

SENATE BILL No. 53

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-4-3-21.5.

Synopsis: Approval of annexation agreements. Establishes requirements for an annexation agreement that is executed and recorded after June 30, 2015. Requires that the agreement must be signed by: (1) the owners of real property who are parties to the agreement; or (2) a representative appointed from among the owners of real property who are parties to the agreement.

Effective: July 1, 2015.

Buck

January 6, 2015, read first time and referred to Committee on Local Government.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 53

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 36-4-3-21.5 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2015]: **Sec. 21.5. (a) This section applies only to an agreement**
- 4 **executed and recorded after June 30, 2015.**
- 5 **(b) This section applies to an agreement between a municipality**
- 6 **and owners of real property, if all or part of the consideration for**
- 7 **the agreement is that the owners of the real property agree to:**
- 8 **(1) the annexation of the owners' real property by the**
- 9 **municipality; or**
- 10 **(2) withdraw a remonstrance or not remonstrate against the**
- 11 **annexation of the owners' real property by the municipality.**
- 12 **(c) In order to be valid, an agreement described in subsection**
- 13 **(b) must meet the following requirements:**
- 14 **(1) The agreement must be recorded with the county recorder**
- 15 **of the county where the municipality is located:**
- 16 **(A) after the agreement is executed as required under this**



1 **section; or**
2 **(B) if a remonstrance has been filed under section 11 of**
3 **this chapter, after the agreement is approved by the court**
4 **in which the remonstrance was filed.**
5 **(2) The agreement must be signed by:**
6 **(A) the owners of real property who are parties to the**
7 **agreement; or**
8 **(B) a representative appointed from among the owners of**
9 **real property who are parties to the agreement;**
10 **as of the date the agreement is recorded under subdivision (1).**
11 **The date each signature was made must be written next to the**
12 **signature.**

