

Wayne Means 5/4 Amend per 5205
and Do. Pass 2/16 (p. 354)

SENATE FILE 380

Ways and Means
Redmond, Chairperson
Nolting
Craft

FILED MAY 4 1977

Reprinted 3/78

SENATE FILE 380

By COMMITTEE ON COUNTY GOVERNMENT

REPRINTED

Passed Senate, Date 8-8-78 (p. 481) Passed House, Date _____

Vote: Ayes 44 Nays _____ Vote: Ayes _____ Nays _____

Approved June 13, 1978

A BILL FOR

1 An Act relating to unified law enforcement, including clarification
2 of the tax levy, election procedures, and administration of
3 the district.

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

5
6
7
8
9
10
11
12

S.F. 380

SENATE FILE 380

S-5205

1 Amend Senate File 380 as follows:

2 1. Page 1, lines 33 and 34, by striking the words
3 "~~unified-law-enforcement~~ cities located in the" and
4 inserting in lieu thereof the words "unified law
5 enforcement".

6 2. Page 1, line 34, by striking the words "and
7 not exceed".

8 3. Page 1, by striking line 35.

9 4. Page 2, by striking line 1.

10 5. Page 2, line 2, by striking the words "in the
11 district".

12 6. Page 2, line 6, by inserting after the word
13 "electors" the words "in each city and the
14 unincorporated area of the county".

15

S-5205 FILED Adopted 2/8
FEBRUARY 20, 1978 (p. 480)

BY NORMAN G. RODGERS,
CHAIRPERSON
COMMITTEE ON WAYS AND MEANS

1 Section 1. Section twenty-eight E point twenty-one
2 (28E.21), Code 1977, is amended to read as follows:
3 28E.21 DEFINITION. For the purpose of this division,
4 the term "~~unified-law-enforcement~~ district" means a unified
5 law enforcement district established by an agreement under
6 the provisions of this chapter by ~~counties~~ a county, or
7 portions thereof, or cities to provide law enforcement within
8 the boundaries of the member political subdivisions.

9 Sec. 2. Section twenty-eight E point twenty-two (28E.22),
10 Code 1977, is amended to read as follows:

11 28E.22 REFERENDUM FOR TAX. ~~In every county that~~
12 ~~establishes a unified-law-enforcement district, the board~~
13 ~~of supervisors~~ The board of supervisors, or the city councils
14 of a district composed only of cities, may, and upon receipt
15 of a petition signed by five percent of the qualified electors
16 residing in the ~~unified-law-enforcement~~ district shall, submit
17 a proposition to the ~~county~~ electorate residing in the ~~unified~~
18 ~~law-enforcement~~ district at any ~~countywide~~ general election
19 providing or at a special election held throughout the
20 district. The proposition shall provide for the establishment
21 of a public safety fund and the levy of a tax on taxable
22 property located in the ~~unified-law-enforcement~~ district at
23 rates not exceeding the ~~rate~~ rates specified in this section
24 ~~28E.23~~ for the purpose of providing additional moneys for
25 the operation of the ~~unified-law-enforcement~~ district.

26 ~~At the election the~~ The ballot for the election shall be
27 prepared in substantially the form for submitting special
28 questions at general elections and the form of the proposition
29 shall be substantially as follows:

30 "Shall ~~a tax~~ an annual levy, the amount of which will not
31 exceed ~~the amount which would be raised by a uniform~~ a rate
32 of one dollar and ~~sixty-two~~ fifty cents per thousand dollars
33 of assessed value of the taxable property in the ~~unified-law~~
34 enforcement ~~cities~~ located in the district and not exceed
35 a rate of seventy-five cents per thousand dollars of assessed

5205 {

5205 } 1 value of the taxable property in unincorporated areas located
2 in the district be authorized for providing additional moneys
3 needed for unified law enforcement services in the district
4 for a period of not exceeding five years?"

