~ **10(g)** of this chapter.

(4) Two dollars and fifty cents (\$2.50) with the county treasurer to be distributed in accordance with IC 24-9-9-3 and IC 24-9-9-4.

(5) Fifty cents (\$0.50) in the county identification security protection fund established under IC 36-2-7.5-11.

(6) Fifty cents (\$0.50) in the county elected officials training fund under IC 36-2-7-19.

SECTION 94. IC 36-2-7-10.7, AS AMENDED BY P.L.19-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10.7. (a) This section applies in a county containing a consolidated city that has established a housing trust fund under IC 36-7-15.1-35.5(e).

(b) The county fiscal body may adopt an ordinance authorizing the county recorder to charge a fee of ten dollars (\$10) for each document the recorder records.

(c) If the county fiscal body adopts an ordinance under this section, the following do not apply:

(1) Section 10(c)(10) of this chapter.

(2) Section ~~10(k)~~ **10(l)** of this chapter.

(d) All money collected by the county recorder under this section shall be deposited in the housing trust fund established under IC 36-7-15.1-35.5(e) for the purposes of the fund.

SECTION 95. IC 36-2-7-19, AS AMENDED BY P.L.96-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 19. (a) As used in this section, "fund" refers to a county elected officials training fund established under subsection (b).

(b) Each county legislative body shall establish a county elected officials training fund to supplement appropriations that may come from the county general fund to provide training of elected officials. The county fiscal body shall appropriate money from the fund.

(c) The fund consists of money deposited under IC 36-2-7.5-6(b)(2) and any other sources required or permitted by law. Money in the fund does not revert to the county general fund.

(d) Except as provided in subsection (e)(3), ~~and (e)(4)~~, money in the fund shall be used solely to provide training of:

(1) county elected officials; and

(2) individuals first elected to a county office;

required by IC 33-32-2-9, IC 36-2-9-2.5, IC 36-2-9.5-2.5,

IC 36-2-10-2.5, IC 36-2-11-2.5, and IC 36-2-12-2.5.

(e) Except as provided in IC 5-11-14-1, money in the fund may be used to provide any of the following:

(1) Travel, lodging, and related expenses associated with any training paid for from the fund.

(2) Training of one (1) or more designees of a county elected official if sufficient funds are appropriated by the county fiscal body.

(3) Upon determination by a county fiscal body that money in the fund exceeds the amount necessary to fund the expenses specified under subsection (d)(1) and (d)(2), money in the fund may be used for the training (and related travel and lodging expenses) of county council members provided:

(A) under IC 5-11-14-1; or

(B) by the Association of Indiana Counties.

~~(4) Upon determination by a county fiscal body that money in the fund exceeds the amount necessary to fund the expenses specified under subdivisions (1) and (2), the county auditor may, not later than December 31, 2023, transfer the excess money to the county recorder's records perpetuation fund established under section 10(f) of this chapter. This subdivision expires January 1, 2024.~~

SECTION 96. IC 36-2-7.5-11, AS AMENDED BY P.L.127-2017, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. (a) As used in this section, "fund" refers to a county identification security protection fund established under subsection (b).

(b) Each county legislative body shall establish an identification security protection fund to be administered by the county recorder. The county fiscal body shall appropriate money from the fund.

(c) A fund consists of money deposited in the fund under section 6(b) of this chapter. Money in a fund does not revert to the county general fund. Money in a fund may be transferred to the county recorder's records perpetuation fund for the uses set forth in ~~IC 36-2-7-10(f)~~. **IC 36-2-7-10(g).**

(d) A county recorder may use money in the fund only to purchase, upgrade, implement, or maintain redacting technology, or to secure protection measures used in the office of the county recorder."

Page 132, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 100. IC 36-7-15.1-35.5, AS AMENDED BY P.L.126-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 35.5. (a) The general assembly finds the following:

(1) Federal law permits the sale of a multiple family housing project that is or has been covered, in whole or in part, by a contract for project based assistance from the United States

Department of Housing and Urban Development without requiring the continuation of that project based assistance.

(2) Such a sale displaces the former residents of a multiple family housing project described in subdivision (1) and increases the shortage of safe and affordable housing for persons of low and moderate income within the county.

(3) The displacement of families and individuals from affordable housing requires increased expenditures of public funds for crime prevention, public health and safety, fire and accident prevention, and other public services and facilities.

(4) The establishment of a supplemental housing program under this section will do the following:

(A) Benefit the health, safety, morals, and welfare of the county and the state.

(B) Serve to protect and increase property values in the county and the state.

(C) Benefit persons of low and moderate income by making affordable housing available to them.

(5) The establishment of a supplemental housing program under this section and sections 32 through 35 of this chapter is:

(A) necessary in the public interest; and

(B) a public use and purpose for which public money may be spent and private property may be acquired.

(b) In addition to its other powers with respect to a housing program under sections 32 through 35 of this chapter, the commission may establish a supplemental housing program. Except as provided by this section, the commission has the same powers and duties with respect to the supplemental housing program that the commission has under sections 32 through 35 of this chapter with respect to the housing program.

