

FILED FEB 25 1976

Reprinted

SENATE FILE 1210

By COMMITTEE ON COUNTY GOVERNMENT

Passed Senate, Date 4-8-76 (1247) Passed House, Date _____
 Vote: Ayes 40 Nays 3 Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

1 An Act relating to funds available for unified law enforcement
 2 purposes, including a property tax levy for unified law
 3 enforcement purposes and the establishment of a public
 4 safety fund.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. DEFINITION. For the purpose
2 of this Act, the term "unified law enforcement district" means
3 a district established by agreement under the provisions of
4 chapter twenty-eight E (28E) of the Code by two or more
5 counties and cities to provide law enforcement within the
6 boundaries of the member political subdivisions.

7 Sec. 2. NEW SECTION. REFERENDUM FOR TAX. In every county
8 that establishes a unified law enforcement district, the board
9 of supervisors may, and upon receipt of a petition signed
10 by five percent of the qualified electors residing in the
11 unified law enforcement district shall, submit a proposition
12 to the county electorate residing in the unified law
13 enforcement district at any countywide election providing
14 for the establishment of a public safety fund and the levy
15 of a tax on taxable property located in the unified law
16 enforcement district at a rate not exceeding the rate specified
17 in section three (3) of this Act for the purpose of providing
18 moneys for the operation of the unified law enforcement
19 district.

20 At the election the ballot shall be prepared in sub-
21 stantially the form for submitting special questions at general
22 elections and the form of the proposition shall be
23 substantially as follows:

24 "Shall a tax of not to exceed one dollar and sixty-two
25 cents per thousand dollars of assessed value of the taxable
26 property in the unified law enforcement district be authorized
27 for a period of not exceeding five years?"

28 Yes _____ No _____

29 Such moneys collected pursuant to the tax levy shall be
30 in addition to other federal, state, and local moneys available
31 for law enforcement purposes to the county and cities located
32 in the unified law enforcement district.

33 If a majority of the qualified electors voting on the
34 proposition approve the proposition, the board of supervisors
35 shall levy the tax as provided in section three (3) of this

1 Act.

2 Sec. 3. NEW SECTION. BUDGET. The auditor of each county
3 in which a unified law enforcement district is located shall,
4 in conjunction with the county sheriff, on or before January
5 tenth of each year make an estimate of the amount of revenue
6 deemed necessary for the operation of the unified law
7 enforcement district and the sources of the revenue. The
8 auditor of each such county shall then transmit the budget
9 estimate in dollars to the county board of supervisors and
10 to the city councils located within the unified law enforcement
11 district.

12 The county board of supervisors and the council of each
13 city located within the unified law enforcement district shall
14 review the proposed budget and anticipated revenue and certify
15 a tax levy to the county auditor on the assessed value of
16 the taxable property in the unified law enforcement district.

17 If the amount of revenue to be raised by the tax levy for
18 any year after the first year exceeds the amount of revenue
19 raised by the tax levy for the first year, the council of
20 any city or the county board of supervisors may veto the bud-
21 get and the auditor and county sheriff shall revise the bud-
22 get until it has the approval of the county board of supervi-
23 sors and councils of all cities in the unified law enforcement
24 district.

25 The taxes collected pursuant to the tax levy and other
26 funds available to the unified law enforcement district shall
27 be placed in the public safety fund and used only for unified
28 law enforcement purposes.

29 Sec. 4. NEW SECTION. EXPANSION OF DISTRICT. Cities may
30 join an established unified law enforcement district upon
31 the affirmative vote of the city council. A city joining
32 a unified law enforcement district shall contract with the
33 unified law enforcement district for services until the
34 beginning of a fiscal year when the city may become a member.

35 A unified law enforcement district may encompass more than

1 one county.

2 EXPLANATION

3 This bill provides for the submission to the electorate
4 residing in a unified law enforcement district of a propo-
5 sition for the levy of a tax of not to exceed \$1.62 per \$1,000
6 of assessed value on property in the unified law enforcement
7 district for not more than five years. The referendum can
8 be initiated either by the county board of supervisors or
9 by a petition signed by 5% of the qualified electors in the
10 unified law enforcement district. The bill provides for the
11 submission of the budget to the board of supervisors and the
12 council of each city in the district and creates a public
13 safety fund. It also provides a method for additional cities
14 to join the unified law enforcement district.

