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SENATE BILL No. 6

Proposed Changes to January 13, 2026 printing by AM000604

DIGEST OF PROPOSED AMENDMENT

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.

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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:

SB 6—LS 6064/DI 153



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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 wastewater
 18 utility operated under IC 36-9-23 or IC 36-9-25. The term does not
 19 include a utility company owned, operated, or held in trust by a
 20 consolidated city.]

21 (~~b~~) [d] Before a ~~public~~ [municipally owned] utility may
 22 take, acquire, condemn, or appropriate land, real estate, or any
 23 interest in the land or real estate for the purpose of extending a
 24 water [main] or [a] wastewater main [in an area described in
 25 subsection (a)(1) or (a)(2)], the ~~public~~ [municipally owned] utility
 26 ~~shall~~ [must] provide ~~all of~~ the following notices:

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

29 (A) be sent:

30 (i) ~~to the address of the landowner as listed on the~~
 31 ~~tax duplicate;~~

32 ~~(ii)~~ [at least sixty (60) days before the municipally
 33 owned utility presents an offer of purchase under
 34 IC 32-24-1-5; and

35 (ii) either] by first class mail ~~<~~ [or by] certified
 36 mail ~~with~~ [,] return receipt requested, or any
 37 other means of delivery that includes a return
 38 receipt ~~, and~~

39 ~~(iii) at least sixty (60) days before a public utility~~
 40 ~~presents an offer of purchase under IC 32-24-1-5;~~
 41 ~~>~~ [, to the address of the landowner as listed on the tax duplicate;

42 (B) include a statement that:

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- 1 (i) the ~~public~~ [municipally owned] utility intends
- 2 to extend a water [main] or [a] wastewater main;
- 3 (ii) the landowner's property is needed for the
- 4 extension; and
- 5 (iii) the ~~public~~ [municipally owned] utility
- 6 ~~can~~ [may] acquire land through condemnation if
- 7 certain conditions are met; and

8 (C) clearly identify:

- 9 (i) ~~where~~ [instructions as to how] a landowner
- 10 may access information pertaining to ~~a~~ [the]
- 11 proposed extension project; and
- 12 (ii) the ~~applicable~~ [name of, and contact
- 13 information for, the municipally owned] utility ['s]
- 14 representative to ~~contact regarding any~~ [whom]
- 15 questions ~~pertaining to~~ [concerning] the proposed
- 16 [extension] project [may be directed].

17 (2) A notice:

18 (A) ~~in a newspaper of general circulation in the county~~

19 ~~where the extension is proposed published:~~

- 20 ~~(i) two (2) times, at least one (1) week apart; and~~
- 21 ~~(ii) at least forty-five (45) days before a public~~
- 22 ~~utility presents an offer of purchase under~~
- 23 ~~IC 32-24-1-5~~ [that must be posted in a conspicuous
- 24 location on the municipally owned utility's website,
- 25 if the municipally owned utility has a website]; and

26 (B) that includes information regarding:

- 27 (i) the proposed boundaries of the extension;
- 28 (ii) the expected completion date of the
- 29 ~~total~~ [entire] extension project;
- 30 (iii) ~~the location of information pertaining to~~
- 31 ~~a~~ [instructions as to how to access information
- 32 concerning the proposed extension project; and
- 33 (iv) the name of, and contact information for, the
- 34 municipally owned utility's representative to whom
- 35 questions concerning the] proposed extension
- 36 project ~~that may be accessed by an interested~~
- 37 ~~person; and~~
- 38 ~~(iv) the applicable utility representative to contact~~
- 39 ~~regarding any questions pertaining to the proposed~~
- 40 ~~project~~ [may be directed].

41 (3) A notice:

42 (A) ~~in a conspicuous location on the public utility's~~

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~~website, if the utility has a website~~ [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).

~~-----> [] (<4>[e]) A <notice:~~

~~----- (A) to> [landowner or] the county plan commission <in the county where the extension is proposed;~~

~~----- (B) sent by first class mail, certified mail with return receipt requested, or any other means of delivery that includes a return receipt; and~~

~~----- (C) that includes the information in subdivision (2)(B):~~

~~----- (c) If a landowner or other interested person requests> [may, not later than thirty (30) days after receiving the notice described in subsection (d)(1) or (d)(3), as applicable, request in writing] a meeting with the <public> [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 <date of the request.~~

~~----- (d) If the public> [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 ((1);

~~it is not necessary that> [d)(1);~~

~~the municipally owned utility is considered to have complied with subsection (d)(1) regardless of whether] the landowner accept[s] receipt of the notice.~~

(<e>[g]) A <public> [municipally owned] utility may <move forward> [proceed] with a proposed water [main] or [a] wastewater main extension if the <public> [municipally owned] utility has satisfied the notice requirements set forth <under> [in] this section.

(<f>[h]) If:

(1) a county <where> [in which] an extension is proposed has a website; and

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1 (2) the county plan commission has been provided the notice
2 under subsection (~~b~~ [d])(~~4~~ [3]);
3 the county shall post a notice that includes the information in
4 subsection (~~b~~ [d])(2)(B) in a conspicuous location on the county's
5 website.

6 (~~g~~ [i]) Nothing in this section shall be construed to
7 ~~violate~~ [limit or annul] IC 8-1-2-101.5 or any applicable
8 administrative rule.

9 [(j) Beginning in 2027, the commission shall include in the
10 annual report that the commission is required to submit under
11 IC 8-1-1-14 before October 1 of each year the following
12 information with respect to the most recently concluded state fiscal
13 year:

14 (1) Any delays in an extension project that a municipally
15 owned utility:

16 (A) reports to the commission; and

17 (B) attributes to any of the requirements set forth in this
18 section.

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

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

23 (A) a reported delay under subdivision (1); or

24 (B) a complaint or dispute under subdivision (2).

25 (4) Any other information that the commission considers
26 relevant for members of:

27 (A) the interim study committee on energy, utilities, and

28 telecommunications established by IC 2-5-1.3-4(8); and

29 (B) the general assembly;

30 to consider in evaluating the effects of this section on
31 landowners, municipally owned utilities, and water main or
32 wastewater main extension projects.

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