5 Yes _____ No _____

5205-6 6 If a majority of the qualified electors voting on the
7 proposition approve the proposition, the county board of
8 supervisors for unincorporated area and city councils for
9 cities are authorized to levy the tax as provided in section
10 twenty-eight E point twenty-three (28E.23) of the Code.

11 Such moneys collected pursuant to the tax levy shall be
12 ~~in-addition-to-other-federal,-state,-and-local-moneys-available~~
13 ~~for-law-enforcement-purposes-to-the-county-and-cities-located~~
14 ~~in-the-unified-law-enforcement-district.---A-county-or-city~~
15 ~~which-is-included-in-a-unified-law-enforcement-district-shall~~
16 ~~not-reduce-the-percent-of-its-total-general-fund-budget-used~~
17 ~~for-law-enforcement-purposes-because-of-additional-moneys~~
18 ~~collected-pursuant-to-the-voted-levy~~ expended only for
19 providing additional moneys needed for unified law enforcement
20 services in the district and shall be in addition to the
21 revenues raised in the county and cities in the district from
22 their general funds which are based upon an average of revenues
23 raised for law enforcement purposes by the county or city
24 for the three previous years.

25 ~~If-a-majority-of-the-qualified-electors-voting-on-the~~
26 ~~proposition-approve-the-proposition,-the-board-of-supervisors~~
27 ~~shall-levy-the-tax-as-provided-in-section-28E.23.~~

28 The amount of revenues raised for law enforcement purposes
29 by the county for the three previous years shall be computed
30 separately for the unincorporated portion of the district
31 and for each city in the district.

32 Sec. 3. Section twenty-eight E point twenty-three (28E.23),
33 Code 1977, is amended by striking the section and inserting
34 in lieu thereof the following:

35 28E.23 BUDGET. The public safety commission, on or before

1 January tenth of each year, shall make an estimate of the
2 total amount of revenue deemed necessary for operation of
3 the district and, in conjunction with the county board of
4 supervisors and city councils in the district, determine the
5 amounts which will be contributed by the county and each city
6 in the district from their general funds which are based upon
7 an average of revenues raised for law enforcement purposes
8 in the county or city for the three previous years.

9 One of the following methods shall be used by the public
10 safety commission for computing the amount of revenue deemed
11 necessary for the operation of the district:

12 1. The per capita cost shall be computed by dividing the
13 amount of revenue deemed necessary for the operation of the
14 district by the total population of the district and by
15 computing separate amounts for the public safety fund as
16 follows:

17 a. The funds to be contributed by each city in the district
18 shall be computed by multiplying the per capita cost by the
19 population residing in each city of the district.

20 b. The funds to be contributed by the unincorporated area
21 of the district shall be computed by multiplying the per
22 capita cost by the population residing in the unincorporated
23 area of the district.

24 2. The percent of service received by the unincorporated
25 area and by each city in the district shall be computed and
26 the percent of service received by each shall be multiplied
27 by the amount of revenue deemed necessary for the operation
28 of the district.

29 Sec. 4. Chapter twenty-eight E (28E), Code 1977, is
30 amended by adding the following new section after section
31 twenty-eight E point twenty-three (28E.23) of the Code:

32 NEW SECTION. REVENUE AND TAX LEVIES. The county board
33 of supervisors shall certify to the public safety commission
34 the amount of revenue from the county general fund credited
35 to the unincorporated area in the district based upon an

1 average of revenues raised for law enforcement purposes in
2 the unincorporated area for the three previous years. The
3 public safety commission shall subtract this amount from the
4 amount of revenue to be contributed by the unincorporated
5 area. The difference is the amount of additional revenue
6 needed for unified law enforcement purposes.

7 In addition, the county board of supervisors and the city
8 council of each city in the district shall certify to the
9 public safety commission the amounts of revenue from the
10 county general fund and from the city general fund credited
11 to each city in the district based upon an average of revenues
12 raised for law enforcement purposes in each city for the three
13 previous years. The public safety commission shall subtract
14 the total of these amounts from the amount of revenue to be
15 contributed by each city respectively. The difference for
16 each city is the amount of additional revenue needed for
17 unified law enforcement purposes.

