

House File 2374 - Introduced

HOUSE FILE 2374

BY GEHLBACH

A BILL FOR

1 An Act relating to privately owned lakes.

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

1 Section 1. Section 462A.2, subsection 31, Code 2024, is
2 amended to read as follows:

3 31. *“Privately owned lake”* means any ~~lake~~ body of water,
4 located within the boundaries of this state and not subject to
5 federal control covering navigation, for which all land under
6 and adjacent to the body of water is owned by an individual,
7 or group of individuals, or a nonprofit corporation and which
8 joint owners and that is not open to the use of the general
9 public but is used exclusively by the owners and their personal
10 guests, except that a privately owned lake does not include
11 any body of water that requires approval for the construction,
12 operation, and maintenance of a dam, embankment, spillway, or
13 appurtenant works from the department or the commission or that
14 is fed by, connects with, or discharges into any public waters.

15 EXPLANATION

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

18 This bill relates to the definition of a privately owned
19 lake.

20 The bill defines a privately owned lake as a body of water
21 for which all land under and adjacent to the body of water
22 is owned by an individual or group of joint owners. Current
23 law lists the possible owners as an individual, a group, or a
24 nonprofit organization. The bill also narrows the definition
25 of a privately owned lake to not include a body of water
26 that requires approval for the construction, operation, and
27 maintenance of a dam, embankment, spillway, or appurtenant
28 works from the department of natural resources or the natural
29 resource commission (commission), or a body of water that is
30 fed by, connects with, or discharges into public waters.

31 Under Code chapter 462A, a privately owned lake is not a
32 water of this state under the control of the commission.