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SENATE FILE 1210

S-5492

1 Amend Senate File 1210 as follows:

2 1. Page 2, by inserting after line 11 the fol-
3 lowing:

4 "The amount of the tax shall not exceed the amount
5 which would be raised by a uniform one dollar and
6 sixty-two cents per thousand dollars of assessed value
7 on all taxable property in the unified law enforcement
8 district, but the actual levies may be determined by
9 any of the following methods:"

10 2. Page 2, line 12 by inserting before the word
11 "The" the figure "1."

12 3. Page 2, line 16, by striking the figure
13 ".", and inserting in lieu thereof the word "; or".

14 4. Page 2, by inserting after line 16 the
15 following:

16 "2. The county board of supervisors and the
17 council of each city located within the unified law
18 enforcement district shall:

19 a. Determine the anticipated total cost of uni-
20 fied law enforcement to the unified law enforcement
21 district for the budget year for which the levy is
22 to be made.

23 b. Compute the per capita cost by dividing the
24 anticipated total cost to the unified law enforce-
25 ment district as determined pursuant to paragraph
26 "a" of this section into the total population
27 of the district.

28 c. Separate levies for the public safety fund
29 shall be computed for all of the unincorporated area
30 and for each incorporated area in the unified law
31 enforcement district. The levies shall in each case
32 be that amount which, when applied to the assessed
33 value in the area for which the levy is computed,
34 will raise an amount equal to the per capita cost
35 of the unified law enforcement to the unified law
36 enforcement district multiplied by the population
37 of the district; or

38 3. The tax levies imposed in a unified law en-
39 forcement district to pay the anticipated total cost of
40 the unified law enforcement may be allocated among the
41 political subdivisions of the district pursuant to an
42 agreement executed according to the provisions of
43 chapter twenty-eight E (28E), of the Code."

S-5492 FILED & ADOPTED (1246)

APRIL 8, 1976

BY RICHARD R. RAMSEY

S-5482

- 1 Amend Senate File 1210 as follows:
2 1. Page 1, line 4, by striking the words
3 "two or more".
4 2. Page 1, line 5, by striking the word "and"
5 and inserting in lieu thereof the words ", or portions
6 thereof, townships or".
7 3. Page 2, by striking lines 17, 18, and 19
8 and inserting in lieu thereof the following:
9 "The council of".

S-5482 FILED - *Adopted 4/8 (1245)*
APRIL 8, 1976

BY RICHARD R. RAMSEY
FORREST V. SCHWENGELS

S-5486

- 1 Amend Senate File 1210 as follows:
2 1. Page 2, by inserting after line 16 the fol-
3 lowing:
4 "The amount of the tax shall not exceed the amount
5 which would be raised by a uniform one dollar and
6 sixty-two cents per thousand dollars of assessed value
7 on all taxable property in the unified law enforcement
8 district, but the actual levies may be determined
9 as follows:
10 1. Determine the anticipated total cost of uni-
11 fied law enforcement to the unified law enforcement
12 district for the budget year for which the levy is
13 to be made.
14 2. Compute the per capita cost by dividing the
15 anticipated total cost to the unified law enforce-
16 ment district as determined pursuant to subsection
17 one (1) of this section into the total population
18 of the district.
19 3. Separate levies for the public safety fund
20 shall be computed for all of the unincorporated area
21 and for each incorporated area in the unified law
22 enforcement district. The levies shall in each case
23 be that amount which, when applied to the assessed
24 value in the area for which the levy is computed,
25 will raise an amount equal to the per capita cost
26 of unified law enforcement to the unified law
27 enforcement district multiplied by the population
28 of the district."

S-5486 FILED & WITHDRAWN (*1246*)
APRIL 8, 1976

BY ROGER J. SHAFF

H-6316

- 1 Amend Senate File 1210 as follows:
- 2 1. Page 3, by striking lines 7 through 13
- 3 and inserting in lieu thereof the word "district".

H-6316 FILED - *Lost 4/15 (1989)* BY BENNETT of Ida
APRIL 15, 1976

H-6318

- 1 Amend amendment H-6315 to Senate File 1210
- 2 as follows:
- 3 1. Page 1, line 5 by inserting after the
- 4 word "city" the word "voting".

