

2/5/96 Local Gov.  
2/21/96 Do Pass  
FILED FEB 5 1996  
3/25/96 Local Govt.

SENATE FILE 2124  
BY FRAISE

(COMPANION TO LSB 3793HH  
BY COHOON)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to voter approval of annexation or severance  
2 proposals.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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S.F. 2124

1 Section 1. Section 368.19, unnumbered paragraph 1, Code  
2 Supplement 1995, is amended to read as follows:

3 The committee shall approve or disapprove the petition or  
4 plan as amended, within ninety days of the final hearing, and  
5 shall file its decision for record and promptly notify the  
6 parties to the proceeding of its decision. If a petition or  
7 plan is approved, the board shall set a date not less than  
8 thirty days nor more than ninety days after approval for a  
9 special election on the proposal and the county commissioner  
10 of elections shall conduct the election. In a case of  
11 incorporation or discontinuance, registered voters of the  
12 territory or city may vote, and the proposal is authorized if  
13 a majority of those voting approves it. In a case of  
14 annexation or severance, registered voters of the territory  
15 and of the city may vote, and the proposal is authorized if a  
16 majority of the ~~total~~ number of persons residing in the city  
17 and voting approves it and if a majority of the number of  
18 persons residing in the territory and voting approves it. In  
19 a case of consolidation, registered voters of each city to be  
20 consolidated may vote, and the proposal is authorized only if  
21 it receives a favorable majority vote in each city. The  
22 county commissioner of elections shall publish notice of the  
23 election as provided in section 49.53 and shall conduct the  
24 election in the same manner as other special city elections.

25 EXPLANATION

26 This bill provides that an annexation or severance proposal  
27 is approved only if a majority of persons voting in a city  
28 approves the proposal and if a majority of the persons voting  
29 in the territory approves the proposal. Current law requires  
30 a favorable majority of the combined votes of city voters and  
31 territorial voters to approve a proposal.

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