

FEB 18 1997
LOCAL GOVERNMENT

HOUSE FILE 260
BY BRUNKHORST

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to annexation and severance elections.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 368.19, unnumbered paragraph 1, Code
2 1997, 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~~. The proposal for
16 annexation or severance is authorized only if a majority of
17 the total number of persons voting in the territory approves
18 it and a majority of the total number of persons voting in the
19 city approves it. In a case of consolidation, registered
20 voters of each city to be consolidated may vote, and the
21 proposal is authorized only if it receives a favorable
22 majority vote in each city. The county commissioner of
23 elections shall publish notice of the election as provided in
24 section 49.53 and shall conduct the election in the same
25 manner as other special city elections.

26 EXPLANATION

27 This bill requires that proposals for annexation or
28 severance be approved by a separate majority of those voting
29 in the territory to be annexed or severed and those voting in
30 the city seeking annexation or severance of the territory.

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