H-6318 FILED - *Adopted by* BY GILLOON of Dubuque
APRIL 15, 1976 *unanimous*
consent 4/15 (1988)

H-6343

- 1 Amend Senate File 1210, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 33 the
- 4 following section:
- 5 "Sec. ____ . NEW SECTION. CITY CIVIL SERVICE AND
- 6 RETIREMENT. The inclusion of a city in a unified law
- 7 enforcement district shall not affect the prior
- 8 establishment of a civil service system under chapter
- 9 four hundred (400) of the Code or a pension or
- 10 retirement system under either chapter four hundred
- 11 ten (410) or four hundred eleven (411) of the Code."
- 12 2. By numbering sections as necessary.

H-6343 FILED - *Adopted 5/5* BY CONNORS of Polk
APRIL 20, 1976 *(p. 2447)*

H-6289

1 Amend Senate File 1210, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 33 the fol-
4 lowing section:

5 "Sec. _____. Chapter twenty-eight E (28E),
6 Code 1975, is amended by adding the following new
7 section:

8 NEW SECTION. DURATION OF AGREEMENTS FOR LAW
9 ENFORCEMENT PURPOSES. An agreement under this chap-
10 ter to provide joint or cooperative services or
11 facilities for law enforcement purposes shall not be
12 executed for less than a three-year period."

13 2. Amend the title, line 1, by striking the
14 words "funds available for".

15 3. Amend the title, line 1, by inserting after
16 the word "enforcement" a comma.

17 4. Amend the title, line 2, by striking the words
18 "purposes, including" and inserting in lieu thereof
19 the words "including the duration of agreements,".

20 5. By renumbering sections as necessary.

H-6289 FILED - *Adopted 4/15* BY MILLER of Buchanan
APRIL 14, 1976 *(1987)*

H-6308

1 Amend Senate File 1210 as follows:

2 1. Page 3, by inserting after line 33 the
3 following section:

4 "Sec. _____. CITY REMOVAL FROM DISTRICT. The
5 city council of a city located in a unified law
6 enforcement district, upon the receipt of a
7 petition signed by at least five percent of the
8 qualified electors residing in the city, shall
9 submit a proposition at any city election for
10 the city to remove itself from the unified law
11 enforcement district. If a majority of the
12 qualified electors voting on the proposition
13 approve the city's removal from the unified
14 law enforcement district, the city shall no
15 longer be a part of the district effective at
16 the beginning of the next succeeding fiscal
17 year."

H-6308 FILED - *Withdrawn 4/15* BY HUTCHINS of Guthrie
APRIL 15, 1976 *(1988)* WEST of Marshall

H-6315

1 Amend Senate File 1210, as amended, passed,
2 and reprinted by the Senate, as follows:

3 1. Page 3, by striking line 27 and inserting
4 in lieu thereof:

5 "affirmative vote of qualified electors of the city in
6 the manner".

H-6315 FILED - *Adopted as* BY MONROE of Des Moines
APRIL 15, 1976 *amended by*
6318 4/15 (1988)

S-5496

1 Amend Senate File 1210 as follows:
2 1. Page 2, line 31, by inserting after the
3 word "council" the words "and a tax may be levied
4 for unified law enforcement purposes only upon the affir-
5 mative vote of the electorate of the city in the man-
6 ner provided in this Act".

S-5496 FILED & ADOPTED (1246)
APRIL 8, 1976

BY RICHARD R. RAMSEY
BERL E. PRIEBE

SENATE FILE 1210

S-5735

1 Amend the House Amendment S-5707 to Senate
2 File 1210, page 1, by striking lines 14 through 19.

S-5735 FILED & LOST (1858)
MAY 11, 1976

BY PHILIP B. HILL

By COMMITTEE ON COUNTY GOVERNMENT

(As Amended and Passed by the Senate April 8, 1976)

Passed ^{per House amendment} Senate, Date 5-11-76 (p. 1858) Passed House, Date 4-15-76 (p. 1989)

Vote: Ayes 41 Nays 41 Vote: Ayes 57 Nays 14

Approved May 24, 1976

Repassed Senate per House amendment *Motion to reconsider (1980) prevailed 5/5*
Repassed House 5-5-76 (p. 2448)
76-10

A BILL FOR

1 An Act relating to funds available for unified law enforcement
2 purposes, including a property tax levy for unified law
3 enforcement purposes and the establishment of a public
4 safety fund.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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_____ = New Language
by the Senate

1 Section 1. NEW SECTION. DEFINITION. For the purpose
2 of this Act, the term "unified law enforcement district" means
3 a district established by agreement under the provisions of
4 chapter twenty-eight E (28E) of the Code by counties, or
5 portions thereof, townships, or cities to provide law
6 enforcement within the boundaries of the member political
7 subdivisions.

