

House File 2090 - Introduced

HOUSE FILE 2090
BY TYMESON

A BILL FOR

1 An Act relating to the voting procedures of the joint board
2 of an entity engaged in the joint exercise of governmental
3 powers.

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

1 Section 1. Section 28E.6, Code Supplement 2009, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 5. *a.* If the joint board of an entity
4 created in an agreement under this chapter takes action
5 relating to the condemnation of private property, only those
6 members of the joint board who are elected officials of a
7 public agency where the private property is located may vote
8 on the issue. Actions relating to the condemnation of private
9 property require approval by a majority of members who are
10 eligible to vote. Those members of the joint board who are not
11 eligible to vote on the issue of condemnation shall be counted
12 in determining a quorum at the meeting where the issue will be
13 presented for a vote.

14 *b.* This subsection shall not apply if the number of members
15 eligible to vote is less than three.

16 EXPLANATION

17 This bill provides that if the joint board of an entity
18 created in an agreement under Code chapter 28E takes action
19 relating to the condemnation of private property, only those
20 members of the joint board who are elected officials of a
21 public agency where the private property is located may vote
22 on the issue. The bill provides that actions relating to the
23 condemnation of private property by a joint board require
24 approval by a majority of members who are eligible to vote.
25 Those members of the joint board who are not eligible to vote
26 on the issue of condemnation shall, however, be counted for
27 purposes of determining whether a quorum is present at the
28 meeting where the issue will be presented for a vote. The bill
29 also provides that the voting eligibility requirement does not
30 apply if application of the requirement would result in less
31 than three members of the joint board being eligible to vote.