

CHAPTER 1064

DRAINAGE OR LEVEE DISTRICT TRUSTEES — INTEREST HOLDERS IN ENTITIES HOLDING INTERESTS IN AGRICULTURAL LAND

S.F. 2273

AN ACT allowing the holders of interests in certain entities eligible to hold agricultural land to be elected as trustees of drainage or levee districts.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 468.506, subsection 3, Code 2014, is amended by striking the subsection and inserting in lieu thereof the following:

3. An individual who has a legal or equitable interest in an entity that holds an interest in agricultural land located in the election district for which the trustee is elected, including as a bona fide owner. In addition, all of the following must apply:

a. The entity must be a general partnership formed under section 486A.202 or a person who holds the agricultural land under chapter 9H as a family farm corporation, authorized corporation, family farm limited liability company, authorized limited liability company, family farm limited partnership, limited partnership, family farm unincorporated nonprofit association, authorized unincorporated nonprofit association, family trust, or authorized trust.

b. The individual must hold the legal or equitable interest in the entity described in paragraph “a” as a partner in the general partnership, shareholder in the corporation, member in the limited liability company, general or limited partner in the limited partnership, member in the unincorporated nonprofit association, or beneficiary in the trust.

c. The individual must be a resident of the county in which the election district is located or of a county that is contiguous to or corners on that county.

Sec. 2. Section 468.506, subsection 4, Code 2014, is amended to read as follows:

4. a. In a A bona fide owner of benefited land in a drainage or levee district in which is a levee and drainage district which has eighty-five percent of its acreage is situated within the corporate limits of a city and has been under the control of a city under subchapter II, part 3, a bona fide owner of benefited land in the district.

b. (1) If For nonagricultural land, if the bona fide owner is a family farm corporation as defined by section 9H.1, subsection 9, a business corporation organized and existing under chapter 490 or 491, or a partnership, a stockholder or officer authorized by the corporation or a general partner may be elected as a trustee of the district.

(2) For agricultural land, if the bona fide owner is an entity described in subsection 3, paragraph “a”, an individual holding a legal or equitable interest in that entity may be elected as trustee.

Approved April 3, 2014