

House File 486 - Introduced

HOUSE FILE 486
BY BARKER

A BILL FOR

- 1 An Act relating to residency requirements for individuals holding
- 2 office as a trustee of a drainage or levee district.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 468.506, subsection 1, Code 2025, is
2 amended to read as follows:

3 1. The bona fide owner of agricultural land in the election
4 district for which the trustee is elected, and a resident of the
5 ~~county in which that district is located or of a county which is~~
6 ~~contiguous to or corners on that county~~ this state.

7 Sec. 2. Section 468.506, subsection 3, paragraph c, Code
8 2025, is amended to read as follows:

9 c. The individual must be a resident of ~~the county in~~
10 ~~which the election district is located or of a county that is~~
11 ~~contiguous to or corners on that county~~ this state.

12 EXPLANATION

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

15 BACKGROUND — DRAINAGE OR LEVEE DISTRICTS. This bill amends
16 a provision in Iowa's drainage and levee law (Code chapter 468),
17 which provides for the establishment and management of a drainage
18 or levee district (district) to construct improvements to control
19 (i.e., divert or store) any accumulation of water affecting the
20 value of agricultural or other land located in the district.
21 The establishment of the district creates a number of rights and
22 duties of persons owning land within the district, including an
23 obligation to pay an assessment (tax) on the land based on the
24 increased value of the land benefiting from the improvements.

25 BACKGROUND — BOARD OF TRUSTEES. A district is managed by
26 a governing body which may be a county's board of supervisors,
27 joint boards of supervisors governing intercounty districts, or,
28 upon a petition of the persons owning land in the district, a
29 board of trustees elected by those persons (see Code section
30 468.3 and Code chapter 468, subchapter III). If a district
31 is not located within the limits of a city, and the land is
32 consequentially classified as agricultural, a trustee must meet
33 certain eligibility requirements. The trustee must either be
34 an individual who owns agricultural land in the district or an
35 individual who has an interest in a business entity that owns

1 agricultural land in the district (e.g., a partnership or family
2 farm entity described in Code chapter 9H). In both cases, the
3 individual must reside in the county in which the district is
4 located or reside in a county which is contiguous to the county,
5 or corners the county, where the district is located.

6 BILL'S PROVISION. The bill replaces the requirement that, in
7 order to hold office as a trustee of a district, an individual
8 must reside in a county where the district is located or a
9 neighboring county, with a requirement that the individual must
10 be a resident in this state.

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