18 The county board of supervisors and the council of each
19 city located within the district shall review the proposed
20 budget and upon the approval of the budget by the board of
21 supervisors and all city councils in the district, each
22 governing body shall determine the source of the additional
23 revenue needed for unified law enforcement purposes. If the
24 tax levy is approved as the source of revenue, the governing
25 body shall certify to the county auditor the amount of revenue
26 to be raised from the tax levy in either the unincorporated
27 area of the district or a city in the district.

28 If the tax rate in any of the cities or the unincorporated
29 area exceeds the limitations prescribed in section twenty-
30 eight E point twenty-two (28E.22) of the Code, the public
31 safety commission shall revise the budget to conform with
32 the tax limitations.

33 The county board of supervisors and the city council of
34 each city in the district shall deposit in the public safety
35 fund the amounts of revenue from their general funds certified

1 to the public safety commission in this section based upon
2 an average of revenues raised for law enforcement purposes
3 for the three previous years.

4 If the average of revenues raised for law enforcement
5 purposes in the unincorporated area or a city for the previous
6 three years exceeds the amount of revenue needed for unified
7 law enforcement purposes, the unincorporated area or city
8 is only required to contribute the amount of revenue needed.

9 Taxes collected pursuant to the tax levies and other moneys
10 received from the county and cities in the district shall
11 be placed in a public safety fund and used only for the
12 operation of the district. Any unencumbered funds remaining
13 in the fund at the end of a fiscal year shall carry over to
14 the next fiscal year and may be used for the operation of
15 the district.

16 Sec. 5. Section twenty-eight E point twenty-four (28E.24),
17 Code 1977, is amended to read as follows:

18 28E.24 EXPANSION OF DISTRICT. Cities and unincorporated
19 areas may join an established ~~unified-law-enforcement~~ district
20 upon the affirmative vote of the city council or county board
21 of supervisors, whichever is applicable, and a tax may be
22 levied for providing additional moneys for unified law
23 enforcement ~~purposes~~ services only upon the affirmative vote
24 of qualified electors of the city or unincorporated area
25 voting in the manner provided in this division. A city or
26 unincorporated area joining a ~~unified-law-enforcement~~ district
27 shall contract with the ~~unified-law-enforcement~~ district for
28 services until the beginning of a fiscal year when the city
29 or unincorporated area may become a member.

30 ~~A-unified-law-enforcement-district-may-encompass-more-than~~
31 ~~one-county.~~

32 Sec. 6. Section twenty-eight E point twenty-six (28E.26),
33 Code 1977, is amended to read as follows:

34 28E.26 DURATION OF AGREEMENTS FOR LAW ENFORCEMENT PURPOSES.
35 An agreement under this chapter to provide joint or co-

1 operative services or facilities for unified law enforcement
2 purposes shall not be executed for less than a ~~three-year~~
3 five-year period.

4 Sec. 7. Chapter twenty-eight E (28E), Code 1977, is
5 amended by adding the following new section:

6 NEW SECTION. PUBLIC SAFETY COMMISSION. If the levy of
7 a tax has been approved under section twenty-eight E point
8 twenty-two (28E.22) of the Code, a public safety commission
9 shall be established under section twenty-eight E point six
10 (28E.6) of the Code. The public safety commission shall be
11 responsible for administering the unified law enforcement
12 agreement. The public safety commission shall be composed
13 of elected officials from public agencies party to the
14 agreement. The composition of the commission shall be
15 determined by the terms of the agreement. A vacancy shall
16 exist when a member of the commission ceases to hold the
17 elected office which qualifies the member for commission
18 membership.

