

ATRA OPPOSES HB 2383

Requires property owners to opt-out rather than opt-into a city or town's proposed annexation

Background

Under current legislation, a city or town that desires to annex county land is required to file a blank petition with the county recorder's office and hold a public hearing informing the property owners of the purpose for the proposed annexation. The city or town has one year to collect signatures from the majority of property owners and the owner's with the majority of property value before the annexation can be approved.

HB 2383 changes the annexation laws for annexation of 80 acres or less of county islands or county land that is surrounded by a city or town on three sides. The major difference in this proposed legislation is that it reverses the process by requiring the property owners affected by the annexation to **opt-out** of the annexation as opposed to **opting-in** through their approval.

Basis for ATRA's Opposition

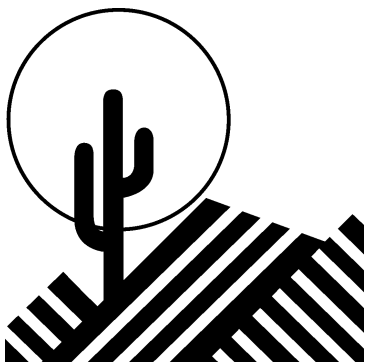
HB 2383 automatically puts property owners on the defensive by requiring property owners to reject a proposed annexation rather than having the city or town ask the owners for their approval to accept annexation into their corporate limits.

A city or town can currently accomplish annexation of county land through the existing statute. However, while current statute allows cities and towns one year to collect signatures from property owners to opt into an annexation, the proposed legislation requires property owners to collect signatures on their own and gives them only 15 days from the publication date of the notice to file a protest *against* the proposed annexation.

Unlike the current statute, the city or town is not even required to hold a public hearing to inform property owners of the proposed annexation.

By reversing the petition process from opt-in to opt-out, the proponents can only be attempting to achieve annexations by snaring property owners who are unaware of the proposed annexation and therefore fail to protect themselves from an annexation they otherwise would oppose.

**ATRA URGES YOU
TO VOTE *NO* ON HB 2383**



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