(c) One (1) allocation area may be established for the supplemental housing program. The commission is not required to make the findings required under section 34(5) through 34(7) of this chapter with respect to the allocation area. However, the commission must find that the property contained within the boundaries of the allocation area consists solely of one (1) or more multiple family housing projects that are or have been covered, in whole or in part, by a contract for project based assistance from the United States Department of Housing and Urban Development or have been owned at one time by a public housing agency. The allocation area need not be contiguous. The definition of "base assessed value" set forth in section 35(a) of this chapter applies to the special fund established under section 26(b) of this chapter for the allocation area.

(d) The special fund established under section 26(b) of this chapter for the allocation area established under this section may be used only for the following purposes:

(1) Subject to subdivision (2), on January 1 and July 1 of each year the balance of the special fund shall be transferred to the housing trust fund established under subsection (e).

(2) The commission may provide each taxpayer in the allocation area a credit for property tax replacement in the manner provided by section 35(b)(7) of this chapter. Transfers made under subdivision (1) shall be reduced by the amount necessary to provide the credit.

(e) The commission shall, by resolution, establish a housing trust fund to be administered, subject to the terms of the resolution, by:

(1) the housing division of the consolidated city; or

(2) the department, division, or agency that has been designated to perform the public housing function by an ordinance adopted under IC 36-7-18-1.

(f) The housing trust fund consists of:

(1) amounts transferred to the fund under subsection (d);

(2) payments in lieu of taxes deposited in the fund under IC 36-3-2-12;

(3) gifts and grants to the fund;

(4) investment income earned on the fund's assets;

(5) money deposited in the fund under ~~IC 36-2-7-10(k)~~ **IC 36-2-7-10(l)** or IC 36-2-7-10.7; and

(6) other funds from sources approved by the commission.

(g) The commission shall, by resolution, establish uses for the housing trust fund. However, the uses must be limited to:

(1) providing financial assistance to those individuals and families whose income is at or below eighty percent (80%) of the county's median income for individuals and families, respectively, to enable those individuals and families to purchase or lease residential units within the county;

(2) paying expenses of administering the fund;

(3) making grants, loans, and loan guarantees for the development, rehabilitation, or financing of affordable housing for individuals and families whose income is at or below eighty percent (80%) of the county's median income for individuals and families, respectively, including the elderly, persons with disabilities, and homeless individuals and families;

(4) providing technical assistance to nonprofit developers of affordable housing; and

(5) funding other programs considered appropriate to meet the affordable housing and community development needs of lower income families (as defined in IC 5-20-4-5) and very low income families (as defined in IC 5-20-4-6), including lower income elderly individuals, individuals with disabilities, and homeless individuals.

(h) After June 30, 2017, at least forty percent (40%) of the money

deposited in the housing trust fund shall be used for the following purposes:

(1) To assist existing owner occupants with the repair, rehabilitation, or reconstruction of their homes.

(2) To finance the acquisition, rehabilitation, or new construction of homes for home buyers.

(3) To acquire, rehabilitate, or construct rental housing.

(i) At least fifty percent (50%) of the dollars allocated for production, rehabilitation, or purchase of housing must be used for units to be occupied by individuals and families whose income is at or below fifty percent (50%) of the county's area median income for individuals and families, respectively.

(j) The low income housing trust fund advisory committee is established. The low income housing trust fund advisory committee consists of eleven (11) members. The membership of the low income housing trust fund advisory committee is comprised of:

(1) one (1) member appointed by the mayor, to represent the interests of low income families;

(2) one (1) member appointed by the mayor, to represent the interests of owners of subsidized, multifamily housing communities;

(3) one (1) member appointed by the mayor, to represent the interests of banks and other financial institutions;

(4) one (1) member appointed by the mayor, of the department of metropolitan development;

(5) three (3) members representing the community at large appointed by the commission, from nominations submitted to the commission as a result of a general call for nominations from neighborhood associations, community based organizations, and other social services agencies;

(6) one (1) member appointed by and representing the Coalition for Homeless Intervention and Prevention of Greater Indianapolis;

(7) one (1) member appointed by and representing the Local Initiatives Support Corporation;

(8) one (1) member appointed by and representing the Indiana housing and community development authority; and

(9) one (1) member appointed by and representing the Indianapolis Neighborhood Housing Partnership.

Members of the low income housing trust fund advisory committee serve for a term of four (4) years, and are eligible for reappointment. If a vacancy exists on the committee, the appointing authority who appointed the former member whose position has become vacant shall appoint an individual to fill the vacancy. A committee member may be removed at any time by the appointing authority who appointed the committee member.

(k) The low income housing trust fund advisory committee shall

- 1 make recommendations to the commission regarding:
2 (1) the development of policies and procedures for the uses of the
3 low income housing trust fund; and
4 (2) long term sources of capital for the low income housing trust
5 fund, including:
6 (A) revenue from:
7 (i) development ordinances;
8 (ii) fees; or
9 (iii) taxes;
10 (B) financial market based income;
11 (C) revenue derived from private sources; and
12 (D) revenue generated from grants, gifts, donations, or income
13 in any other form, from a:
14 (i) government program;
15 (ii) foundation; or
16 (iii) corporation.
17 (l) The county treasurer shall invest the money in the fund not
18 currently needed to meet the obligations of the fund in the same
19 manner as other public funds may be invested."
20 Renumber all SECTIONS consecutively.
(Reference is to EHB 1427 as printed April 2, 2025.)

Senator BOHACEK