19 EXPLANATION

20 This bill clarifies the unified law enforcement district
21 establishment and administration enacted in 1976. It provides
22 procedures if only cities are parties to a unified law enforce-
23 ment agreement. It allows approval at a special election.
24 It clarifies that the tax will only be used for additional
25 moneys for unified law enforcement services and prohibits
26 member political subdivisions from supplanting funds used
27 for law enforcement purposes based upon the previous three-
28 year average.

29 The bill sets tax limits of \$1.50 per thousand dollars
30 of assessed valuation on property in cities and \$.75 per
31 thousand dollars of assessed valuation on property in
32 unincorporated areas and sets two procedures for determining
33 the proportion paid by each: per capita and percent of service
34 received.

35 The bill requires that a public safety commission be

1 established to administer the unified law enforcement agency
2 if a tax has been authorized. It requires agreements to be
3 of at least a five-year duration and allows unincorporated
4 areas to join an existing district.

- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

See County Book 3/14 Do Pass 4/18 (p. 1661)

Senate File 380
County Government: Wyckoff, Chair; Hoffmann and Hinkhouse

SENATE FILE 380

By COMMITTEE ON COUNTY GOVERNMENT

(AS AMENDED AND PASSED BY THE SENATE MARCH 8, 1978)

Passed Senate, Date 3-9-78 (A 263) Passed House, Date 5-12-78 (A 2663)

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

Approved June 13, 1978

A BILL FOR

1 An Act relating to unified law enforcement, including clarification
2 of the tax levy, election procedures, and administration of
3 the district.

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

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

_____ = New Language
by the Senate

* = Language Stricken
by the Senate

1 Section 1. Section twenty-eight E point twenty-one
2 (28E.21), Code 1977, is amended to read as follows:

3 28E.21 DEFINITION. For the purpose of this division,
4 the term "~~unified-law-enforcement~~ district" means a unified
5 law enforcement district established by an agreement under
6 the provisions of this chapter by ~~counties~~ a county, or
7 portions thereof, or cities to provide law enforcement within
8 the boundaries of the member political subdivisions.

9 Sec. 2. Section twenty-eight E point twenty-two (28E.22),
10 Code 1977, is amended to read as follows:

11 28E.22 REFERENDUM FOR TAX. ~~In every county that~~
12 ~~establishes a unified-law-enforcement district, the board~~
13 ~~of supervisors~~ The board of supervisors, or the city councils
14 of a district composed only of cities, may, and upon receipt
15 of a petition signed by five percent of the qualified electors
16 residing in the ~~unified-law-enforcement~~ district shall, submit
17 a proposition to the ~~county~~ electorate residing in the ~~unified~~
18 ~~law-enforcement~~ district at any ~~countywide~~ general election
19 providing or at a special election held throughout the
20 district. The proposition shall provide for the establishment
21 of a public safety fund and the levy of a tax on taxable
22 property located in the ~~unified-law-enforcement~~ district at
23 rates not exceeding the ~~rate~~ rates specified in this section
24 ~~28E-23~~ for the purpose of providing additional moneys for
25 the operation of the ~~unified-law-enforcement~~ district.

26 ~~At the election the~~ The ballot for the election shall be
27 prepared in substantially the form for submitting special
28 questions at general elections and the form of the proposition
29 shall be substantially as follows:

30 "Shall ~~a tax~~ an annual levy, the amount of which will not
31 exceed ~~the amount which would be raised by a uniform~~ a rate
32 of one dollar and ~~sixty-two~~ fifty cents per thousand dollars
33 of assessed value of the taxable property in the unified law
*34 enforcement district be authorized for providing additional
*35 moneys needed for unified law enforcement services in the

* 1 district for a period of not exceeding five years?"

* 2 Yes _____ NO _____

3 If a majority of the qualified electors in each city and
4 the unincorporated area of the county voting on the proposition
5 approve the proposition, the county board of supervisors for
6 unincorporated area and city councils for cities are authorized
7 to levy the tax as provided in section twenty-eight E point
8 twenty-three (28E.23) of the Code.

