

**SENATE BILL REPORT**

**SB 5116**

**AS OF FEBRUARY 1, 1993**

**Brief Description:** Changing provisions relating to cities and towns.

**SPONSORS:** Senators Loveland, von Reichbauer, Haugen and Drew

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**Staff:** Katie Healy (786-7784)

**Hearing Dates:** February 3, 1993

**BACKGROUND:**

A first class city has at least 20,000 inhabitants at the time of its organization or reorganization, while a second class city has at least 10,000 at organization or reorganization. A third class city has at least 1,500 inhabitants at organization or reorganization. A fourth class municipal corporation is called a town and has at least 300 inhabitants at the time of organization.

The various classes of cities are empowered to do a wide variety of things, depending upon their classification. For example, second class cities have a significantly different array of elected officials than third class cities. A city or town converting to a code city can choose to keep the array of elected officials it had prior to conversion. Any existing code city may alter its array of elected officials to the array of elected officials provided in law for any other type of city or town.

There exists a desire to simplify the provisions relating to cities and towns, in part by reducing the amount of classifications. Presently, no second class cities are in existence in the state.

**SUMMARY:**

A wide number of technical and substantive changes are made. Third class cities are eliminated and are made second class cities. Some of the existing second class city statutes are amended and retained as the law for second class cities, while the remainder of the existing second class city statutes are repealed. Existing third class city statutes are amended to strike the term "third class" and insert the term "second class" and are recodified in the chapter of laws relating to second class cities. Statutes that reference third class cities have technical changes to clarify the law, along with changing "third class" to "second class." Statutes that refer to towns as fourth class corporations are amended to refer to

towns. Statutes relating to advancing the status of a town to what now would become a second class city are clarified. A few statutes that refer to a class of city are altered to refer to the related population of the cities.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested