

PROPOSED AMENDMENT

HB 1110 # 1

DIGEST

Annexation of residential development. Allows a third class city to annex: (1) a noncontiguous residential development; and (2) the right-of-way of a public highway connecting the development to the city boundaries; without obtaining the consent of owners of land located adjacent to the public highway.

1 Page 10, delete lines 25 through 26, begin a new paragraph and
2 insert:

3 **"(c) In addition to annexing territory under sections 3, 4, 5, or**
4 **5.1 of this chapter, a third class city may annex a residential**
5 **development and a public highway right-of-way that connects the**
6 **residential development to the corporate limits of the third class**
7 **city, if all of the following are satisfied:".**

8 Page 10, line 29, delete "one hundred (100)" and insert "**three**
9 **hundred (300)**".

10 Page 10, between lines 38 and 39, begin a new line block indented
11 and insert:

12 **"(6) The residential development is adjacent to the public**
13 **highway right-of-way.**

14 **(7) The public highway that connects the residential**
15 **development to the corporate limits of the city is part of the**
16 **state highway system (as defined in IC 8-23-1-40).**

17 **(8) The annexation territory includes only the public highway**
18 **right-of-way and the residential development.**

19 **(9) The aggregate external boundary of the annexation**
20 **territory that coincides with the boundary of the municipality**
21 **is greater than zero (0)."**

22 Page 11, between lines 37 and 38, begin a new paragraph and insert:

23 **"(j) For purposes of an annexation under this section:**

24 **(1) section 1.5 of this chapter does not apply; and**

25 **(2) the landowner of the public highway right-of-way that is**
26 **part of the state highway system (as defined in IC 8-23-1-40)**

- 1 **is considered to be the state of Indiana."**
(Reference is to HB 1110 as printed January 20, 2022.)