

FEB 15 2006

JUDICIARY

HOUSE FILE 2403
BY TYMESON

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

A BILL FOR

1 An Act requiring approval before allowing certain entities to
2 exercise eminent domain authority.

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

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HF 2403

1 Section 1. NEW SECTION. 6B.60 APPROVAL OF LOCAL ELECTED
2 OFFICIALS REQUIRED.

3 Notwithstanding any provision of law to the contrary, any
4 entity created by or on behalf of one or more political
5 subdivisions and granted, by statute, eminent domain authority
6 to acquire property shall not exercise such authority without
7 first presenting the proposal to acquire property by eminent
8 domain to the governing body of each political subdivision
9 that created the entity or on whose behalf the entity was
10 created and such proposal receives the approval, by
11 resolution, of each governing body.

12 EXPLANATION

13 This bill provides that any entity created by or on behalf
14 of a political subdivision and that is conferred the authority
15 to acquire property by condemnation shall not use its eminent
16 domain authority unless the governing body of each such
17 political subdivision has, by resolution, approved the use of
18 eminent domain authority by the entity.

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