8 Sec. 2. NEW SECTION. REFERENDUM FOR TAX. In every county
9 that establishes a unified law enforcement district, the board
10 of supervisors may, and upon receipt of a petition signed
11 by five percent of the qualified electors residing in the
12 unified law enforcement district shall, submit a proposition
13 to the county electorate residing in the unified law
14 enforcement district at any countywide election providing
15 for the establishment of a public safety fund and the levy
16 of a tax on taxable property located in the unified law
17 enforcement district at a rate not exceeding the rate specified
18 in section three (3) of this Act for the purpose of providing
19 moneys for the operation of the unified law enforcement
20 district.

21 At the election the ballot shall be prepared in sub-
22 stantially the form for submitting special questions at general
23 elections and the form of the proposition shall be
24 substantially as follows:

25 "Shall a tax of not to exceed one dollar and sixty-two
26 cents per thousand dollars of assessed value of the taxable
27 property in the unified law enforcement district be authorized
28 for a period of not exceeding five years?"

29 Yes _____ No _____

30 Such moneys collected pursuant to the tax levy shall be
31 in addition to other federal, state, and local moneys available
32 for law enforcement purposes to the county and cities located
33 in the unified law enforcement district.

34 If a majority of the qualified electors voting on the
35 proposition approve the proposition, the board of supervisors

1 shall levy the tax as provided in section three (3) of this
2 Act.

3 Sec. 3. NEW SECTION. BUDGET. The auditor of each county
4 in which a unified law enforcement district is located shall,
5 in conjunction with the county sheriff, on or before January
6 tenth of each year make an estimate of the amount of revenue
7 deemed necessary for the operation of the unified law
8 enforcement district and the sources of the revenue. The
9 auditor of each such county shall then transmit the budget
10 estimate in dollars to the county board of supervisors and
11 to the city councils located within the unified law enforcement
12 district.

13 The amount of the tax shall not exceed the amount which
14 would be raised by a uniform one dollar and sixty-two cents
15 per thousand dollars of assessed value on all taxable property
16 in the unified law enforcement district, but the actual levies
17 may be determined by any of the following methods:

18 1. The county board of supervisors and the council of
19 each city located within the unified law enforcement district
20 shall review the proposed budget and anticipated revenue and
21 certify a tax levy to the county auditor on the assessed value
22 of the taxable property in the unified law enforcement
23 district; or

24 2. The county board of supervisors and the council of
25 each city located within the unified law enforcement district
26 shall:

27 a. Determine the anticipated total cost of unified law
28 enforcement to the unified law enforcement district for the
29 budget year for which the levy is to be made.

30 b. Compute the per capita cost by dividing the anticipated
31 total cost to the unified law enforcement district as
32 determined pursuant to paragraph "a" of this section into
33 the total population of the district.

34 c. Separate levies for the public safety fund shall be
35 computed for all of the unincorporated area and for each

1 incorporated area in the unified law enforcement district.
2 The levies shall in each case be that amount which, when
3 applied to the assessed value in the area for which the levy
4 is computed, will raise an amount equal to the per capita
5 cost of the unified law enforcement to the unified law
6 enforcement district multiplied by the population of the
7 district; or

8 3. The tax levies imposed in a unified law enforcement
9 district to pay the anticipated total cost of the unified
10 law enforcement may be allocated among the political
11 subdivisions of the district pursuant to an agreement executed
12 according to the provisions of chapter twenty-eight E (28E),
13 of the Code.

14 The council of any city or the county board of supervisors
15 may veto the budget and the auditor and county sheriff shall
16 revise the budget until it has the approval of the county
17 board of supervisors and councils of all cities in the unified
18 law enforcement district.

19 The taxes collected pursuant to the tax levy and other
20 funds available to the unified law enforcement district shall
21 be placed in the public safety fund and used only for unified
22 law enforcement purposes.

