

## SENATE BILL No. 273

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### DIGEST OF INTRODUCED BILL

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

**Synopsis:** Approval of annexation agreements. Establishes requirements for an agreement executed and recorded after June 30, 2014, between a municipality and owners of real property, if all or part of the consideration for the agreement is that the owners agree to the annexation of their property or agree not to remonstrate or withdraw a remonstrance against an annexation by the municipality. Provides 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. Requires that the date the signature was made must be written next to the signature. Requires that the agreement must be recorded with the county recorder of the county where the municipality is located after the agreement is executed and if a remonstrance has been filed, after the agreement has been approved by the court.

**Effective:** July 1, 2014.

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January 13, 2014, read first time and referred to Committee on Local Government.

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Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

## SENATE BILL No. 273

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, 2014]: Sec. 21.5. (a) This section applies only to an agreement**
- 4 **executed and recorded after June 30, 2014.**
- 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) not remonstrate or withdraw a remonstrance against the**
- 11 **annexation of the owners' real property by the municipality.**
- 12 **(c) In order to be valid, an agreement must meet the following**
- 13 **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; and**  
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; or**  
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.**

