
SENATE BILL No. 6

AM000603 has been incorporated into January 13, 2026 printing.

Synopsis: Extension of water services.

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SB 6—LS 6064/DI 153



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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SENATE BILL No. 6

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 32-24-4-5 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 5. (a) Notwithstanding IC 8-1.5-2-3, this section**
4 **applies to a municipally owned utility that seeks to take, acquire,**
5 **condemn, or appropriate land or real estate, or any interest in the**
6 **land or real estate, for the purpose of extending a water main or a**
7 **wastewater main if the land or real estate, or the interest in the**
8 **land or real estate, is located outside:**
9 (1) **the corporate boundaries of the municipality; or**
10 (2) **the existing service territory of the municipally owned**
11 **utility;**
12 **as of the date the taking, acquisition, condemnation, or**
13 **appropriation is first proposed.**
14 (b) **This section does not apply to a temporary easement or a**
15 **condemnation that is needed to protect the public health or safety.**
16 (c) **As used in this section, "municipally owned utility" has the**
17 **meaning set forth in IC 8-1-2-1-(h). The term includes a**

SB 6—LS 6064/DI 153



1 wastewater utility operated under IC 36-9-23 or IC 36-9-25. The
2 term does not include a utility company owned, operated, or held
3 in trust by a consolidated city.

4 (d) Before a municipally owned utility may take, acquire,
5 condemn, or appropriate land, real estate, or any interest in the
6 land or real estate for the purpose of extending a water main or a
7 wastewater main in an area described in subsection (a)(1) or (a)(2),
8 the municipally owned utility must provide the following notices:

9 (1) A notice to each owner of land that is needed or intended
10 to be taken for the extension. The notice must:

11 (A) be sent:

12 (i) at least sixty (60) days before the municipally
13 owned utility presents an offer of purchase under
14 IC 32-24-1-5; and

15 (ii) either by first class mail or by certified mail,
16 return receipt requested, or any other means of
17 delivery that includes a return receipt, to the
18 address of taxpayer as listed on the tax duplicate;

19 (B) include a statement that:

20 (i) the municipally owned utility intends to extend a
21 water main or a wastewater main;

22 (ii) the landowner's property is needed for the
23 extension; and

24 (iii) the municipally owned utility may acquire land
25 through condemnation if certain conditions are
26 met; and

27 (C) clearly identify:

28 (i) instructions as to how a landowner may access
29 information pertaining to the proposed extension
30 project; and

31 (ii) the name of, and contact information for, the
32 municipally owned utility's representative to whom
33 questions concerning the proposed extension
34 project may be directed.

35 (2) A notice:

36 (A) that must be published in a newspaper of general
37 circulation in the county in which the extension is
38 proposed:

39 (i) two (2) times, at least one (1) week apart; and

40 (ii) with the first publication occurring at least
41 forty-five (45) days before the municipally owned
42 utility presents an offer of purchase under

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IC 32-24-1-5; and

(B) that includes information regarding:

- (i) the proposed boundaries of the extension;**
- (ii) the expected completion date of the entire extension project;**
- (iii) instructions as to how an interested person may access information pertaining to the proposed extension project; and**
- (iv) the name of, and contact information for, the municipally owned utility's representative to whom questions concerning the proposed extension project may be directed.**

(3) A notice:

(A) that must be posted in a conspicuous location on the municipally owned utility's website, if the municipally owned utility has a website; and

(B) that includes the information in subdivision (2)(B).

(4) A notice:

(A) that must be sent by either first class mail or:

- (i) certified mail, return receipt requested; or**
- (ii) any other means of delivery that includes a return receipt;**

to the county plan commission for the county in which the extension project is proposed; and

(B) that includes the information in subdivision (2)(B).

(e) A landowner or the county plan commission may, not later than thirty (30) days after receiving the notice described in subsection (d)(1) or (d)(4), as applicable, request in writing a meeting with the municipally owned utility regarding the proposed extension project. Upon receiving a written request under this subsection, the municipally owned utility shall offer to meet with the landowner or county plan commission, as applicable, not later than thirty (30) days after the municipally owned utility's receipt of the written request.

(f) If the municipally owned utility provides evidence that the notice under subsection (d)(1) was sent:

- (1) by certified mail, with return receipt requested, or any other means of delivery that includes a return receipt; and**
- (2) in accordance with subsection (d)(1);**

the municipally owned utility is considered to have complied with subsection (d)(1) regardless of whether the landowner accepts receipt of the notice.

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- 1 **(g) A municipally owned utility may proceed with a proposed**
- 2 **water or wastewater main extension if the municipally owned**
- 3 **utility has satisfied the notice requirements set forth in this section.**
- 4 **(h) If:**
- 5 **(1) a county in which an extension is proposed has a website;**
- 6 **and**
- 7 **(2) the county plan commission has been provided the notice**
- 8 **under subsection (d)(4);**
- 9 **the county shall post a notice that includes the information in**
- 10 **subsection (d)(2)(B) in a conspicuous location on the county's**
- 11 **website.**
- 12 **(i) Nothing in this section shall be construed to limit or annul**
- 13 **IC 8-1-2-101.5 or any applicable administrative rule.**

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