
SENATE BILL No. 253

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-2-11.

Synopsis: Property ownership information. Provides that the legislative body of a county may adopt an ordinance requiring an owner of real property to provide certain information to the county recorder when an instrument of title to real property located in the county is recorded. Specifies that if such an ordinance is adopted: (1) the address and telephone number of each owner of the real property must be provided to the county recorder if the address of the owner is different from the address of the real property; (2) in the case of an owner that is not an individual, the name, address, and telephone number of an individual who is an officer, employee, director, member, trustee, or manager of the owner and who is authorized to accept any service of process, order, demand, or other notice must be provided to the county recorder; and (3) in the case of an owner who is a nonresident individual, the name, address, and telephone number of the owner must be provided to the county recorder. Provides that if this information becomes outdated or becomes inaccurate, the owner of the property must update the information within 30 days after the information becomes outdated or inaccurate. Provides that if this information is not provided or updated as required, any notice concerning the real property that is sent by the state or a political subdivision to the individual and address most recently provided to the county recorder is considered to be sufficient notice to all owners of the real property.

Effective: July 1, 2009.

Breaux

January 7, 2009, read first time and referred to Committee on Local Government.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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SENATE BILL No. 253



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 36-2-11-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) The recorder
3 shall index each volume of instruments the recorder records by:
4 (1) the name of each grantor, promisor, or covenantor, in
5 alphabetical order and cross-referenced to the proper grantee,
6 promisee, or covenantee; and
7 (2) the name of each grantee, promisee, or covenantee, in
8 alphabetical order and cross-referenced to the proper grantor,
9 promisor, or covenantor.
10 (b) The recorder shall accurately maintain separate indexes of all the
11 records of:
12 (1) deeds for real estate; and
13 (2) mortgages on real estate;
14 in the recorder's office. The recorder shall index each deed or mortgage
15 alphabetically, by the name of each grantor and grantee or mortgagor
16 and mortgagee, and shall include in each index entry a concise
17 description of the real property, the date of the deed or mortgage, and



1 the number or letter of the book and the page at which each deed or
2 mortgage is recorded.

3 **(c) The recorder shall maintain any information that is**
4 **submitted under section 12.5 of this chapter.**

5 SECTION 2. IC 36-2-11-12.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2009]: **Sec. 12.5. (a) As used in this section,**
8 **"owner" means an individual, partnership, limited liability**
9 **company, corporation, trust, or other entity in whose name title to**
10 **real property is vested.**

11 **(b) The legislative body of a county may adopt an ordinance**
12 **providing that the requirements under this section apply in the**
13 **county.**

14 **(c) If the legislative body of a county has adopted an ordinance**
15 **under subsection (b), the following apply when any instrument of**
16 **title to real property located in the county is recorded:**

17 **(1) If the address of any owner of the real property is different**
18 **from the address of the real property, the address and**
19 **telephone number of such an owner must be provided to the**
20 **county recorder and included in the index under section 12 of**
21 **this chapter.**

22 **(2) If the owner listed in the index under section 12 of this**
23 **chapter for the real property is not an individual, the name,**
24 **address, and telephone number of an individual who:**

25 **(A) is an officer, employee, director, member, trustee, or**
26 **manager of the owner; and**

27 **(B) is authorized by the owner to accept on behalf of the**
28 **owner any service of process, order, demand, or other**
29 **notice required or permitted by law to be served upon the**
30 **owner;**

31 **must be provided to the county recorder and included in the**
32 **index under section 12 of this chapter.**

33 **(3) If the owner listed in the index under section 12 of this**
34 **chapter for the real property is an individual who is not a**
35 **resident of Indiana, the name, address, and telephone number**
36 **of the owner must be provided to the county recorder and**
37 **included in the index under section 12 of this chapter.**

38 **(4) The owner of the real property must:**

39 **(A) provide notice to the county recorder if any of the**
40 **information previously provided to the county recorder**
41 **under subdivisions (1) through (3) becomes outdated or for**
42 **any reason becomes inaccurate; and**

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1 **(B) update the information required under subdivisions (1)**
 2 **through (3).**
 3 **The owner of the real property must provide the notice and**
 4 **update the information not more than thirty (30) days after**
 5 **information becomes outdated or inaccurate.**
 6 **(5) If the owner of the real property:**
 7 **(A) does not provide the information required under**
 8 **subdivision (2) or (3); or**
 9 **(B) does not provide the notice and updated information,**
 10 **as required by subdivision (4);**
 11 **any notice concerning the real property that is sent by the**
 12 **state of Indiana or a political subdivision to the individual and**
 13 **address most recently provided under this subsection for the**
 14 **real property is considered to be sufficient notice to all owners**
 15 **of the real property.**

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