

PROPOSED AMENDMENT

SB 6 # 4

DIGEST

Water or wastewater main extensions. Limits the applicability of the bill's notice requirements concerning the proposed condemnation of land for the extension of a water main or a wastewater main, so as to apply only to a municipally owned utility that seeks to condemn land that is located outside: (1) the corporate boundaries of the municipality; or (2) the existing service territory of the municipally owned utility; as of the date the condemnation is first proposed. Specifies that for purposes of the bill's provisions, a "municipally owned utility" does not include a utility company owned, operated, or held in trust by a consolidated city. Removes the requirement that a municipally owned utility must publish a notice in a newspaper of general circulation in the county in which a water main extension or a wastewater main extension is proposed. Provides that a landowner or the county plan commission may, not later than 30 days after receiving the required notice of the proposed extension, request in writing a meeting with the municipally owned utility regarding the proposed extension project. Provides that upon receiving such a request, the municipally owned utility shall offer to meet with the landowner or the county plan commission not later than 30 days after receiving the written request. (The January 13, 2026, reprinting of the bill authorizes a landowner or another interested person to request a meeting with the municipally owned utility but does not specify: (1) that the request must be in writing; or (2) a time within which the landowner or other interested person must make the request.) Beginning in 2027, requires the Indiana utility regulatory commission (IURC) to include in its annual report the following information with respect to the most recently concluded state fiscal year: (1) Any reported delays in an extension project that a municipally owned utility attributes to any of the bill's requirements. (2) Any complaints or disputes arising under the bill's provisions that are submitted to the IURC. (3) Any action taken by the IURC with respect to any: (A) reported delays; or (B) complaints or disputes; arising under the bill's provisions. Makes technical and conforming changes.

1 Page 1, line 3, delete "This section does not apply to a temporary"
2 and insert "**Notwithstanding IC 8-1.5-2-3, this section applies to a**
3 **municipally owned utility that seeks to take, acquire, condemn, or**
4 **appropriate land or real estate, or any interest in the land or real**
5 **estate, for the purpose of extending a water main or a wastewater**
6 **main if the land or real estate, or the interest in the land or real**
7 **estate, is located outside:**
8 **(1) the corporate boundaries of the municipality; or**
9 **(2) the existing service territory of the municipally owned**
10 **utility;**
11 **as of the date the taking, acquisition, condemnation, or**
12 **appropriation is first proposed.**

1 **(b) This section does not apply to a temporary easement or a**
 2 **condemnation that is needed to protect the public health or safety.**

3 **(c) As used in this section, "municipally owned utility" has the**
 4 **meaning set forth in IC 8-1-2-1(h). The term includes a wastewater**
 5 **utility operated under IC 36-9-23 or IC 36-9-25. The term does not**
 6 **include a utility company owned, operated, or held in trust by a**
 7 **consolidated city."**

8 Page 1, delete lines 4 through 5.

9 Page 1, line 6, delete "(b) Before a public utility" and insert "**(d)**
 10 **Before a municipally owned utility"**.

11 Page 1, line 8, delete "water or wastewater main," and insert "**water**
 12 **main or a wastewater main in an area described in subsection**
 13 **(a)(1) or (a)(2),"**.

14 Page 1, line 9, delete "public utility shall provide all of" and insert
 15 **"municipally owned utility must provide"**.

16 Page 1, line 13, delete "to the address of the landowner as listed on
 17 the tax" and insert "**at least sixty (60) days before the municipally**
 18 **owned utility presents an offer of purchase under IC 32-24-1-5;**
 19 **and**

20 **(ii) either by first class mail or by certified mail, return**
 21 **receipt requested, or any other means of delivery that**
 22 **includes a return receipt, to the address of the landowner**
 23 **as listed on the tax duplicate;"**.

24 Page 1, delete lines 14 through 17.

25 Page 2, delete lines 1 through 2.

26 Page 2, line 4, delete "public" and insert "**municipally owned"**.

27 Page 2, line 4, delete "or" and insert "**main or a"**.

28 Page 2, line 8, delete "public utility can" and insert "**municipally**
 29 **owned utility may"**.

30 Page 2, line 11, delete "where" and insert "**instructions as to how"**.

31 Page 2, line 12, delete "a" and insert "**the"**.

32 Page 2, line 13, delete "applicable utility representative to contact"
 33 and insert "**name of, and contact information for, the municipally**
 34 **owned utility's representative to whom questions concerning the**
 35 **proposed extension project may be directed."**

36 Page 2, delete lines 14 through 31.

37 Page 2, line 32, delete "(3)" and insert "(2)".

38 Page 2, line 33, delete "in a conspicuous location on the public" and
 39 insert "**that must be posted in a conspicuous location on the**
 40 **municipally owned"**.

