Indiana General Assembly Challenges

*National Fair Housing Alliance Annual Conference*

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Fair Housing Center of Central Indiana

- Nonprofit fair housing advocacy organization
- Incorporated in 2011 – Opened in January 2012
- Based in Indianapolis
  - 5 full-time staff
  - Service area of 24 Central Indiana counties, although we will go outside this area, if resources allow, due to lack of other nonprofit fair housing organizations in Indiana
- Have four program areas: Advocacy, Education, Inclusive Communities, Public Policy
  - Indiana Alliance Against Hate
FHCCI Mission

- The mission of the Fair Housing Center of Central Indiana (FHCCI) is to ensure equal housing opportunities by eliminating housing discrimination through advocacy, enforcement, education and outreach.

Indiana General Assembly Make Up

- Indiana General Assembly meets between January-March/April of each year with alternating short and long sessions and alternating budget year sessions
- 2015-2016 Sessions:
  - 50 Senators (40 Republicans, 10 Democrats)
  - 100 Representatives (71 Republicans, 29 Democrats)
- 2017-2018 Sessions:
  - 50 Senators (41 Republicans, 9 Democrats)
  - 100 Representatives (70 Republicans, 30 Democrats)
2015 Indiana General Assembly

- **HB 1300** (McMillin-R): “A unit may not adopt or enforce an ordinance that requires or would have the effect of requiring a landlord to participate in: (1) a Section 8 program of the federal Housing Act of 1937; or (2) a similar program concerning housing.”
- Passed Senate (38-11) and House (70-17) on party-line vote – Signed by Governor
- Contained Emergency Clause
- Bill pushed by Indiana Apartment Association
- Bill was passed shortly after Texas had passed similar law – some other states have followed suit
- Total LOSS on fair housing

This bill was filed in response to the City of Indianapolis considering passage of local ordinance to add Receipt of Public Assistance as additional protected class under its Human Relations Ordinance.
2016 Hate Crime (Anti-bias) Bills

Six Total Bills Filed – One Received Hearing

- HB 1268 – Rep Truitt (R)
- HB 1286 – Rep Porter (D)
- SB 202 – Sen Rogers (D)
- SB 261 – Sen Taylor (D)
- SB 263 – Sen Taylor (D)

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2017 Indiana General Assembly

- **SB 558** (Holdman-R): Leases and sales of real property. Restricts occupancy to two persons per bedroom. Changes application of nuisance laws and payment of fines. Bans inclusionary zoning at city level. Fine for no cause rulings.
- Passed Senate (29-19) and House (77-20) on mostly party-line vote – Signed by Governor (despite over 15 people and organizations speaking against the bill in hearings)
- Contained Emergency Clause
- Bill pushed by Indiana Apartment Association and Indiana Builder’s Association
- Bill was passed shortly after Texas had passed similar law
- Mixed – LOSS on inclusionary zoning, WIN on restrictive occupancy due to addition of some Keating Memo language, federal guidance still applies, & deletion of fine.

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- This bill was introduced due to (1) FHCCI case filing challenging overly restrictive occupancy standards and (2) the City of Bloomington considering passage of an inclusionary zoning requirement to address affordable housing barriers.
2017 Hate Crime Bills

- **HB 1066** (Porter-D)
- **HB 1090** (Washburne-R)
- **SB 333** (Taylor-D)
- **SB 336** (Taylor-D)
- **SB 438** (Glick-R)
- **SB 439** (Glick-R) - Do Pass out of Senate Corrections & Criminal Law 6-3. Was not taken to floor vote – died in Committee.

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2018 Indiana General Assembly

- **SB 240** (Leising-R): **SERVICE ANIMAL RESTRICTIONS**. Provides that a person who offers to rent or otherwise make available a dwelling to an individual with a disability that is not apparent may require that the individual certify in writing from a health service provider the individual's need for a service animal.

- Class A infraction for medical professional who:
  - verifies an individual's disability status and need for an emotional support animal without adequate professional knowledge of the individual's condition to provide a reliable verification; or
  - charges a fee for providing a written verification for an individual's disability status and need for an emotional support animal, and provides no other service to the individual.

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• Passed Senate and House on mostly party-line vote – Signed by Governor
• Bill pushed by Indiana Apartment Association
• Bill was passed following other states passing similar laws and several other states having pending legislation
• LOSS on fair housing at state level although federal guidance still applies – question is whether substantial equivalency will be impacted with inclusion of penalty???

2018 Hate Crime Bills
• Two bills to address anti-bias offenses (hate crime law) were introduced:
  • SB 271: Sponsor Senator Taylor (D)
  • SB 418: Sponsors Senators Glick (R) and Ruckelshaus (R) – Committee hearing held

• Following 2017 General Assembly, FHCCI launched the Central Indiana Alliance Against Hate (later re-named the Indiana Alliance Against Hate) to bring a more collaborated and organized effort around addressing hate and passage of a hate crime law
Need of a Hate Crime Law

- Hosted November 21st Press Conference
- Hosted January 16th Statehouse Rally
- Promotional Materials, Action Alerts, Social Media, PSAs, Updates
- Recruited over 90+ organization and business members

Although SB 418 did not get a vote in Committee due to Caucus refusal, we made significant progress in the statewide discussion:

- Public polls put Hoosier support for passage
- Legislative offices told us we met opposition call for call
- For first time, had a Republican Mayor and several major businesses speak out on need of passage in addition to advocates and victims

DID YOU KNOW?
According to a very recent report titled, "Hoosier Survey 2017," a solid majority of Hoosiers (65%) favor passage of a hate crime law for the State of Indiana. Only 29% oppose passage in the latest poll.

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