

April 8, 1963.

Passed on File. *Calendar 4/9*

**Senate File 440**

By JUDICIARY 1 COMMITTEE.

Passed Senate, Date *4-22-63*

Passed House, Date *5-17-63*

Vote: Ayes *30* Nays *19*

Vote: Ayes *94* Nays *0*

Approved.....

*amended to House  
concurrent by Senate  
ays 45  
Nays 2 5/17*

*Seifting Committee  
4/23*

**A BILL FOR**

An Act relating to controlled-access highways and resolutions filed by the state highway commission in relation thereto.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section 1. Section three hundred six A point five (306A.5),
- 2 Code 1962, is amended by adding at the end thereof the following:
- 3 "No property or access rights to any highway shall be acquired
- 4 by the state of Iowa in the name of the state highway commission
- 5 by adverse possession or prescriptive right, and all resolutions
- 6 of such purport and supporting documents passed by the state
- 7 highway commission and filed in county courthouses in Iowa are
- 8 hereby declared to be null and void from their inception."

SENATE FILE 440

- 1 Amend Senate File 440 by striking everything after the colon
- 2 in line 2 of section 1 and inserting in lieu thereof the following:
- 3 "No access rights to any highway shall be acquired by any
- 4 authority having jurisdiction and control over the highways of
- 5 this state by adverse possession or prescriptive right. No action
- 6 heretofore or hereafter taken by any such authority shall form the
- 7 basis for any claim of adverse possession of, or prescriptive right
- 8 to, any access rights by any such authority."

Filed  
April 15, 1963.

*Adopted as amended  
4/22*

By VANCE.

SENATE FILE 440

- 1 Amend the Vance amendment filed April 15 to Senate File
- 2 440 by striking line 5 and inserting in lieu thereof the
- 3 following: "this state by adverse possession, prescriptive
- 4 right or administrative resolution or ruling. No action".

Filed  
April 16, 1963.

*adopted 4/22*

By NOLAN.

SENATE FILE 440

- 1 Amend the Vance amendment filed April 15 to Senate File
- 2 440 as follows:
- 3 By inserting between the words "any" and "highway" in
- 4 line 3 the words "existing unlimited-access".

Filed and lost ✓  
April 22, 1963.

By TURNER.

SENATE FILE 440

- 1 Amend the Vance amendment filed April 15 to Senate File 440
- 2 as follows:
- 3 By adding the following sentence thereto:
- 4 "Nothing herein shall create a right of access to any
- 5 newly located limited access highway".

Filed and lost ✓  
April 22, 1963.

By TURNER.

SENATE FILE 440

- 1 Amend Senate File 440 by striking everything after the
- 2 colon in line 2 of section 1 and inserting in lieu thereof
- 3 the following: "No access rights to any highway shall be
- 4 acquired by any authority having jurisdiction and control
- 5 over the highways of this state by adverse possession or
- 6 prescriptive right through administrative resolution or
- 7 ruling. No action heretofore or hereafter taken by any such
- 8 authority shall form the basis for any claim of adverse
- 9 possession of, or prescriptive right to, any access rights
- 10 by any such authority."

*Sub for  
Vance  
amendment  
April 13  
page 33  
Lod 4/22*

Filed and lost  
April 22, 1963.

By FULTON.

SENATE FILE 440

- 1 Amend Senate File 440 by striking all after the enacting clause
- 2 and inserting in lieu thereof the following:
- 3 Section 1. Section three hundred six A point five (306A.5), Code
- 4 1962, is amended by adding at the end thereof the following:
- 5 "No access rights to any highway shall be acquired by any
- 6 authority having jurisdiction and control over the highways of
- 7 this state by adverse possessions or prescriptive right. No
- 8 action heretofore or hereafter taken by any such authority shall
- 9 form a basis for any claim of adverse possession of, or
- 10 prescriptive right to any access rights by any such authority."

*Senate  
amendment  
5/17*

Filed  
April 30, 1963.

*Adopted 5/17*

Mowry of Marshall.  
Goode of Davis.  
Swisher of Johnson.