

STATEMENT OF PURPOSE

RS26811

This legislation repeals Idaho Code Section 50-222 and adds a new simplified and understandable Section 50-222. The new code section provides protection for landowners by clarifying and changing the procedures for a city of this state to annex privately owned property. The new section defines certain relevant terms, requires the land to be annexed is adjacent to the city, and requires the city to notify each landowner of the intent to annex. The new code section also requires that the city publish a written annexation plan and provide for a public hearing. The new code section requires that the city obtain the consent of at least two-thirds of the landowners, evidenced by a written instrument executed by the landowner or the landowner's authorized agent. The new code section also explains the procedures and effects of annexation on highways, fairgrounds, airports, recreational areas and railroad right-of-ways. Finally, the new code section maintains the procedure for judicial review of annexation decisions.

FISCAL NOTE

As annexation is a voluntary procedure undertaken by cities the new legislation will have no impact on the state general fund or any other state funds and will not require any state expenditures. It is not anticipated that there will be any fiscal impact to local governments as the procedures for cities to annex land remain very similar to the procedures contained in the repealed and replaced code section. However, it is possible depending on cities current annexation practices that there could be minimal fiscal impacts to local governments as the bill does require notification to all landowners. The potential additional fiscal impact on local governments is expected to be less than \$1,000 for a city in any calendar year.

Contact:

Representative Bryan Zollinger
House of Representatives
(208) 332-1000

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).