

House File 132 - Introduced

HOUSE FILE _____
BY TYMESON

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

A BILL FOR

1 An Act relating to public land included in territory subject to
2 voluntary annexation and providing an applicability date.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1912HH 83
5 md/sc/14

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1 1 Section 1. Section 368.7, subsection 1, paragraph a, Code
1 2 2009, is amended to read as follows:
1 3 a. All of the owners of land in a territory adjoining a
1 4 city may apply in writing to the council of the adjoining city
1 5 requesting annexation of the territory. Territory comprising
1 6 railway right-of-way or territory comprising not more than
1 7 twenty percent of the land area may be included in the
1 8 application without the consent of the owner to avoid creating
1 9 an island or to create more uniform boundaries. Public land
1 10 may be included in the territory to be annexed. However, the
1 11 area of the territory that is public land ~~included without the~~
~~1 12 written consent of the agency with jurisdiction over the~~
~~1 13 public land~~ shall not be used to determine the percentage of
1 14 territory that is included with the consent of the owner and
1 15 without the consent of the owner.
1 16 Sec. 2. APPLICABILITY. This Act shall apply to
1 17 applications for voluntary annexation filed on or after the
1 18 effective date of this Act.

EXPLANATION

1 20 An application for voluntary annexation may include
1 21 territory comprised of not more than 20 percent of the land
1 22 area without the consent of the owner to avoid creating an
1 23 island or to create more uniform boundaries. Public land,
1 24 i.e., land owned by the federal government, the state, or a
1 25 political subdivision of the state, may be annexed.
1 26 Currently, with written consent of the agency having
1 27 jurisdiction over the public land, the public land may be used
1 28 to determine the percentage of territory included with the
1 29 consent of owners and without the consent of owners. Under
1 30 this bill, public land cannot be used to determine such
1 31 percentage regardless of whether the agency having
1 32 jurisdiction over the public land consents or not.
1 33 The bill applies to applications for voluntary annexation
1 34 filed on or after the effective date of the bill.
1 35 LSB 1912HH 83
2 1 md/sc/14