

CHAPTER 1114**FAMILY SUPPORT SUBSIDY PROGRAM***S.F. 2201*

AN ACT relating to the family support subsidy program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 225C.35, subsection 2, Code 1989, is amended to read as follows:

2. "Family member" means a person less than eighteen years of age who requires special education pursuant to section 281.9, subsection 1, paragraph "e" or "d" by educational determination has a moderate, severe, or profound educational handicap or special health care needs or who otherwise meets the definition of developmental disability in the federal Developmental Disabilities Act, section 102(5), as codified in 42 U.S.C. § 6001(5). The department shall adopt rules establishing procedures for determining whether a child has a developmental disability.

Sec. 2. Section 225C.36, Code 1989, is amended to read as follows:

225C.36 FAMILY SUPPORT SUBSIDY PROGRAM.

A family support subsidy program is created as specified in this division. The purpose of the family support subsidy program is to keep families together ~~and to reduce capacity in state facilities by defraying some of the special costs of caring for a family member, thus facilitating the return of family members from out-of-home placements to their family homes, and preventing or delaying the out-of-home placement of family members who reside in their family homes at home.~~ The department shall adopt rules to implement the purposes of sections 225C.36 through 225C.42 which assure that families retain the greatest possible flexibility in determining appropriate use of the subsidy.

Sec. 3. Section 225C.37, unnumbered paragraph 1, Code 1989, is amended to read as follows:

A parent or legal guardian of a family member ~~who is a resident of or being considered for placement in a state hospital-school, a community-based intermediate care facility which is intended to serve mentally retarded individuals or persons with developmental disabilities, a child foster care group home, a child foster care family home, or a state mental health institute may apply to the local office of the department for the family support subsidy program. The application shall include:~~

Approved March 30, 1990

CHAPTER 1115**COUNTY AND JOINT COUNTY AND CITY SPECIAL ASSESSMENT DISTRICTS***S.F. 2227*

AN ACT relating to public improvements, by authorizing counties to create special assessment districts in areas of the county outside cities or within cities for certain public improvements, to assess the cost of the improvements to the benefited property within the districts, to establish and collect rates and charges to maintain and operate the improvements, and by providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

PART 6**SPECIAL ASSESSMENT DISTRICTS**

Section 1. **NEW SECTION.** 331.485 DEFINITIONS.

As used in this part, unless the context otherwise requires:

1. "County special assessment district" means the area of a county outside of cities within boundaries established by the board of supervisors for the purpose of assessment of the cost of a public improvement.

2. "Cost" means cost as defined in section 384.37.

3. "District" means a joint special assessment district, and a county special assessment district.

4. "Joint special assessment district" means a district defined by a county and one or more other counties or one or more cities within the county or within an adjacent county pursuant to an agreement entered into by the county and one or more other counties or cities in accordance with chapter 28E and this part with respect to public improvements which the parties to the agreement determine benefit the property located in the cities and the designated area of the counties outside of cities, which are parties to the agreement.

5. "Public improvement" means public improvement as defined in section 384.37.

Sec. 2. NEW SECTION. 331.486 ASSESSMENT OF COSTS OF PUBLIC IMPROVEMENTS.

A county may assess to property within a county special assessment district the cost of construction and repair of public improvements benefiting the district and may assess to county property within a joint special assessment district the cost of construction and repair of public improvements benefiting the district. A county may construct and assess the cost of public improvements within a district in the same manner as a city may proceed under chapter 384, division IV, and chapter 384, division IV, applies to counties with respect to public improvements, the assessment of their costs, and the issuance of bonds for the public improvements. A county may contract for a public improvement benefiting a district under this part pursuant to part 3 of chapter 331, division III.

Sec. 3. NEW SECTION. 331.487 SPECIAL ASSESSMENT BONDS FOR PUBLIC IMPROVEMENTS.

A county may issue special assessment bonds in anticipation of the collection of special assessments for the cost of public improvements benefiting a district in the same manner as provided for cities under chapter 384, division IV.

Sec. 4. NEW SECTION. 331.488 JOINT AGREEMENTS FOR PUBLIC IMPROVEMENTS.

An agreement entered into between a county and a city or another county in accordance with chapter 28E with respect to a public improvement may include, but is not limited to, the following:

1. The sharing of the total cost of the public improvement among all parties to the agreement.
2. The amount of total assessments against private property within each city and within the area of each county outside a city included within the district.
3. The method of specially assessing and determining benefits.
4. The amount of funds, if any, to be contributed by each city and each county to the project other than special assessments.
5. The rates to be established and imposed upon property within the district to pay the expenses of operation and maintenance of the public improvements.
6. The reduction of the county's debt service tax levy rate against property within a city which is a party to the joint agreement.

Sec. 5. NEW SECTION. 331.489 RATES AND CHARGES RELATING TO PUBLIC IMPROVEMENTS.

A county which has created a district for a public improvement and, to the extent provided in the agreement creating a joint special assessment district, each county or city which is a party to the agreement, may establish, impose, adjust, and provide for the collection of rates and charges to produce gross revenues at least sufficient to pay the expenses of operation and maintenance of a public improvement, against property within the district and, where

appropriate, establish, impose, adjust, and provide for the collection of charges for connection to a public improvement. The rates and charges must be established by ordinance of the governing body of the county or the city imposing the rates or charges. The rates and charges established as provided in this section, if not paid as provided by the ordinance of the governing body, are a lien upon the premises served or benefited by the public improvement and may be certified to the county auditor and collected in the same manner as property taxes.

Sec. 6. NEW SECTION. 331.490 CITIES SUBJECT TO DEBT SERVICE TAX LEVY — RATES.

1. If a county and city have entered into an agreement to create a joint special assessment district and issue county general obligation bonds to fund the costs of a public improvement benefiting that district, the county's debt service tax levy for the county general obligation bonds shall not be levied against property located in any city except a city which has entered into the agreement.

2. Counties and cities entering into an agreement for a joint special assessment district may provide in the agreement for a different rate of the county's debt service tax levy against property in areas of the county outside a city and property within the cities.

Sec. 7. NEW SECTION. 331.491 AUTHORITY.

The authority of a county or a city under this part with respect to districts and the financing of public improvements is in addition to any other authority of a county or city to contract and levy special assessments and issue bonds to fund the costs.

Sec. 8.

This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 30, 1990

CHAPTER 1116

VEHICLE CERTIFICATE OF TITLE REASSIGNMENT RECIPROCITY

S.F. 2235

AN ACT relating to reassignment of certificates of title and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.24, unnumbered paragraph 4, Code Supplement 1989, is amended to read as follows:

The certificate shall bear the seal of the county treasurer or of the department, and the signature of the county treasurer, the deputy county treasurer, or the department director or deputy designee. The certificate shall provide space for the signature of the owner. The owner shall sign the certificate of title in the space provided with pen and ink upon its receipt. The certificate of title shall contain upon the reverse side a form for assignment of title or interest and warranty by the owner, for reassignments by a licensed dealer licensed in this state or in another state if the state in which the dealer is licensed permits Iowa licensed dealers to similarly reassign certificates of title. Attached to the certificate of title shall be an application for a new certificate of title by the transferee as provided in this chapter. However, titles for mobile homes shall not be reassigned by licensed dealers. All certificates of title shall be typewritten or printed by other mechanical means. Notwithstanding section 321.1, subsection 38, as used in this paragraph "dealer" means every person engaged in the business of buying, selling, or exchanging vehicles of a type required to be registered under this chapter.