



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

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

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

- 14 (1) The decedent's name and date of death.
 15 (2) A statement of the affiant's relationship to the decedent.
 16 (3) A description of how the following deeds or other instruments
 17 vested in the decedent an ownership or leasehold interest in real
 18 property, with a cross-reference if applicable, under
 19 ~~IC 36-2-7-10(l)~~ **IC 36-2-7-10(m)** to each deed or other
 20 instrument:
 21 (A) Deeds or other instruments recorded in the office of the
 22 recorder where the real property is located.
 23 (B) Deeds or other instruments that disclose a title transaction
 24 (as defined in IC 32-20-2-7).
 25 (4) The legal description of the conveyed real property as it
 26 appears in instruments described in subdivision (3).
 27 (5) The names of all distributees known to the affiant.
 28 (6) An explanation of how each interest in the real property
 29 passed upon the decedent's death to each distributee by:
 30 (A) intestate succession under IC 29-1-2-1; or
 31 (B) the decedent's last will and testament that has been
 32 admitted to probate under section 13 of this chapter, with
 33 references to:
 34 (i) the name and location of the court that issued the order
 35 admitting the will to probate; and
 36 (ii) the date when the court admitted the decedent's will to
 37 probate.
 38 (7) An explanation of how any fractional interests in the real
 39 property that may have passed to multiple distributees were
 40 calculated and apportioned.

41 (c) Upon presentation of an affidavit described in subsection (b), the
 42 auditor of the county where the real property described in the affidavit
 43 is located must endorse the affidavit as an instrument that is exempt
 44 from the requirements to file a sales disclosure form and must enter the
 45 names of the distributees shown on the affidavit on the tax duplicate on
 46 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

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

- 2 (A) a mortgage modification;
 3 (B) a mortgage assignment; ~~or~~
 4 (C) a mortgage release; **or**
 5 **(D) a mortgage assumption.**

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

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

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

17 (c) The county recorder shall charge the following:

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

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

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

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

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

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

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

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

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

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

- 1 to each political subdivision with a lien or liens on a parcel. In
 2 addition to the fee under this subdivision, if a county fiscal body
 3 adopts a fee under section 10.7 of this chapter, the county
 4 recorder may charge the fee under section 10.7 of this chapter for
 5 each document recorded by a political subdivision under this
 6 subdivision.
- 7 (9) This subdivision applies in a county only if at least one (1)
 8 unit in the county has established an affordable housing fund
 9 under IC 5-20-5-15.5 and the county fiscal body adopts an
 10 ordinance authorizing the fee described in this subdivision. An
 11 ordinance adopted under this subdivision may authorize the
 12 county recorder to charge a fee of ten dollars (\$10) for each
 13 document the recorder records.
- 14 (10) This subdivision applies in a county containing a
 15 consolidated city that has established a housing trust fund under
 16 IC 36-7-15.1-35.5(e). This subdivision does not apply if the
 17 county fiscal body adopts a fee under section 10.7 of this chapter.
 18 The county fiscal body may adopt an ordinance authorizing the
 19 fee described in this subdivision. An ordinance adopted under this
 20 subdivision may authorize the county recorder to charge a fee of:
 21 (A) two dollars and fifty cents (\$2.50) for the first page; and
 22 (B) one dollar (\$1) for each additional page;
 23 of each document the recorder records.
- 24 (d) This subsection does not apply in a county containing a
 25 consolidated city. Section 10.5 of this chapter applies to the deposit of
 26 fees collected under subsection (c)(1) and (c)(8) in a county containing
 27 a consolidated city. The county recorder shall deposit the fees collected
 28 under subsection (c)(1) and (c)(8) as follows:
 29 (1) Eight dollars (\$8) in the county general fund.
 30 (2) Five dollars (\$5) in the county surveyor's corner perpetuation
 31 fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).
 32 (3) Ten dollars (\$10) in the county recorder's records perpetuation
 33 fund established under subsection ~~(f)~~ (g).
 34 (4) One dollar (\$1) in the county identification security protection
 35 fund established under IC 36-2-7.5-11.
 36 (5) One dollar (\$1) in the county elected officials training fund
 37 under IC 36-2-7-19.
- 38 (e) This subsection does not apply in a county containing a
 39 consolidated city. Section 10.5 of this chapter applies to the deposit of
 40 fees collected under subsection (c)(2) in a county containing a
 41 consolidated city. The county recorder shall deposit the fees collected
 42 under subsection (c)(2) as follows:
 43 (1) Thirty-four dollars (\$34) in the county general fund.
 44 (2) Five dollars (\$5) in the county surveyor's corner perpetuation
 45 fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).
 46 (3) Eleven dollars and fifty cents (\$11.50) in the county recorder's

- 1 records perpetuation fund established under subsection ~~(f)~~ **(g)**.
 2 (4) Two dollars and fifty cents (\$2.50) with the county treasurer
 3 to be distributed in accordance with IC 24-9-9-3 and IC 24-9-9-4.
 4 (5) One dollar (\$1) in the county identification security protection
 5 fund established under IC 36-2-7.5-11.
 6 (6) One dollar (\$1) in the county elected officials training fund
 7 under IC 36-2-7-19.

