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HOUSE BILL No. 1058

Proposed Changes to introduced printing by AM105801

DIGEST OF PROPOSED AMENDMENT

Railroad tracks. Provides that a municipality is not authorized to annex the railroad tracks in addition to the railroad right of way.

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 36-4-3-3.7 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 3.7. (a) This section applies to an annexation, if the**
4 **annexation territory becomes surrounded on all sides by the**
5 **municipality after June 30, 2026.**

6 (b) A municipality may annex territory by adopting an
7 annexation ordinance under section 3 or 4 of this chapter after
8 complying with sections 2.1 and 2.2 of this chapter.

9 (c) Notwithstanding any other provision of this chapter, if a
10 proposed annexation territory consists of:

11 (1) land that:

12 (A) is contiguous to the municipality under section 1.5 of
13 this chapter; and
14 (B) abuts, at least in part, one (1) side of the railroad
15 tracks and railroad right-of-way; and

16 (2) land:

17 (A) that is not contiguous to the municipality under
18 section 1.5 of this chapter; and
19 (B) that:

20 (i) is separated from the land under subdivision (1)
21 by; and

2026

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9 (d) Nothing in this section authorizes the municipality to annex
10 the railroad tracks and railroad right-of-way abutting the
11 annexation territory].

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