

FILED MAR 10 1999

SENATE FILE 387  
BY FINK

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

A BILL FOR

1 An Act relating to the involuntary annexation of territory in an  
2 adjacent county.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 387 LOCAL GOVERNMENT

1 Section 1. Section 368.12, Code 1999, is amended to read  
2 as follows:

3 368.12 DISMISSAL.

4 1. The board may dismiss a petition only if it finds that  
5 the petition does not meet the requirements of this chapter,  
6 or that substantially the same incorporation, discontinuance,  
7 or boundary adjustment has been disapproved by a committee  
8 formed to consider the proposal, or by the voters, within the  
9 two years prior to the date the petition is filed with the  
10 board, or that the territory to be annexed, or a portion of  
11 that territory, has been voluntarily annexed under section  
12 368.7.

13 2. The board shall dismiss a petition if the petition  
14 includes territory located in a county adjoining the county in  
15 which a majority of the incorporated land of the petitioner is  
16 located and the board of supervisors of the adjoining county,  
17 by a majority vote, adopt a resolution disapproving the  
18 petition. The board of supervisors of the adjoining county  
19 shall certify a copy of the resolution of disapproval within  
20 fourteen days after the petitioner's public meeting held  
21 pursuant to section 368.11, is adjourned.

22 3. The board shall file for record a statement of each  
23 dismissal and the reason for it, and shall promptly notify the  
24 parties to the proceeding of its decision.

25 EXPLANATION

26 This bill provides that if a petition for an involuntary  
27 annexation includes territory which is located in a county  
28 adjoining the county in which a majority of the incorporated  
29 land of the petitioner is located and the board of supervisors  
30 of the adjoining county, by majority vote, disapproves of the  
31 petition, the city development board shall dismiss the  
32 annexation petition. The board of supervisors of the  
33 adjoining county must certify the resolution of disapproval to  
34 the city development board within 14 days after the public  
35 meeting called by the petitioner pursuant to Code section

1 368.11 is adjourned.

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