

HOUSE BILL No. 1390

DIGEST OF INTRODUCED BILL

Citations Affected: IC 32-24-1.

Synopsis: Eminent domain. Requires the Indiana department of transportation (department) to make an original offer that is equal to 125% of the fair market value of a property when purchasing the property for a project. Provides that a person having an interest in a property that is damaged as a result of a public use is entitled to bring an inverse condemnation claim.

Effective: July 1, 2026.

Lindauer

January 8, 2026, read first time and referred to Committee on Roads and Transportation.



Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

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

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

1 SECTION 1. IC 32-24-1-5.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 5.1. (a) This section applies to an offer to purchase**
4 **property under section 5 of this chapter that is made by the**
5 **Indiana department of transportation after June 30, 2026.**

6 **(b) The Indiana department of transportation must provide an**
7 **original offer to an owner that is equal to one hundred twenty-five**
8 **percent (125%) of the fair market value of the property, as**
9 **determined by the appraisal required under section 3(c)(2) of this**
10 **chapter.**

11 SECTION 2. IC 32-24-1-16 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. A person having an
13 interest in property that has been or may be acquired for a public use
14 **or damaged as a result of a public use** without the procedures of this
15 article or any prior law followed is entitled to have the person's
16 damages assessed under this article substantially in the manner
17 provided in this article.

