

**House File 2361 - Introduced**

HOUSE FILE 2361

BY ANDREWS

**A BILL FOR**

1 An Act relating to procedures to review the Iowa utility  
2 board's exercise of the power of eminent domain, and  
3 including effective date and retroactive applicability  
4 provisions.

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

1 Section 1. Section 6A.1, Code 2024, is amended to read as  
2 follows:

3 **6A.1 Exercise of power by state — withdrawal by general**  
4 **assembly.**

5 1. Proceedings may be instituted and maintained by the  
6 state of Iowa, or for the use and benefit thereof, for the  
7 condemnation of such private property as may be necessary  
8 for any public improvement which the general assembly has  
9 authorized to be undertaken by the state, and for which an  
10 available appropriation has been made. The executive council  
11 shall institute and maintain such proceedings in case authority  
12 to so do be not otherwise delegated.

13 2. a. At any time during an eminent domain proceeding  
14 initiated by the Iowa utilities board, a greater than  
15 three-fifths majority of either house of the general assembly  
16 may vote to withdraw from the proceeding.

17 b. Upon a vote under paragraph "a", the chief clerk of  
18 the house or secretary of the senate, as applicable, shall  
19 notify the governmental entities and parties involved in the  
20 proceeding and, following receipt of such notice, all hearings,  
21 depositions, trials, or similar operations of the proceeding  
22 must immediately cease.

23 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate  
24 importance, takes effect upon enactment.

25 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies  
26 retroactively to eminent domain proceedings initiated by the  
27 Iowa utilities board on or after January 1, 2024.

28 EXPLANATION

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

31 This bill allows a greater than three-fifths majority of  
32 either house of the general assembly to vote to withdraw  
33 from an eminent domain proceeding instituted by the Iowa  
34 utilities board (IUB). Upon notice to the involved entities  
35 and parties, all trials, depositions, hearings, and similar

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1 operations of the proceeding must cease. The bill takes effect  
2 upon enactment and applies retroactively to eminent domain  
3 proceedings initiated by IUB on or after January 1, 2024.