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Recent Changes to Indiana Annexation Law

New changes have been made to Indiana's annexation notice requirements and contiguity guidelines under SEA 59 and HEA 1058, along with updated disannexation GIS reporting requirements under Sections 233 and 234 of HEA 1210. In complying with these changes, municipalities should distinguish between involuntary annexations and voluntary annexations under I.C. 36-4-3-5.1, because different annexation procedures will apply in the same way.

SEA 59 – Notice of Annexation Outreach Meetings

Indiana municipalities pursuing annexation, particularly involuntary annexations subject to the heightened statutory outreach process, will soon face expanded notice and outreach obligations under SEA 59, passed during the 2026 legislative session. Effective July 1, 2026, the new amendment to I.C. 36-4-3-1.7 is designed to ensure that local officials receive earlier and more detailed information about proposed annexations.

Who Is Impacted?

- Indiana municipalities
- County officials
- Township officials
- Municipal planners and plan commissions

General Overview of Changes

SEA 59 changes how municipalities must prepare for annexations subject to I.C. 36-4-3-1.7 before they introduce an ordinance.

For covered annexations, this amendment requires municipalities to give notice of outreach program meetings via first-class, certified mail or any other method that includes a return receipt. Notice

should be sent to the following recipients in which the territory to be annexed is located:

- The county executive body of each county;
- The township executive of each township; and
- Any plan commission.

For covered annexations, this update is focused on giving stakeholders more time and information to understand the proposed annexation. Instead of learning about an annexation late in the process, county officials, in addition to impacted property owners and residents, will now have several opportunities to review maps, ask questions, and learn how the change could affect services and taxes.

Does This Impact Municipal Authority?

These changes do not fundamentally alter a municipality's authority to annex territory, but they do increase the level of planning, documentation, and communication required before doing so, particularly when the municipality is pursuing an involuntary annexation.

Existing Annexation Requirements

Municipalities are currently required to hold public outreach program meetings to discuss a potential annexation project. The number of required public meetings depends on the type of annexation. For most involuntary annexations, municipalities must hold at least **six (6) public meetings**. For certain streamlined or owner-driven annexations, only **three (3) meetings** are required, such as when property owners petition for annexation or in other qualifying situations under I.C. 36-4-3-5.

Annexation Type	Voluntary or Involuntary
§3 or §4 (municipal)	No
§5 (51%/75% property owner petition)	Yes
§5.1 (100% property owner consent)	Yes
§5.2 (residential dev.)	Mixed

At any required outreach meetings, the municipality must clearly explain the proposal, including:

- Maps of the area to be annexed;
- Plans for providing services (e.g., roads, utilities, emergency services); and
- Potential impacts on taxes.

Before moving forward with an annexation ordinance, municipalities should ensure compliance by considering the following:

- **Timing:** If outreach is required, it must begin within six months prior to introducing the ordinance (and not earlier).
- **Prepared materials:** Clear maps, service extension plans, and fiscal impact estimates should be prepared in advance.
- **Public meetings:** If required, the number of meetings (six or three, depending on the type of annexation) must be scheduled and structured to clearly explain the proposal and allow public input.
- **Public notice:** If required, notice of each meeting must be published at least 30 days in advance and include all required details.
- **Direct notice to landowners:** For annexations subject to direct notice requirements, affected landowners must receive notice by first-class or certified mail with return receipt. The notice must include:
 - A statement that the municipality is proposing to annex territory that includes the landowner's property;
 - Notice that the municipality is conducting an outreach program to provide information about the proposed annexation; and
 - The date, time, and location of the outreach meetings.
- **Documentation:** Proof of mailed notices and publications must be retained, and records should be organized in case of a challenge.
- **Legal/fiscal:** Municipalities should consider involving an attorney and financial advisor throughout the process to help

ensure compliance.

HEA 1058 – New Annexation Contiguity Rule for Railroad-Separated Property

Effective July 1, 2026, HEA 1058 (codified at I.C. 36-4-3-3.7) addresses how municipalities evaluate contiguity when railroad tracks divide land.

Under this new provision, annexation territory will still be considered “contiguous” if:

- One portion of the territory is contiguous to the municipality and lies along one side of a railroad right-of-way; and
- Additional territory lies on the opposite side of the same railroad tracks, even though it is not otherwise contiguous, so long as it abuts the tracks.

Importantly:

- Municipalities are not required to obtain consent from any railroad owner, operator, or user to annex qualifying territory.
- However, the law does not authorize annexation of the railroad tracks or right-of-way itself, only the land on either side.

This change removes a common barrier to annexation where railroad infrastructure previously interrupted contiguity, allowing municipalities to more practically include logically connected areas in a single annexation.

HEA 1210, Sections 233 and 234 – Disannexation GIS Reporting Requirements

Effective July 1, 2026, HEA 1210 Sections 233 (codified at I.C. 36-4-3-19) and 234 (codified at I.C. 36-4-3-22) update procedures following municipal disannexation orders, with an emphasis on expanded notification and data reporting requirements.

The amendment adds:

- A requirement that county auditors submit disannexation data to the state GIS officer by August 1, in a format

prescribed by the state; and

- Coordination with the state's Office of Census Data to ensure boundary changes are reflected in official population and geographic records.

This change modernizes disannexation procedures by incorporating statewide mapping and geospatial data systems, ensuring that boundary changes are consistently reflected across taxation, governance, and digital mapping platforms.

What the New Law Means

Collectively, these legislative updates reflect a clear shift toward greater transparency, coordination, and technical accuracy in Indiana's annexation and disannexation processes. While municipal authority to annex or disannex territory remains intact, these changes place increased emphasis on careful planning, documentation, and intergovernmental collaboration, particularly for involuntary annexations.

For more information on annexation or disannexation requirements, please contact the author or any attorney with FBT Gibbons' [Government Services](#) practice group.

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