

# HOUSE BILL No. 1396

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-3.

**Synopsis:** Abandoned local roadways. Extinguishes certain easements and encumbrances on a vacated right-of-way.

**Effective:** July 1, 2026.

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January 8, 2026, read first time and referred to Committee on Local Government.

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Introduced

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.

## HOUSE BILL No. 1396

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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 36-7-3-1, AS AMENDED BY P.L.126-2011,  
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 1. (a) Section 2 of this chapter applies only to  
4 areas subject to the jurisdiction of no plan commission under this  
5 article.  
6 (b) Sections 3 through 9 of this chapter apply only to:  
7 (1) areas subject to the jurisdiction of an advisory plan  
8 commission under this article; and  
9 (2) areas subject to the jurisdiction of no plan commission under  
10 this article.  
11 (c) Sections 10, 14, and 16 of this chapter apply to all areas of the  
12 state.  
13 (d) Sections 12, 13, and 15 of this chapter apply to all areas of the  
14 state, except in a county having a consolidated city.  
15 (e) **Section 12.5 of this chapter applies to all areas of the state.**  
16 SECTION 2. IC 36-7-3-12.5 IS ADDED TO THE INDIANA CODE  
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2026]; **Sec. 12.5. (a)** Except as provided in subsection (b), on the  
2 twentieth anniversary of the vacation of a right-of-way, the  
3 following are extinguished:

4 (1) An easement or encumbrance on or within the  
5 right-of-way.

6 (2) All rights relating to or in reliance on an easement or  
7 encumbrance described in subdivision (1).

8 (b) Subsection (a) does not apply to an easement or  
9 encumbrance granted in writing by the owner of the land  
10 previously constituting the right-of-way.