9 Such moneys collected pursuant to the tax levy shall be
10 ~~in-addition-to-other-federal,-state,-and-local-moneys-available~~
11 ~~for-law-enforcement-purposes-to-the-county-and-cities-located~~
12 ~~in-the-unified-law-enforcement-district.--A-county-or-city~~
13 ~~which-is-included-in-a-unified-law-enforcement-district-shall~~
14 ~~not-reduce-the-percent-of-its-total-general-fund-budget-used~~
15 ~~for-law-enforcement-purposes-because-of-additional-moneys~~
16 ~~collected-pursuant-to-the-voted-levy~~ expended only for
17 providing additional moneys needed for unified law enforcement
18 services in the district and shall be in addition to the
19 revenues raised in the county and cities in the district from
20 their general funds which are based upon an average of revenues
21 raised for law enforcement purposes by the county or city
22 for the three previous years.

23 ~~If-a-majority-of-the-qualified-electors-voting-on-the~~
24 ~~proposition-approve-the-proposition,-the-board-of-supervisors~~
25 ~~shall-levy-the-tax-as-provided-in-section-28E.23-~~

26 The amount of revenues raised for law enforcement purposes
27 by the county for the three previous years shall be computed
28 separately for the unincorporated portion of the district
29 and for each city in the district.

30 Sec. 3. Section twenty-eight E point twenty-three (28E.23),
31 Code 1977, is amended by striking the section and inserting
32 in lieu thereof the following:

33 28E.23 BUDGET. The public safety commission, on or before
34 January tenth of each year, shall make an estimate of the
35 total amount of revenue deemed necessary for operation of

1 the district and, in conjunction with the county board of
2 supervisors and city councils in the district, determine the
3 amounts which will be contributed by the county and each city
4 in the district from their general funds which are based upon
5 an average of revenues raised for law enforcement purposes
6 in the county or city for the three previous years.

7 One of the following methods shall be used by the public
8 safety commission for computing the amount of revenue deemed
9 necessary for the operation of the district:

10 1. The per capita cost shall be computed by dividing the
11 amount of revenue deemed necessary for the operation of the
12 district by the total population of the district and by
13 computing separate amounts for the public safety fund as
14 follows:

15 a. The funds to be contributed by each city in the district
16 shall be computed by multiplying the per capita cost by the
17 population residing in each city of the district.

18 b. The funds to be contributed by the unincorporated area
19 of the district shall be computed by multiplying the per
20 capita cost by the population residing in the unincorporated
21 area of the district.

22 2. The percent of service received by the unincorporated
23 area and by each city in the district shall be computed and
24 the percent of service received by each shall be multiplied
25 by the amount of revenue deemed necessary for the operation
26 of the district.

27 Sec. 4. Chapter twenty-eight E (28E), Code 1977, is
28 amended by adding the following new section after section
29 twenty-eight E point twenty-three (28E.23) of the Code:

30 NEW SECTION. REVENUE AND TAX LEVIES. The county board
31 of supervisors shall certify to the public safety commission
32 the amount of revenue from the county general fund credited
33 to the unincorporated area in the district based upon an
34 average of revenues raised for law enforcement purposes in
35 the unincorporated area for the three previous years. The

1 public safety commission shall subtract this amount from the
2 amount of revenue to be contributed by the unincorporated
3 area. The difference is the amount of additional revenue
4 needed for unified law enforcement purposes.

5 In addition, the county board of supervisors and the city
6 council of each city in the district shall certify to the
7 public safety commission the amounts of revenue from the
8 county general fund and from the city general fund credited
9 to each city in the district based upon an average of revenues
10 raised for law enforcement purposes in each city for the three
11 previous years. The public safety commission shall subtract
12 the total of these amounts from the amount of revenue to be
13 contributed by each city respectively. The difference for
14 each city is the amount of additional revenue needed for
15 unified law enforcement purposes.

