

SENATE BILL No. 274

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-3-19.1.

Synopsis: Disannexation of property. Provides that disannexation of certain property is effective upon filing a disannexation petition with the county auditor and recording the petition with the county recorder. Requires the property owner to file a petition requesting a municipality to annex the property not more than 48 months after the disannexation is effective.

Effective: July 1, 2026.

Niemeyer

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



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.

SENATE BILL No. 274

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 36-4-3-19.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2026]: **Sec. 19.1. (a) This section applies only to a town that:**

4 **(1) was incorporated after 1990; and**

5 **(2) is located in a county having a population of more than**
6 **four hundred thousand (400,000) and less than seven hundred**
7 **thousand (700,000).**

8 **(b) The owner of real property meeting the following**
9 **requirements, may file a petition to disannex the property:**

10 **(1) The property consists of:**

11 **(A) at least thirty (30) acres; and**

12 **(B) not more than four (4) individual parcels;**

13 **that were included in the corporate limits of the town as the**
14 **town was originally incorporated.**

15 **(2) The boundary of a portion of the property is contiguous to**
16 **the boundary of:**

17 **(A) the unincorporated area of the county; or**



- 1 (B) another municipality.
- 2 (3) An available sanitary sewer owned by the municipality
- 3 does not abut the property.
- 4 (c) The petition to disannex must include the following:
- 5 (1) A legal description of the property that is the subject of the
- 6 petition.
- 7 (2) The signed and notarized signature of the property owner.
- 8 (d) The owner shall:
- 9 (1) record the executed petition to disannex with the county
- 10 recorder of the county in which the disannexed territory is
- 11 located; and
- 12 (2) file a copy of the executed petition with the county auditor
- 13 of the county in which the disannexed territory is located.
- 14 (e) The disannexation is complete and effective upon recording
- 15 and filing the petition as provided in subsection (d). The county
- 16 auditor shall list the disannexed property appropriately for
- 17 taxation.
- 18 (f) The county auditor shall forward a list of parcels disannexed
- 19 under this section to the following:
- 20 (1) The town that lost jurisdiction over the disannexed
- 21 territory.
- 22 (2) The county highway department of each county in which
- 23 the parcels affected are located.
- 24 (3) The county surveyor of each county in which the parcels
- 25 affected are located.
- 26 (4) Each plan commission, if any, that lost or gained
- 27 jurisdiction over the disannexed territory.
- 28 (5) The township trustee of each township that lost or gained
- 29 jurisdiction over the disannexed territory.
- 30 (6) The sheriff of each county in which parcels affected are
- 31 located.
- 32 (7) The office of the secretary of state.
- 33 (8) The office of census data established by IC 2-5-1.1-12.2.
- 34 (9) The department of local government finance, not later
- 35 than August 1 following the disannexation, in the manner
- 36 described by the department.
- 37 The county auditor may require the owner to furnish an adequate
- 38 number of copies of the list of disannexed parcels or may charge
- 39 the owner a fee for copies of the list.
- 40 (g) Sections 16, 17, 18, and 19 of this chapter do not apply to a
- 41 disannexation under this section.
- 42 (h) The owner of the disannexed property must execute a



1 **petition under section 5, 5.1, or 5.2 of this chapter for annexation**
2 **to a municipality not more than forty-eight (48) months after the**
3 **disannexation is complete and effective under subsection (e).**

