IOWA CONSTITUTION SUMMARY

The Constitution of the State of Iowa was adopted in 1857. Following are sections related to drainage law:

**Bill of Rights, Article I, Section 18, Eminent Domain: Drainage Ditches and Levees**

“Private property shall not be taken for public use without just compensation first being made, or secured to made to the owner thereof, as soon as the damages shall be assessed by a jury, who shall not take into consideration any advantages that may result to said owner on account of the improvement for which it is taken.”

**1908 Amendment**

“The general assembly, however, may pass laws permitting the owners of lands to construct drains, ditches, and levees for agricultural, sanitary, or mining purposes across the lands of others, and provide for the organization of drainage districts, vest the proper authorities with power to construct and maintain levees, drains, and ditches and to keep in repair all drains, ditches, and levees heretofore constructed under the laws of the state, by special assessments upon the property benefited thereby. The general assembly may provide by law for the condemnation of such real estate as shall be necessary for the construction and maintenance of such drains, ditches and levees, and prescribe the method of making such condemnation.”