House File 5 - Introduced

A BILL FOR

1 An Act requiring the county commissioner of elections to
2   provide notice following receipt of a motion adopted by a
3   local government requesting a ballot proposition concerning
4   the imposition of the local sales and services tax.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1   Section 1. Section 423B.1, subsection 4, paragraph b, Code
2 2013, is amended to read as follows:
3   *b.* The question of the imposition of a local sales and
4 services tax shall be submitted to the registered voters
5 of the incorporated and unincorporated areas of the county
6 upon receipt by the county commissioner of elections of the
7 motion or motions, requesting such submission, adopted by the
8 governing body or bodies of the city or cities located within
9 the county or of the county~ for the unincorporated areas of
10 the county, representing at least one half of the population of
11 the county. Upon adoption of such motion, the governing body
12 of the city or of the county~ for the unincorporated areas~
13 shall submit the motion to the county commissioner of elections
14 ~and in the case of the governing body of the city shall notify~
15 ~the board of supervisors of the adoption of the motion.~
16 Within fifteen days of receiving such a motion submitted by
17 a city located within the county or by the county for the
18 unincorporated areas of the county, the county commissioner
19 of elections shall send written notice to all other cities
20 located in whole or in part within the county and to the board
21 of supervisors if the motion is submitted by a city. The
22 notice shall name the city that submitted the motion or the
23 county that submitted the motion for the unincorporated areas
24 of the county, the date the motion was adopted by the governing
25 body of the city or county, the population of the city or
26 unincorporated areas represented by the governing body that
27 submitted the motion, the names of all other jurisdictions from
28 which the commissioner of elections holds valid motions, the
29 populations of such other jurisdictions, the total population
30 of the county, and a description of the approval procedures
31 and population requirements for submission of the question to
32 the registered voters of the county. The county commissioner
33 of elections shall keep a file on all the motions received
34 and, upon reaching the population requirements, shall publish
35 notice of the ballot proposition concerning the imposition of

1 the local sales and services tax. A motion ceases to be valid
2 at the time of the holding of the regular election for the
3 election of members of the governing body which adopted the
4 motion. The county commissioner of elections shall eliminate
5 from the file any motion that ceases to be valid. The manner
6 provided under this paragraph for the submission of the
7 question of imposition of a local sales and services tax is an
8 alternative to the manner provided in paragraph *a*.
9   EXPLANATION
10   Code section 423B.1 governs the procedures for approval
11 and imposition of a local option sales and services tax. The
12 question of the imposition of a local sales and services tax is
13 to be submitted to the registered voters of the incorporated
14 and unincorporated areas of the county upon receipt by the
15 county commissioner of elections of the motion or motions,
16 requesting such submission, adopted by the governing body or
17 bodies of the city or cities located within the county or
18 of the county for the unincorporated areas of the county,
19 representing at least one-half of the population of the county.
20   When a motion is adopted by the governing body of the
21 city or by the board of supervisors of the county for the
22 unincorporated areas, that governing body must submit the
23 motion to the county commissioner of elections. This bill
24 requires that within 15 days of receiving such a motion, the
25 county commissioner of elections must send written notice to
26 all other cities located in whole or in part within the county
27 and to the board of supervisors if the motion is submitted by
28 a city. The bill requires the notice to name the city that
29 submitted the motion or the county that submitted the motion
30 for the unincorporated areas of the county, the date the motion
31 was adopted by the city council or the board of supervisors,
32 as applicable, the population of the jurisdiction or area that
33 submitted the motion, the names of all other jurisdictions from
34 which the commissioner of elections holds valid motions, the
35 populations of such other jurisdictions, the population of

1 the county, and a description of the approval procedures and
2 population requirements for submission of the question to the
3 registered voters of the county.