23 Sec. 4. NEW SECTION. EXPANSION OF DISTRICT. Cities may
24 join an established unified law enforcement district upon
25 the affirmative vote of the city council and a tax may be
26 levied for unified law enforcement purposes only upon the
27 affirmative vote of the electorate of the city in the manner
28 provided in this Act. A city joining a unified law
29 enforcement district shall contract with the unified law
30 enforcement district for services until the beginning of a
31 fiscal year when the city may become a member.

32 A unified law enforcement district may encompass more than
33 one county.

34 EXPLANATION

35 This bill provides for the submission to the electorate

1 residing in a unified law enforcement district of a propo-
2 sition for the levy of a tax of not to exceed \$1.62 per \$1,000
3 of assessed value on property in the unified law enforcement
4 district for not more than five years. The referendum can
5 be initiated either by the county board of supervisors or
6 by a petition signed by 5% of the qualified electors in the
7 unified law enforcement district. The bill provides for the
8 submission of the budget to the board of supervisors and the
9 council of each city in the district and creates a public
10 safety fund. It also provides a method for additional cities
11 to join the unified law enforcement district.

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SF 1210
db/slc/83
LSB 4125/14

S-5707

Amend Senate File 1210, as amended, passed, and reprinted by the Senate, as follows:

1. Page 1, line 5, by striking the word "townships,".

2. Page 1, line 17, by striking the words "a rate" and inserting in lieu thereof the word "rates".

3. Page 1, line 18, by inserting after the word "providing" the word "additional".

4. Page 1, by striking line 25 and inserting in lieu thereof the following:

"Shall a tax the amount of which will not exceed the amount which would be raised by a uniform one dollar and sixty-two".

5. Page 1, line 33, by inserting after the word "district." the words "A county or city which is included in a unified law enforcement district shall not reduce the percent of its total general fund budget used for law enforcement purposes because of additional moneys collected pursuant to the voted levy."

6. Page 2, line 5, by inserting after the word "sheriff," the words "or administrative director of the law enforcement agency,".

7. Page 2, line 8, by striking the words "the sources of the revenue" and inserting in lieu thereof the words "in conjunction with the county board of supervisors and the city councils of the unified law enforcement district determine the amount of revenue available from sources other than the tax levy authorized by this Act and determine the amount of revenue needed to be raised by the tax levy authorized by this Act under the terms of an agreement executed under the provisions of chapter twenty-eight E (28E) of the Code".

8. Page 2, by striking lines 16 and 17 and inserting in lieu thereof the words "in the unified law enforcement district. The method of computing the tax levy shall be determined by the county board of supervisors unless the agreement under chapter twenty-eight E (28E) of the Code specifies a method."/

9. Page 2, line 18, by striking the figure "1."

10. Page 2, line 23, by striking the word "; or" and inserting in lieu thereof the words "which shall be determined by one of the following methods:".

11. Page 2, by striking lines 24 through 29 and inserting in lieu thereof the following:

"1. Levies based upon population computed as follows:".

12. Page 2, line 30, by striking the letter "b" and inserting in lieu thereof the letter "a".

13. Page 2, line 32, by striking the words and

S-5707
PAGE 2

- 1 letter "paragraph "a" of".
2 14. Page 2, line 34, by striking the letter "c"
3 and inserting in lieu thereof the letter "b".
4 15. Page 3, by striking lines 8 through 13 and
5 inserting in lieu thereof the following subsection:
6 "2. Different levies for each city and the
7 unincorporated area of the county located in the
8 unified law enforcement district based upon the
9 percentage of service to be provided to each political
10 subdivision in the district."
11 16. Page 3, by striking line 27 and inserting
12 in lieu thereof: "affirmative vote of qualified
13 electors of the city voting in the manner".
14 17. Page 3, by inserting after line 33 the
15 following section:
16 "Sec. _____. NEW SECTION. CITY CIVIL SERVICE
17 AND RETIREMENT. The inclusion of a city in a
18 unified law enforcement district shall not affect
19 the prior establishment of a civil service system
20 under chapter four hundred (400) of the Code or
21 a pension or retirement system under either chapter
22 four hundred ten (410) or four hundred eleven
23 (411) of the Code."
24 18. Page 3, by inserting after line 33 the
25 following section:
26 "Sec. _____. Chapter twenty-eight E (28E),
27 Code 1975, is amended by adding the following new
28 section:
29 NEW SECTION. DURATION OF AGREEMENTS FOR LAW
30 ENFORCEMENT PURPOSES. An agreement under this
31 chapter to provide joint or cooperative services
32 or facilities for law enforcement purposes shall
33 not be executed for less than a three-year period."
34 19. Amend the title, line 1, by striking the
35 words "funds available for".
36 20. Amend the title, line 1, by inserting
37 after the word "enforcement" a comma.
38 21. Amend the title, line 2, by striking the
39 words "purposes, including" and inserting in lieu
40 thereof the words "including the duration of
41 agreements,".
22. By renumbering sections as necessary.

