

House File 160 - 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 procedures for voluntary annexation and
2 including an applicability date provision.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1916HH 83
5 md/sc/14

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1 1 Section 1. Section 368.7, subsection 1, paragraphs a and
1 2 f, Code 2009, are 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 owners of the land area may be included
1 8 in the application without the consent of the owner to avoid
1 9 creating an island or to create more uniform boundaries.
1 10 Public land may be included in the territory to be annexed.
1 11 However, the area of the territory that is public land
1 12 included without the written consent of the agency with
1 13 jurisdiction over the public land shall not be used to
1 14 determine the percentage of ~~territory~~ the owners of the land
1 15 area that is included with the consent of the owner and
1 16 without the consent of the owner.
1 17 f. An annexation including territory comprising not more
1 18 than twenty percent of the owners of the land area without
1 19 consent of the property owners is not complete without
1 20 approval by four-fifths of the members of the city development
1 21 board after a hearing for all affected property owners and the
1 22 county. When considering such an annexation application, the
1 23 board may request that the annexing city provide information
1 24 on the amount of land located in the annexing city that is
1 25 currently vacant or undeveloped and whether municipal services
1 26 are being provided to current residents of the annexing city.
1 27 Sec. 2. APPLICABILITY DATE. This Act applies to
1 28 applications for voluntary annexation filed on or after the
1 29 effective date of this Act.

EXPLANATION

1 31 To avoid creating an island or to create more uniform
1 32 boundaries, an application for voluntary annexation may
1 33 include land of owners who do not consent to the annexation.
1 34 Under current law, land comprising not more than 20 percent of
1 35 the land area may be included in the application without
2 1 consent of the owners. Under this bill, land comprising not
2 2 more than 20 percent of the owners of the land area may be
2 3 included in the application. An annexation comprising not
2 4 more than 20 percent of the owners of the land area without
2 5 consent is subject to approval by the city development board.
2 6 The bill applies to applications for voluntary annexation
2 7 filed on or after the effective date of the bill.
2 8 LSB 1916HH 83
2 9 md/sc/14