

CHAPTER 222

CONTENTS OF ORIGINAL NOTICE OF SUIT

AN ACT to amend section eleven thousand fifty-five (11055), code, 1927, relating to the contents of an original notice of suit.

Be it enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Section eleven thousand fifty-five (11055), code, 1927,
- 2 is amended by striking from line thirteen (13) the word "it" and by
- 3 inserting in lieu thereof the following words, to wit:
- 4 "said term, and the date when and place where said court will con-
- 5 vene".

Senate File No. 143. Approved April 27, 1931.

CHAPTER 223

CHALLENGE OF PROPOSED AMENDMENTS

AN ACT providing a means whereby any taxpayer may challenge the legality, validity or constitutionality of any proposed constitutional amendment, and to amend sections eleven thousand fifty-nine (11059), eleven thousand one hundred twenty-one (1121), eleven thousand one hundred twenty-three (1123), eleven thousand four hundred thirty-six (11436), twelve thousand eight hundred thirty-two (12832), twelve thousand eight hundred forty-seven (12847), and twelve thousand eight hundred seventy-one (12871) of the code, 1927, relating to procedure in civil cases.

Be it enacted by the General Assembly of the State of Iowa:

- 1 SECTION 1. Whenever an amendment to the constitution of the
- 2 state of Iowa shall have been proposed and agreed to by the general
- 3 assembly and shall have been agreed to by the succeeding general
- 4 assembly, any taxpayer may file suit in equity in the district court
- 5 at the seat of government of the state, challenging the validity, legal-
- 6 ity or constitutionality of such amendment, or the procedure con-
- 7 nected therewith, and in such suit the district court shall have juris-
- 8 diction to determine the validity, legality or constitutionality of said
- 9 amendment or the procedure connected therewith, and enter its decree
- 10 accordingly, and may grant a writ of injunction enjoining the gov-
- 11 ernor and secretary of state from submitting such constitutional
- 12 amendment, if it, or the procedure connected therewith shall have
- 13 been found to be invalid, illegal or unconstitutional.

- 1 SEC. 2. In such suit the taxpayer shall be plaintiff and the gov-
- 2 ernor and secretary of state shall be defendants. Any tax payer may
- 3 intervene, either as party plaintiff or defendant.

- 1 SEC. 3. Amend section eleven thousand fifty-nine (11059), of the
- 2 code, 1927, by inserting after the word "service" in line three (3)
- 3 thereof, the following: ", except as provided in paragraph four (4)
- 4 of this section."

- 5 Also further amend said section eleven thousand fifty-nine (11059)
- 6 of the code, 1927, by adding paragraph four (4) as follows:

- 7 "If the action challenges the legality, validity or constitutionality
- 8 of a proposed constitutional amendment, the defendant shall be held