S-5707 FILED
MAY 7, 1976

RECEIVED FROM THE HOUSE
Senate Concurred 5/11 (1858)

2 reprinted by the Senate, as follows:

3 1. Page 1, line 5, by striking the word "town-
4 ships,".

5 2. Page 1, line 17, by striking the words "a rate"
6 and inserting in lieu thereof the word "rates".

7 3. Page 1, line 18, by inserting after the word
8 "providing" the word "additional".

9 4. Page 1, by striking line 25 and inserting in
10 lieu thereof the following:

11 "Shall a tax the amount of which will not exceed
12 the amount which would be raised by a uniform one
13 dollar and sixty-two".

14 5. Page 1, line 33, by inserting after the word
15 "district." the words "A county or city which is
16 included in a unified law enforcement district shall
17 not reduce the percent of its total general fund bud-
18 get used for law enforcement purposes because of ad-
19 ditional moneys collected pursuant to the voted levy."

20 6. Page 2, line 5, by inserting after the word
21 "sheriff," the words "or administrative director of
22 the law enforcement agency,".

23 7. Page 2, line 8, by striking the words "the
24 sources of the revenue" and inserting in lieu thereof
25 the words "in conjunction with the county board of
26 supervisors and the city councils of the unified law
27 enforcement district determine the amount of revenue
28 available from sources other than the tax levy
29 authorized by this Act and determine the amount of
30 revenue needed to be raised by the tax levy authorized
31 by this Act under the terms of an agreement executed
32 under the provisions of chapter twenty-eight E (28E)
33 of the Code".

34 8. Page 2, by striking lines 16 and 17 and
35 inserting in lieu thereof the words "in the unified
36 law enforcement district. The method of computing
37 the tax levy shall be determined by the county board
38 of supervisors unless the agreement under chapter
39 twenty-eight E (28E) of the Code specifies a method."

40 9. Page 2, line 18, by striking the figure "1."

41 10. Page 2, line 23, by striking the word "; or"
42 and inserting in lieu thereof the words "which shall
43 be determined by one of the following methods:".

44 11. Page 2, by striking lines 24 through 29 and
45 inserting in lieu thereof the following:

46 "1. Levies based upon population computed as
47 follows:".

48 12. Page 2, line 30, by striking the letter "b"
49 and inserting in lieu thereof the letter "a".

50 13. Page 2, line 32, by striking the words and

1 letter "paragraph "a" of".

2 14. Page 2, line 34, by striking the letter "c"
3 and inserting in lieu thereof the letter "b".

4 15. Page 3, by striking lines 8 through 13 and
5 inserting in lieu thereof the following subsection:

6 "2. Different levies for each city and the
7 unincorporated area of the county located in the
8 unified law enforcement district based upon the
9 percentage of service to be provided to each political
10 subdivision in the district."

Page 2

AN ACT

RELATING TO UNIFIED LAW ENFORCEMENT, INCLUDING THE DURATION OF AGREEMENTS, A PROPERTY TAX LEVY FOR UNIFIED LAW ENFORCEMENT PURPOSES AND THE ESTABLISHMENT OF A PUBLIC SAFETY FUND.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. DEFINITION. For the purpose of this Act, the term "unified law enforcement district" means a district established by agreement under the provisions of chapter twenty-eight E (28E) of the Code by counties, or portions thereof, or cities to provide law enforcement within the boundaries of the member political subdivisions.

Sec. 2. NEW SECTION. REFERENDUM FOR TAX. In every county that establishes a unified law enforcement district, the board of supervisors may, and upon receipt of a petition signed by five percent of the qualified electors residing in the unified law enforcement district shall, submit a proposition to the county electorate residing in the unified law enforcement district at any countywide election providing for the establishment of a public safety fund and the levy of a tax on taxable property located in the unified law enforcement district at rates not exceeding the rate specified in section three (3) of this Act for the purpose of providing additional moneys for the operation of the unified law enforcement district.

