

# SENATE BILL No. 15

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 8-20-1-15.6; IC 36-9-2-6.5.

**Synopsis:** Right-of-way and thoroughfares. Requires a county to use eminent domain to increase the apparent right-of-way for a county highway, instead of by requiring dedication of additional right-of-way as part of a subdivision plat. Requires a county, city, or town (unit) to use eminent domain to expand an existing thoroughfare, instead of by requiring dedication of private property as part of a subdivision plat. Prohibits a unit that must proceed with eminent domain regarding a right-of-way or thoroughfare from imposing an additional fee on an applicant for filing a subdivision plat.

**Effective:** July 1, 2025.

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## Doriot

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January 8, 2025, read first time and referred to Committee on Local Government.

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First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

# SENATE BILL No. 15



A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 8-20-1-15.6 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2025]: **Sec. 15.6. (a) A county may not increase the apparent  
4 right-of-way for a county highway by requiring a dedication of  
5 additional right-of-way as part of the plat process under IC 36-7-4.  
6 Any land designated as right-of-way on a plat that exceeds the  
7 existing apparent right-of-way must be acquired by the county  
8 under IC 8-20-3-1.**

9 (b) A county that is required to acquire additional right-of-way  
10 under subsection (a) may not impose any additional fees on an  
11 applicant under IC 36-7-4-704.

12 SECTION 2. IC 36-9-2-6.5 IS ADDED TO THE INDIANA CODE  
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
14 1, 2025]: **Sec. 6.5. (a) A unit may not expand an existing  
15 thoroughfare by requiring a dedication of additional private  
16 property as part of the plat process under IC 36-7-4. A unit must  
17 exercise the power of eminent domain as provided in IC 32-24 to**



1     **acquire private property to expand an existing thoroughfare.**  
2         **(b) A unit that is required to acquire private property through**  
3     **the eminent domain process under subsection (a) may not impose**  
4     **any additional fees on an applicant under IC 36-7-4-704.**

