

Senate File No. ____

AN ACT TO AMEND CHAPTER 6A, limiting eminent domain to critical infrastructure, establishing petition and review processes, requiring independent appraisals, and providing enhanced compensation.

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

Sec. 1. Section 6A.1, Code 2025, is amended to read as follows: **6A.1 EXERCISE OF POWER BY STATE.** Proceedings may be instituted and maintained by the state of Iowa for condemnation of private property necessary for critical infrastructure, as defined in section 6A.1A, if authorized by the general assembly with a two-thirds vote in each house and an appropriation is available. The executive council shall institute proceedings unless delegated otherwise.

Sec. 2. NEW SECTION. 6A.1A DEFINITIONS.

1. "Critical infrastructure" means facilities essential for public health, safety, or security, including hospitals, emergency centers, water and power plants, and vital transportation, excluding projects primarily for economic development or private benefit. Notwithstanding any previous statute, pipelines do not constitute vital transportation.
2. "Fair market value" means the arms-length price determined by two independent licensed appraisers with no apparent interest in either party, costs borne by the condemning authority.

Sec. 3. NEW SECTION. 6A.1B PETITION PROCESS.

1. Registered voters within the condemning authority's boundaries may petition the secretary of state or local election official to challenge an eminent domain claim.
2. The petition must contain signatures equal to the lesser of ten percent of voters in the last general election within the boundaries or five hundred signatures.
3. Signatures shall be verified within thirty days. If valid, the claim is placed on the next ballot or special election within ninety days, costs borne by the condemning authority.

Sec. 4. NEW SECTION. 6A.1C JUDICIAL REVIEW.

1. Owners may seek district court review within thirty days of notice, challenging compliance with critical infrastructure definitions and constitutional standards.
2. Courts shall expedite review; decisions appealable to the supreme court.

Sec. 5. NEW SECTION. 6A.1D COMPENSATION.

1. Commissions determine fair market value per section 6A.1A(2).

2. Authority pays one hundred fifty percent of value plus relocation costs before title transfer. Disputes resolved via section 6A.1C.

Sec. 6. NEW SECTION. 6A.1E REPORTING. The attorney general shall annually report to the general assembly on eminent domain uses, including justifications and outcomes.

Sec. 7. SUPREMACY. The provisions of this Act supersede any conflicting provisions of the Iowa Code.

Sec. 8. SEVERABILITY. If any provision of this Act or its application is held invalid, the invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

Sec. 9. EFFECTIVE DATE. This Act takes effect July 1 following enactment.