

Senate Study Bill 1124 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WILHELM)

A BILL FOR

1 An Act relating to drainage and levee districts by providing
2 for the delivery of a written communication to state and
3 local government.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 468.221 Written communication
2 delivered to the state or a local government.

3 1. This section applies whenever a board or county officer
4 acting under this chapter is required to deliver a written
5 communication to a state agency or local government. The
6 written communication includes but is not limited to a notice,
7 service of process, demand, statement, or a report.

8 2. The board or county officer may deliver the written
9 communication to any of the following:

10 a. For delivery to a state agency, to the administrative
11 head of the state agency or its governing body. The written
12 communication may also be delivered to a person designated by
13 the administrative head of the state agency or its governing
14 body. The written communication may be delivered to the
15 executive council if the administrative head of the state
16 government or its governing body cannot be determined.

17 b. For delivery to a local government, to the governing body
18 of the local government. The written communication may also
19 be delivered to a person designated by the governing body. As
20 used in this paragraph, "local government" includes a county,
21 city, township, or any special purpose district or authority.

22 EXPLANATION

23 RECOMMENDATION. This bill is based on a recommendation of
24 the levee and drainage district law study committee which met
25 in 2010.

26 LEVEE AND DRAINAGE DISTRICTS. The bill addresses levee and
27 drainage districts organized under Code chapter 468 and which
28 authorizes the removal of excess precipitation accumulating
29 on land and protecting land from surface water flooding. A
30 district is managed by a "board" which is the county board of
31 supervisors for a district established in one county, the joint
32 boards of supervisors in a district which crosses county lines
33 (intercounty districts), or by the district's landowners acting
34 through an elected board of trustees (Code section 468.3(2)).

35 DELIVERY OF WRITTEN COMMUNICATION. The bill applies when

1 a board or county officer is required to deliver a written
2 communication to a state agency or local government. Under
3 the bill, the written communication may be delivered to the
4 administrative head of the agency or its governing body or to
5 a person designated by the administrative head or governing
6 body or alternatively to the executive council. The bill also
7 provides that written communication may be delivered to the
8 local government's governing body or to a person designated by
9 the governing body.