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SENATE FILE 1198
BY COMMITTEE ON WAYS AND MEANS

Passed Senate, Date 3-7-72 Passed House, Date 3-13-72
Vote: Ayes 49 Nays 0 Vote: Ayes 94 Nays 0
Approved March 17, 1972

A BILL FOR

1 An Act to allow cities and towns to extend agreements to
2 refrain from annexing specifically described territory.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 Section 1. Section three hundred sixty-two point twenty-
5 six (362.26), Code 1971, is amended by adding the following
6 new subsection:

7 "8. Agreements entered into between cities and towns to
8 refrain from annexing specifically described territory may
9 be extended for periods of not to exceed ten years by agree-
10 ment between such cities and towns."

EXPLANATION

11 Section 362.26, subsection 7, of the Code authorizes cities
12 to agree with each other to refrain from annexing specific
13 territory for a period of not to exceed ten years but does
14 not permit renewals or extensions of such annexation agree-
15 ments. The "home rule bill" will also permit cities and
16 towns to enter into an annexation agreement for a period
17 not to exceed ten years. Under the principle of "home rule"
18 cities and towns can renew or extend such agreements since
19 they are not specifically prohibited from doing so. The
20 "home rule bill" will take effect on July first of this year
21 for cities and towns which elect to be subject to it. It
22 will not apply to all cities and towns until July 1, 1974
23 at which time Chapter 362 of the Code will be repealed. There
24 is not sufficient time for cities and town which have
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1 annexation agreements expiring shortly after July first of
2 this year and which desire to renew them to elect to come
3 under the home rule bill and to implement it prior to the
4 expiration of their annexation agreements. This bill is
5 necessary to permit cities and towns to renew annexation
6 agreements which expire soon after July first of this year.

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