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

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

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

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

- 28 ~~(h)~~ **(i)** The county recorder may not charge or collect any fee for:
 29 (1) recording an official bond of a public officer, a deputy, an
 30 appointee, or an employee; or
 31 (2) performing any service under any of the following:
 32 (A) IC 6-1.1-22-2(c).
 33 (B) IC 8-23-7.
 34 (C) IC 8-23-23.
 35 (D) IC 10-17-2-3.
 36 (E) IC 10-17-3-2.
 37 (F) IC 12-14-13.
 38 (G) IC 12-14-16.

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

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

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

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

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

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

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

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

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

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

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

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

45 (1) "Bulk form copy" means an aggregation of:
 46 (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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (2) Engage in unauthorized access to recorded documents.

46 (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

- 1 under IC 36-2-7-19.
- 2 (c) The county recorder shall deposit the fees collected under
- 3 section 10(c)(2) of this chapter as follows:
- 4 (1) Thirty-five dollars (\$35) in the county general fund.
- 5 (2) Five dollars (\$5) in the county surveyor's corner perpetuation
- 6 fund for use as provided under IC 21-47-3-3 or IC 36-2-12-11(e).
- 7 (3) Eleven dollars and fifty cents (\$11.50) in the county recorder's
- 8 records perpetuation fund established under section ~~10(f)~~ **10(g)** of
- 9 this chapter.
- 10 (4) Two dollars and fifty cents (\$2.50) with the county treasurer
- 11 to be distributed in accordance with IC 24-9-9-3 and IC 24-9-9-4.
- 12 (5) Fifty cents (\$0.50) in the county identification security
- 13 protection fund established under IC 36-2-7.5-11.
- 14 (6) Fifty cents (\$0.50) in the county elected officials training fund
- 15 under IC 36-2-7-19.

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

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

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

- 26 (1) Section 10(c)(10) of this chapter.
- 27 (2) Section ~~10(k)~~ **10(l)** of this chapter.

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

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

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

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

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

- 44 (1) county elected officials; and
- 45 (2) individuals first elected to a county office;
- 46 required by IC 33-32-2-9, IC 36-2-9-2.5, IC 36-2-9.5-2.5,

- 1 IC 36-2-10-2.5, IC 36-2-11-2.5, and IC 36-2-12-2.5.
- 2 (e) Except as provided in IC 5-11-14-1, money in the fund may be
- 3 used to provide any of the following:
- 4 (1) Travel, lodging, and related expenses associated with any
- 5 training paid for from the fund.
- 6 (2) Training of one (1) or more designees of a county elected
- 7 official if sufficient funds are appropriated by the county fiscal
- 8 body.
- 9 (3) Upon determination by a county fiscal body that money in the
- 10 fund exceeds the amount necessary to fund the expenses specified
- 11 under subsection (d)(1) and (d)(2), money in the fund may be
- 12 used for the training (and related travel and lodging expenses) of
- 13 county council members provided:
- 14 (A) under IC 5-11-14-1; or
- 15 (B) by the Association of Indiana Counties.
- 16 ~~(4) Upon determination by a county fiscal body that money in the~~
- 17 ~~fund exceeds the amount necessary to fund the expenses specified~~
- 18 ~~under subdivisions (1) and (2), the county auditor may, not later~~
- 19 ~~than December 31, 2023, transfer the excess money to the county~~
- 20 ~~recorder's records perpetuation fund established under section~~
- 21 ~~10(f) of this chapter. This subdivision expires January 1, 2024.~~

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

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

30 (c) A fund consists of money deposited in the fund under section
 31 6(b) of this chapter. Money in a fund does not revert to the county
 32 general fund. Money in a fund may be transferred to the county
 33 recorder's records perpetuation fund for the uses set forth in
 34 ~~IC 36-2-7-10(f). IC 36-2-7-10(g).~~

