

February 24, 1967  
Passed on File  
*Governmental Subdivision 2-27*  
*Pass 3-9*  
*Cities and Towns 5-8,*

Senate File 337

By BALLOUN and BURNS  
(Mohrfeld)  
*Substituted for H. F. 300, 5-9*

Passed Senate, Date 5-3-67 Passed House, Date 5-9-67  
Vote: Ayes 50 Nays 0 Vote: Ayes 27 Nays 0  
Approved May 18, 1967

## A BILL FOR

An Act relating to the consolidation of cities and towns.

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

1 Section 1. Section three hundred sixty-two point nineteen  
2 (362.19), Code 1966, is hereby amended as follows:

3 1. By striking from line two (2) the words "be annexed to"  
4 and inserting in lieu thereof the words "consolidate with".

5 2. By striking from line five (5) the word "annexation" and  
6 inserting in lieu thereof the word "consolidation".

1 Sec. 2. Section three hundred sixty-two point twenty (362.20),  
2 Code 1966, is hereby amended as follows:

3 1. By striking from line three (3) the word "annexation" and  
4 inserting in lieu thereof the word "consolidation".

5 2. By striking from line four (4) the word "to" and inserting  
6 in lieu thereof the word "with".

7 3. By striking from line six (6) the word "annexation" and  
8 inserting in lieu thereof the word "consolidation".

9 4. By striking from line nine (9) the word "annexation" and  
10 inserting in lieu thereof the word "consolidation".

11 5. By striking from line ten (10) the words "to which such  
12 annexation" and inserting in lieu thereof the words "with  
13 which such consolidation".

1 Sec. 3. Section three hundred sixty-two point twenty-one  
2 (362.21), Code 1966, is hereby repealed and the following en-  
3 acted in lieu thereof:

4 "When certified copies of the proceedings are so filed, the

5 consolidation shall be complete, and both municipal corporations  
6 involved in the consolidation shall pass such ordinances as will  
7 carry into effect the consolidation.

8 The population of the municipal corporation formed by the con-  
9 solidation shall be the total population in accordance with the  
10 last decennial census of the combined municipal corporations."

1 Sec. 4. Section three hundred sixty-two point twenty-two  
2 (362.22), Code 1966, is hereby repealed and the following enacted  
3 in lieu thereof:

4 "A citizen of either of the municipal corporations involved in  
5 the consolidation may maintain legal proceedings to compel the  
6 municipal corporation, and the council thereof, to execute such  
7 terms and conditions, but the consolidation shall not affect or  
8 impair any rights or liabilities then existing for or against  
9 either of the municipal corporations, and they may be enforced  
10 as hereinafter provided."

1 Sec. 5. Sections three hundred sixty-two point twenty-three  
2 (362.23) and three hundred sixty-two point twenty-four (362.24),  
3 Code 1966, are hereby repealed and the following enacted in lieu  
4 thereof:

5 "The indebtedness of each municipal corporation involved in  
6 the consolidation shall be paid by the municipal corporation  
7 which incurred the indebtedness. The indebtedness shall be paid  
8 by a tax to be levied by the consolidated municipality exclusively  
9 upon the property subject to taxation within the limits of the  
10 municipal corporation which incurred the indebtedness as it ex-  
11 isted prior to the consolidation. None of the real estate or  
12 property embraced within the limits of the other municipal cor-  
13 poration shall ever be subjected in any way to the payment of  
14 any part of said indebtedness."

1 Sec. 6. Section three hundred sixty-two point twenty-five  
2 (362.25), Code 1966, is hereby repealed and the following enacted  
3 in lieu thereof:

4 "Suits to enforce claims or demands existing at the time of

5 consolidation against either municipal corporation may be  
6 prosecuted or brought against the municipal corporation formed  
7 by the consolidation, and judgments obtained shall be paid as  
8 provided in this Act for the payment of the indebtedness."