- 1 Page 2, line 34, after "the" insert "**municipally owned**".
- 2 Page 2, line 35, delete "the information in subdivision (2)(B)." and
3 insert "**information regarding:**
- 4 **(i) the proposed boundaries of the extension;**
- 5 **(ii) the expected completion date of the entire extension**
6 **project;**
- 7 **(iii) instructions as to how to access information**
8 **concerning the proposed extension project; and**
- 9 **(iv) the name of, and contact information for, the**
10 **municipally owned utility's representative to whom**
11 **questions concerning the proposed extension project may**
12 **be directed."**
- 13 Page 2, line 36, delete "(4)" and insert "**(3)**".
- 14 Page 2, line 37, delete "to the county plan commission in the county
15 where the" and insert "**that must be sent by either first class mail or:**
- 16 **(i) certified mail, return receipt requested; or**
- 17 **(ii) any other means of delivery that includes a return**
18 **receipt;**
- 19 **to the county plan commission for the county in which the**
20 **extension project is proposed; and"**.
- 21 Page 2, delete lines 38 through 41.
- 22 Page 2, line 42, delete "(C)" and insert "**(B)**".
- 23 Page 3, line 1, delete "(c) If a landowner or other interested person
24 requests" and insert "**(e) A landowner or the county plan commission**
25 **may, not later than thirty (30) days after receiving the notice**
26 **described in subsection (d)(1) or (d)(3), as applicable, request in**
27 **writing"**.
- 28 Page 3, line 2, delete "public utility regarding the proposed
29 extension project," and insert "**municipally owned utility regarding**
30 **the proposed extension project. Upon receiving a written request**
31 **under this subsection, the municipally owned utility shall offer to**
32 **meet with the landowner or county plan commission, as applicable,**
33 **not later than thirty (30) days after the municipally owned utility's**
34 **receipt of the written request."**
- 35 Page 3, delete lines 3 through 4.
- 36 Page 3, line 5, delete "(d) If the public" and insert "**(f) If the**
37 **municipally owned"**.
- 38 Page 3, line 6, delete "(b)(1)" and insert "**(d)(1)**".
- 39 Page 3, line 9, delete "(b)(1);" and insert "**(d)(1);"**.
- 40 Page 3, line 10, delete "it is not necessary that the landowner

1 accept" and insert **"the municipally owned utility is considered to**
 2 **have complied with subsection (d)(1) regardless of whether the**
 3 **landowner accepts"**.

4 Page 3, line 11, delete "(e) A public utility may move forward" and
 5 insert **"(g) A municipally owned utility may proceed"**.

6 Page 3, line 11, delete "or" and insert **"main or a"**.

7 Page 3, line 12, delete "public" and insert **"municipally owned"**.

8 Page 3, line 13, delete "under" and insert **"in"**.

9 Page 3, line 14, delete "(f)" and insert **"(h)"**.

10 Page 3, line 15, delete "where" and insert **"in which"**.

11 Page 3, line 18, delete "(b)(4);" and insert **"(d)(3);"**.

12 Page 3, line 20, delete "(b)(2)(B)" and insert **"(d)(2)(B)"**.

13 Page 3, line 22, delete "(g)" and insert **"(i)"**.

14 Page 3, line 22, delete "violate" and insert **"limit or annul"**.

15 Page 3, after line 23, begin a new paragraph and insert:

16 **"(j) Beginning in 2027, the commission shall include in the**
 17 **annual report that the commission is required to submit under**
 18 **IC 8-1-1-14 before October 1 of each year the following**
 19 **information with respect to the most recently concluded state fiscal**
 20 **year:**

21 **(1) Any delays in an extension project that a municipally**
 22 **owned utility:**

23 **(A) reports to the commission; and**

24 **(B) attributes to any of the requirements set forth in this**
 25 **section.**

26 **(2) Any complaints or disputes arising under this section that**
 27 **are submitted to the commission as part of a dispute under**
 28 **IC 8-1-2-101.5 or otherwise.**

29 **(3) Any action taken by the commission with respect to:**

30 **(A) a reported delay under subdivision (1); or**

31 **(B) a complaint or dispute under subdivision (2).**

32 **(4) Any other information that the commission considers**
 33 **relevant for members of:**

34 **(A) the interim study committee on energy, utilities, and**
 35 **telecommunications established by IC 2-5-1.3-4(8); and**

36 **(B) the general assembly;**

37 **to consider in evaluating the effects of this section on**
 38 **landowners, municipally owned utilities, and water main or**
 39 **wastewater main extension projects."**

(Reference is to SB 6 as reprinted January 13, 2026.)