

House Study Bill 182 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
GOVERNMENT OVERSIGHT BILL
BY CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act limiting the state's use of moneys in the open spaces
2 account of the resource enhancement and protection fund
3 to acquire an interest in land by exercising the power of
4 eminent domain and including effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 455A.19, subsection 1, paragraph a, Code
2 2015, is amended by adding the following new subparagraph:

3 NEW SUBPARAGRAPH. (4) The department shall not acquire
4 any interest in land using moneys allocated to the open spaces
5 account under this paragraph "a" by exercising the power of
6 eminent domain.

7 Sec. 2. PENDING EMINENT DOMAIN PROCEEDINGS TERMINATED. Any
8 proceeding commenced by the state and pending on the effective
9 date of this Act to acquire any interest in land using moneys
10 allocated to the open spaces account under section 455A.19,
11 subsection 1, paragraph "a", by exercising the power of eminent
12 domain shall be terminated as of the effective date of this
13 Act.

14 Sec. 3. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
15 immediate importance, takes effect upon enactment.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill amends provisions regarding the allocation and use
20 of moneys from the open spaces account of the resources and
21 protection fund. The bill prohibits the department of natural
22 resources from using those moneys to acquire an interest in
23 land by exercising the power of eminent domain. Any pending
24 action to acquire an interest in such land using those moneys
25 is terminated. The bill takes effect upon enactment.