

Judiciary
Redmond, Chairperson
Coleman
Ashcraft

JAN 19 1977

House File 28
Judiciary & Law
Enforcement
Pelton, chair
Patchett
Shimanek

HOUSE FILE 28

By NEWHARD

Passed House, Date 5-8-78 Passed Senate, Date 5-10-78

Vote: Ayes 85 Nays 2 Vote: Ayes 46 Nays 1

Approved 6-5-78

A BILL FOR

1 An Act to legalize and validate leases, sales and conveyances
2 of property by drainage or levee districts which occurred
3 on or after July 4, 1963 but prior to July 1, 1970.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 28

S-5898

1 Amend House File 28, as passed by the House, as
2 follows:
3 1. Page 1, by inserting after line 16 the follow-
4 ing:

5 "Sec. ____ Chapter four hundred fifty-five (455),
6 Code 1977, is amended by adding the following new
7 section:

8 NEW SECTION. REPORT ON DRAINAGE OR LEVEE DISTRICTS.
9 The county treasurer of each county shall compile
10 annually a list of the drainage or levee districts
11 existing in the county during the preceding fiscal
12 year. The list shall include the name or
13 identification of all drainage or levee districts
14 existing as of June thirtieth of the reporting year
15 and any districts dissolved during that preceding
16 fiscal year, and the location and boundaries of the
17 existing or dissolved districts. The list shall be
18 filed with the auditor of state not later than Septem-
19 ber first of each year."

20 2. By numbering sections to conform to this
21 amendment.

S-5898 FILED & RULED OUT OF ORDER BY JAMES REDMOND
MAY 11, 1978 CHARLES MILLER

1 Section 1. Section four hundred fifty-five point one
2 hundred seventy-one (455.171), Code 1977, is amended to read
3 as follows:

4 455.171 TAX DEED--SALE OR LEASE. If no redemption shall
5 be made the board of supervisors or trustees, as the case
6 may be, shall receive the tax deed as trustees for the
7 district. They shall credit the district with all income
8 from said property. They may lease or sell and convey said
9 property as trustees for such district and shall deposit all
10 money received therefrom to the credit of such district.
11 The board of trustees may also lease or sell and convey such
12 other property of the district, both real and personal, as
13 is no longer needed for the purposes for which the district
14 was established, and any such leases, sales and conveyances
15 prior to ~~July 4, 1963~~ July 1, 1970, are hereby legalized and
16 declared to be valid and binding.

17 Sec. 2. This Act shall not be construed to affect any
18 litigation involving the lease, sale or conveyance of property
19 by the board of supervisors or board of trustees, as the case
20 may be, of a drainage or levee district, which litigation
21 is pending on the effective date of this Act.

22 EXPLANATION

23 This bill advances from July 4, 1963 to July 1, 1970 the
24 date prior to which leases, sales and conveyances of property
25 by boards of trustees of drainage or levee districts, or
26 county boards of supervisors acting in that capacity, are
27 declared to be valid and binding. The bill will not affect
28 any court cases involving such leases, sales or conveyances
29 which are pending on the date the bill takes effect.

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HOUSE FILE 28

AN ACT

TO LEGALIZE AND VALIDATE LEASES, SALES AND CONVEYANCES OF PROPERTY BY DRAINAGE OR LEVEE DISTRICTS WHICH OCCURRED ON OR AFTER JULY 4, 1963 BUT PRIOR TO JULY 1, 1970.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section four hundred fifty-five point one hundred seventy-one (455.171), Code 1977, is amended to read as follows:

455.171 TAX DEED--SALE OR LEASE. If no redemption shall be made the board of supervisors or trustees, as the case may be, shall receive the tax deed as trustees for the district. They shall credit the district with all income from said property. They may lease or sell and convey said property as trustees for such district and shall deposit all money received therefrom to the credit of such district. The board of trustees may also lease or sell and convey such other property of the district, both real and personal, as is no longer needed for the purposes for which the district was established, and any such leases, sales and conveyances prior to ~~July 4, 1963~~ July 1, 1970, are hereby legalized and declared to be valid and binding.

Sec. 2. This Act shall not be construed to affect any litigation involving the lease, sale or conveyance of property by the board of supervisors or board of trustees, as the case

may be, of a drainage or levee district, which litigation is pending on the effective date of this Act.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 28, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved June 5, 1978

ROBERT D. RAY
Governor