

HOUSE RESEARCH

Bill Summary

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Overview

This bill would establish a task force to study annexation issues and report back by January 1, 2007. It also makes miscellaneous changes to municipal boundary adjustment law.

Section

- 1** **Municipal boundary adjustment advisory task force established.** Creates a task force to study and make recommendations on annexation law. Provides for a membership including two state senators, two state representatives, three city representatives, three town representatives, and a chair appointed jointly by the house and senate.

Requires a report to the legislative committees with jurisdiction over local government issues by January 1, 2007.

Dedicates to the task force any house local government committee funds and senate state and local government committee funds remaining at the adjournment of the 2006 session.

Effective day after enactment.
- 2** **Legislative findings (municipal boundary adjustment statutes).** Strikes the legislative finding that consolidation of municipalities is to be encouraged and provides that long-range joint powers planning or other cooperative efforts among counties, cities, and towns is to be encouraged.
- 3** **Notice of intent to incorporate (incorporation).** Requires 30 days' notice by a town to all

Section

adjacent towns and cities of its intent to incorporate (become a city).

- 4 **Notice of intent to annex (annexation by order).** Requires 30 days' notice to a town of intent to annex under this section of law.
- 5 **Relevant factors, order (annexation by order).** Adds (a) record of the joint informational hearing (see below), and (b) implementation of previous annexation agreements and orders to the factors considered by the OAH in an annexation by order proceeding. Modifies the factor relating to the city's plans to provide services to the annexed area to provide that the factor considered is in the city's plans to provide enhanced, as well as necessary, services and in a cost-effective and feasible way within a reasonable time.
- 6 **Initiating the proceeding (orderly annexation).** Permits cities to enter into an orderly annexation agreement with the county for areas in the county that do not have organized township government.
- 7 **Notice of intent to designate an area (orderly annexation).** Requires 10 days' notice by publication of a city and town's intent to include an area in an orderly annexation agreement. Requires the notice to give time, date, and place information on the joint informational meeting (see below). City and town must share cost of notice publication.
- 8 **Conditions (annexation by ordinance).** Increases the acreage limit from 60 to 120 acres in annexation by ordinance on property owner's petition. Prohibits more than one annexation by ordinance per year by petition of the same property owner of property contiguous to the previously annexed parcel.
- 9 **Property taxes (annexation by ordinance).** Strikes language made unnecessary by change to section 414.036 (below).
- 10 **Joint information meeting.** Requires a joint city and town informational meeting on a proposed annexation by order.
- 11 **City reimbursement to town to annex taxable property.** Expands scope of provision to cover all types of annexation. Provides for city to reimburse the town for special assessments and debt assigned to property annexed. Provides for reimbursements to be paid between two and eight years (not six) unless otherwise agreed to by the city and town.
- 12 **Property owners may initiate (concurrent detachment from one city and annexation to adjacent city).** Requires both affected cities to agree to a property owner's request to be detached from one city and attached to another city. Under current law, only one city needs to agree.
- 13 **Effective date.** Section 8 is effective July 1, 2007.