

STATEMENT OF PURPOSE

RS18648

Prior to July 1, 2008, hooking up to city water or sewer services acted as an implied consent to be annexed into the city in Category B and C annexations. In 2008, as part of amendments to 50-222, implied consent to annexation was eliminated for property owners requesting hook up to water and sewer services after July 1, 2008. After the bill passed the House, it was learned that a court decision in Southeast Idaho raised questions about whether language in the new legislation unintentionally allowed the use of implied consent for Category A annexations requiring consent where hook ups to water and sewer were requested before July 1, 2008. Such was not the intent of the amendment, nor was it the practice prior to the amendment. To temporarily address the problem, an amended Statement of Purpose was added to the bill in the Senate. The present bill makes the legislative change to clarify the language in accordance with the intent, and to better organize the paragraph addressing consent to annexation.

FISCAL NOTE

There is no fiscal impact.

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