HOUSE FILE 2552
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HF 2325)

(COMPANION TO SF 2175 BY SWEENEY)

(As Amended and Passed by the House March 4, 2020)

[ = New Language by the House

* = Language Stricken by the House

## A BILL FOR

* [An Act relating to drainage and levee districts, by providing for notice of hearing on reports of commissioners, and for repairs that require a report by an engineer or soil and water conservation district conservationist.]

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

Section 1. Section 468.45, Code 2020, is amended to read as follows:

**468.45 Notice of hearing.**

1. The board shall fix a time for a hearing upon the report of the commissioners, and the auditor shall cause notice to be served upon each person whose name appears as owner, naming the person, and also upon the person or persons in actual occupancy of any tract of land without naming the person or persons, of the day and hour of such hearing~~, which~~.

2. The notice shall be for the same time and served in the same manner as is provided for the establishment of a ~~levee or~~ drainage or levee district, ~~and~~ including as provided in sections 468.14 through 468.18, and shall ~~state~~ include all of the following:

*a.* A statement of the amount of the assessment of costs and expenses of construction apportioned to each owner upon each forty-acre tract or less~~, and that~~. However, the statement is not required to be published as required in section 468.15, if it is posted in the office of the county auditor and on the county's internet site. The county auditor shall provide a copy of the statement upon request.

*b.* A statement that all objections ~~thereto~~ to the report must be in writing and filed with the auditor at or before the time set for ~~such~~ the hearing.

Sec. 2. Section 468.126, subsection 1, paragraph d, Code 2020, is amended to read as follows:

*d.* ~~If a hearing is required under~~ Notwithstanding paragraph ~~"c"~~ "b", if the estimated cost of the repair exceeds fifty thousand dollars or the adjusted competitive bid threshold, whichever is more, the board shall order an engineer's report or a report from the soil and water conservation district conservationist regarding the matter ~~to~~ which shall be presented at the hearing provided in paragraph "c". The board may waive the report requirement if a prior report on the repair exists and that report is less than ten years old. At

the hearing, the board shall hear objections to the feasibility of making the proposed repair.]