

# House File 746 - Enrolled

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HOUSE FILE 746

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1 3 AN ACT  
1 4 PROVIDING PROCEDURES FOR A RURAL WATER DISTRICT TO TRANSFER  
1 5 ITS RIGHT TO PROVIDE WATER OR WASTEWATER SERVICE AND FOR  
1 6 DISSOLUTION OF THE DISTRICT.  
1 7  
1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
1 9  
1 10 Section 1. Section 357A.11, Code 2005, is amended by  
1 11 adding the following new subsection:  
1 12 NEW SUBSECTION. 13. In addition to all other powers  
1 13 granted to the board, the board may sell, convey, merge, or  
1 14 otherwise dispose of all or any portion of the real property  
1 15 or personal property of the district and all or any portion of  
1 16 the district's right to provide water or wastewater service to  
1 17 an area in order that another service provider permitted by  
1 18 the department of natural resources pursuant to chapter 455B  
1 19 may assume any or all of the district's duties and obligations  
1 20 or that the district may be dissolved. If the district is to  
1 21 be dissolved, the board shall file a notice of dissolution  
1 22 with the auditor of the county or counties in which the  
1 23 district is located.  
1 24 Prior to such sale, conveyance, merger, or disposition by  
1 25 the board that includes the relinquishment of the district's  
1 26 right to provide service to an area, the board shall publish  
1 27 notice of a public hearing not less than four nor more than  
1 28 twenty days before the date fixed for the hearing in a  
1 29 newspaper of general circulation in the area for which the  
1 30 board seeks to relinquish service. The board shall mail  
1 31 notice of a public hearing to the district's members in the  
1 32 area for which the board seeks to relinquish service not less  
1 33 than fourteen days prior to such public hearing. A public  
1 34 hearing is not required when the board relinquishes the  
1 35 district's right to service an area within the corporate  
2 1 limits of a city if the city will provide service in  
2 2 compliance with the city's annexation plan.  
2 3 After hearing or if none is required, the board may adopt a  
2 4 resolution approving the sale, conveyance, merger, or  
2 5 disposition; however, the board shall provide for the  
2 6 continuation of water or wastewater service to the area by  
2 7 another service provider immediately following such sale,  
2 8 conveyance, merger, or disposition.  
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2 12 \_\_\_\_\_  
2 13 CHRISTOPHER C. RANTS  
2 14 Speaker of the House  
2 15  
2 16  
2 17 \_\_\_\_\_  
2 18 JOHN P. KIBBIE  
2 19 President of the Senate  
2 20 I hereby certify that this bill originated in the House and  
2 21 is known as House File 746, Eighty-first General Assembly.  
2 22  
2 23  
2 24  
2 25 \_\_\_\_\_  
2 26 MARGARET THOMSON  
2 27 Chief Clerk of the House  
2 28 Approved \_\_\_\_\_, 2005  
2 29  
2 30 \_\_\_\_\_  
2 31 THOMAS J. VILSACK  
2 32 Governor