

Cities 4/27

SENATE FILE 368

Cities
C. Miller, Chairperson
Bridges
Orr

FILED APR 26 1977

SENATE FILE 368

By MURRAY

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act authorizing eligible electors to request a general
2 obligation bond issue.

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

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S.F. 368

1 Section 1. Chapter three hundred eighty-four (384), divi-
2 sion threc (III), Code 1977, is amended by adding the following
3 new section:

4 NEW SECTION. ELECTOR REQUEST FOR GENERAL OBLIGATION BOND
5 ISSUE.

6 1. An eligible elector of a city may submit a written
7 request to the council for a general obligation bond issue
8 in any amount within the unencumbered bonding capacity of
9 that city.

10 2. Upon the denial of such a written request, and in any
11 event up to one hundred eighty days following submission
12 of the written request for a general obligation bond issue,
13 the eligible elector who submitted the request may submit
14 petitions bearing the signatures of not fewer than two hun-
15 dred eligible electors in a city with a population of five
16 thousand or less plus not fewer than two hundred eligible
17 electors for each five thousand population or fraction thereof
18 in a city with a population of more than five thousand. Each
19 petition shall state the bond issue request in general terms
20 which are easily understandable. Below this statement, the
21 eligible electors shall sign their names and state their
22 addresses and the date each signed the petition.

23 3. Upon granting the request for a bond issue or upon
24 receipt of petitions bearing the requisite number of signa-
25 tures of eligible electors, the council shall direct the ap-
26 propriate election official to provide for submitting a bond
27 issue proposition in accordance with the submitted request
28 in the notice of the next regular city election. However,
29 if the next regular city election is more than one hundred
30 eighty days away, the council shall call a special election
31 for the purpose of submitting the bond issue proposition to
32 the voters.

33 4. In submitting the general obligation bond issue propo-
34 sition to the voters, the council shall put the proposition
35 into proper legal form and in good faith make whatever

1 adjustments in the proposition it deems necessary to
2 effectively carry out the bond issue election.

3 If the eligible elector who submitted the request does
4 not agree with changes the council makes in the proposition,
5 he or she may bring an action for a writ of mandamus against
6 the council in the district court having jurisdiction over
7 the city.

8 5. The council may submit more than one bond issue proposi-
9 tion to the voters at each regular or special election.
10 However, in total, all bond issues submitted shall not exceed
11 the unencumbered bonding capacity of the city. Bond issue
12 propositions supported by petition shall be submitted to the
13 voters in the order the requests were received. The order
14 received shall be determined by the date the original bond
15 issue request was submitted to the council. Whether the
16 original written request was granted, denied, or not acted
17 upon within thirty days of submission, bond issue propositions
18 submitted by eligible electors which are supported by petitions
19 bearing the requisite number of signatures shall have
20 precedence over all other bond issue propositions.

21 Sec. 2. This Act is effective January 1, 1978.

22 EXPLANATION

23 This bill authorizes an eligible elector of a city to re-
24 quest a general obligation bond issue. Furthermore, if the
25 request is denied or not acted upon, the proposition must
26 be submitted to the voters at an election if petitions contain-
27 ing the requisite number of signatures are submitted in sup-
28 port of the bond issue request.

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