At the election the ballot shall be prepared in substantially the form for submitting special questions at general elections and the form of the proposition shall be substantially as follows:

"Shall a tax the amount of which will not exceed the amount which would be raised by a uniform one dollar and sixty-two

cents per thousand dollars of assessed value of the taxable property in the unified law enforcement district be authorized for a period of not exceeding five years?"

Yes ___ No ___

Such moneys collected pursuant to the tax levy shall be in addition to other federal, state, and local moneys available for law enforcement purposes to the county and cities located in the unified law enforcement district. A county or city which is included in a unified law enforcement district shall not reduce the percent of its total general fund budget used for law enforcement purposes because of additional moneys collected pursuant to the voted levy.

If a majority of the qualified electors voting on the proposition approve the proposition, the board of supervisors shall levy the tax as provided in section three (3) of this Act.

Sec. 3. NEW SECTION. BUDGET. The auditor of each county in which a unified law enforcement district is located shall, in conjunction with the county sheriff, or administrative director of the law enforcement agency, on or before January tenth of each year make an estimate of the amount of revenue deemed necessary for the operation of the unified law enforcement district and in conjunction with the county board of supervisors and the city councils of the unified law enforcement district determine the amount of revenue available from sources other than the tax levy authorized by this Act and determine the amount of revenue needed to be raised by the tax levy authorized by this Act under the terms of an agreement executed under the provisions of chapter twenty-eight E (28E) of the Code. The auditor of each such county shall then transmit the budget estimate in dollars to the county board of supervisors and to the city councils located within the unified law enforcement district.

The amount of the tax shall not exceed the amount which would be raised by a uniform one dollar and sixty-two cents

per thousand dollars of assessed value on all taxable property in the unified law enforcement district. The method of computing the tax levy shall be determined by the county board of supervisors unless the agreement under chapter twenty-eight E (28E) of the Code specifies a method.

The county board of supervisors and the council of each city located within the unified law enforcement district shall review the proposed budget and anticipated revenue and certify a tax levy to the county auditor on the assessed value of the taxable property in the unified law enforcement district which shall be determined by one of the following methods:

1. Levies based upon population computed as follows:

a. Compute the per capita cost by dividing the anticipated total cost to the unified law enforcement district as determined pursuant to this section into the total population of the district.

b. Separate levies for the public safety fund shall be computed for all of the unincorporated area and for each incorporated area in the unified law enforcement district. The levies shall in each case be that amount which, when applied to the assessed value in the area for which the levy is computed, will raise an amount equal to the per capita cost of the unified law enforcement to the unified law enforcement district multiplied by the population of the district; or

2. Different levies for each city and the unincorporated area of the county located in the unified law enforcement district based upon the percentage of service to be provided to each political subdivision in the district.

The council of any city or the county board of supervisors may veto the budget and the auditor and county sheriff shall revise the budget until it has the approval of the county board of supervisors and councils of all cities in the unified law enforcement district.

The taxes collected pursuant to the tax levy and other

funds available to the unified law enforcement district shall be placed in the public safety fund and used only for unified law enforcement purposes.

Sec. 4. NEW SECTION. EXPANSION OF DISTRICT. Cities may join an established unified law enforcement district upon the affirmative vote of the city council and a tax may be levied for unified law enforcement purposes only upon the affirmative vote of qualified electors of the city voting in the manner provided in this Act. A city joining a unified law enforcement district shall contract with the unified law enforcement district for services until the beginning of a fiscal year when the city may become a member.

A unified law enforcement district may encompass more than one county.

Sec. 5. NEW SECTION. CITY CIVIL SERVICE AND RETIREMENT. The inclusion of a city in a unified law enforcement district shall not affect the prior establishment of a civil service system under chapter four hundred (400) of the Code or a pension or retirement system under either chapter four hundred ten (410) or four hundred eleven (411) of the Code.

Sec. 6. Chapter twenty-eight E (28E), Code 1975, is amended by adding the following new section:

NEW SECTION. DURATION OF AGREEMENTS FOR LAW ENFORCEMENT PURPOSES. An agreement under this chapter to provide joint or cooperative services or facilities for law enforcement purposes shall not be executed for less than a three-year period.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 1210, Sixty-sixth General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved *May 24*, 1976

ROBERT D. RAY
Governor