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

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

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

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

- 1 Department of Housing and Urban Development without
- 2 requiring the continuation of that project based assistance.
- 3 (2) Such a sale displaces the former residents of a multiple family
- 4 housing project described in subdivision (1) and increases the
- 5 shortage of safe and affordable housing for persons of low and
- 6 moderate income within the county.
- 7 (3) The displacement of families and individuals from affordable
- 8 housing requires increased expenditures of public funds for crime
- 9 prevention, public health and safety, fire and accident prevention,
- 10 and other public services and facilities.
- 11 (4) The establishment of a supplemental housing program under
- 12 this section will do the following:
- 13 (A) Benefit the health, safety, morals, and welfare of the
- 14 county and the state.
- 15 (B) Serve to protect and increase property values in the county
- 16 and the state.
- 17 (C) Benefit persons of low and moderate income by making
- 18 affordable housing available to them.
- 19 (5) The establishment of a supplemental housing program under
- 20 this section and sections 32 through 35 of this chapter is:
- 21 (A) necessary in the public interest; and
- 22 (B) a public use and purpose for which public money may be
- 23 spent and private property may be acquired.
- 24 (b) In addition to its other powers with respect to a housing program
- 25 under sections 32 through 35 of this chapter, the commission may
- 26 establish a supplemental housing program. Except as provided by this
- 27 section, the commission has the same powers and duties with respect
- 28 to the supplemental housing program that the commission has under
- 29 sections 32 through 35 of this chapter with respect to the housing
- 30 program.
- 31 (c) One (1) allocation area may be established for the supplemental
- 32 housing program. The commission is not required to make the findings
- 33 required under section 34(5) through 34(7) of this chapter with respect
- 34 to the allocation area. However, the commission must find that the
- 35 property contained within the boundaries of the allocation area consists
- 36 solely of one (1) or more multiple family housing projects that are or
- 37 have been covered, in whole or in part, by a contract for project based
- 38 assistance from the United States Department of Housing and Urban
- 39 Development or have been owned at one time by a public housing
- 40 agency. The allocation area need not be contiguous. The definition of
- 41 "base assessed value" set forth in section 35(a) of this chapter applies
- 42 to the special fund established under section 26(b) of this chapter for
- 43 the allocation area.
- 44 (d) The special fund established under section 26(b) of this chapter
- 45 for the allocation area established under this section may be used only
- 46 for the following purposes:

- 1 (1) Subject to subdivision (2), on January 1 and July 1 of each
 2 year the balance of the special fund shall be transferred to the
 3 housing trust fund established under subsection (e).
 4 (2) The commission may provide each taxpayer in the allocation
 5 area a credit for property tax replacement in the manner provided
 6 by section 35(b)(7) of this chapter. Transfers made under
 7 subdivision (1) shall be reduced by the amount necessary to
 8 provide the credit.
- 9 (e) The commission shall, by resolution, establish a housing trust
 10 fund to be administered, subject to the terms of the resolution, by:
 11 (1) the housing division of the consolidated city; or
 12 (2) the department, division, or agency that has been designated
 13 to perform the public housing function by an ordinance adopted
 14 under IC 36-7-18-1.
- 15 (f) The housing trust fund consists of:
 16 (1) amounts transferred to the fund under subsection (d);
 17 (2) payments in lieu of taxes deposited in the fund under
 18 IC 36-3-2-12;
 19 (3) gifts and grants to the fund;
 20 (4) investment income earned on the fund's assets;
 21 (5) money deposited in the fund under ~~IC 36-2-7-10(k)~~
 22 **IC 36-2-7-10(l)** or IC 36-2-7-10.7; and
 23 (6) other funds from sources approved by the commission.
- 24 (g) The commission shall, by resolution, establish uses for the
 25 housing trust fund. However, the uses must be limited to:
 26 (1) providing financial assistance to those individuals and
 27 families whose income is at or below eighty percent (80%) of the
 28 county's median income for individuals and families, respectively,
 29 to enable those individuals and families to purchase or lease
 30 residential units within the county;
 31 (2) paying expenses of administering the fund;
 32 (3) making grants, loans, and loan guarantees for the
 33 development, rehabilitation, or financing of affordable housing
 34 for individuals and families whose income is at or below eighty
 35 percent (80%) of the county's median income for individuals and
 36 families, respectively, including the elderly, persons with
 37 disabilities, and homeless individuals and families;
 38 (4) providing technical assistance to nonprofit developers of
 39 affordable housing; and
 40 (5) funding other programs considered appropriate to meet the
 41 affordable housing and community development needs of lower
 42 income families (as defined in IC 5-20-4-5) and very low income
 43 families (as defined in IC 5-20-4-6), including lower income
 44 elderly individuals, individuals with disabilities, and homeless
 45 individuals.
- 46 (h) After June 30, 2017, at least forty percent (40%) of the money

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

46 (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