16 The county board of supervisors and the council of each
17 city located within the district shall review the proposed
18 budget and upon the approval of the budget by the board of
19 supervisors and all city councils in the district, each
20 governing body shall determine the source of the additional
21 revenue needed for unified law enforcement purposes. If the
22 tax levy is approved as the source of revenue, the governing
23 body shall certify to the county auditor the amount of revenue
24 to be raised from the tax levy in either the unincorporated
25 area of the district or a city in the district.

26 If the tax rate in any of the cities or the unincorporated
27 area exceeds the limitations prescribed in section twenty-
28 eight E point twenty-two (28E.22) of the Code, the public
29 safety commission shall revise the budget to conform with
30 the tax limitations.

31 The county board of supervisors and the city council of
32 each city in the district shall deposit in the public safety
33 fund the amounts of revenue from their general funds certified
34 to the public safety commission in this section based upon
35 an average of revenues raised for law enforcement purposes

1 for the three previous years.

2 If the average of revenues raised for law enforcement
3 purposes in the unincorporated area or a city for the previous
4 three years exceeds the amount of revenue needed for unified
5 law enforcement purposes, the unincorporated area or city
6 is only required to contribute the amount of revenue needed.

7 Taxes collected pursuant to the tax levies and other moneys
8 received from the county and cities in the district shall
9 be placed in a public safety fund and used only for the
10 operation of the district. Any unencumbered funds remaining
11 in the fund at the end of a fiscal year shall carry over to
12 the next fiscal year and may be used for the operation of
13 the district.

14 Sec. 5. Section twenty-eight E point twenty-four (28E.24),
15 Code 1977, is amended to read as follows:

16 28E.24 EXPANSION OF DISTRICT. Cities and unincorporated
17 areas may join an established ~~unified-law-enforcement~~ district
18 upon the affirmative vote of the city council or county board
19 of supervisors, whichever is applicable, and a tax may be
20 levied for providing additional moneys for unified law
21 enforcement purposes services only upon the affirmative vote
22 of qualified electors of the city or unincorporated area
23 voting in the manner provided in this division. A city or
24 unincorporated area joining a ~~unified-law-enforcement~~ district
25 shall contract with the ~~unified-law-enforcement~~ district for
26 services until the beginning of a fiscal year when the city
27 or unincorporated area may become a member.

28 ~~A-unified-law-enforcement-district-may-encompass-more-than~~
29 ~~one-county-~~

30 Sec. 6. Section twenty-eight E point twenty-six (28E.26),
31 Code 1977, is amended to read as follows:

32 28E.26 DURATION OF AGREEMENTS FOR LAW ENFORCEMENT PURPOSES.
33 An agreement under this chapter to provide joint or co-
34 operative services or facilities for unified law enforcement
35 purposes shall not be executed for less than a **three-year**

1 five-year period.

2 Sec. 7. Chapter twenty-eight E (28E), Code 1977, is
3 amended by adding the following new section:

4 NEW SECTION. PUBLIC SAFETY COMMISSION. If the levy of
5 a tax has been approved under section twenty-eight E point
6 twenty-two (28E.22) of the Code, a public safety commission
7 shall be established under section twenty-eight E point six
8 (28E.6) of the Code. The public safety commission shall be
9 responsible for administering the unified law enforcement
10 agreement. The public safety commission shall be composed
11 of elected officials from public agencies party to the
12 agreement. The composition of the commission shall be
13 determined by the terms of the agreement. A vacancy shall
14 exist when a member of the commission ceases to hold the
15 elected office which qualifies the member for commission
16 membership.

17 EXPLANATION

18 This bill clarifies the unified law enforcement district
19 establishment and administration enacted in 1976. It provides
20 procedures if only cities are parties to a unified law enforce-
21 ment agreement. It allows approval at a special election.
22 It clarifies that the tax will only be used for additional
23 moneys for unified law enforcement services and prohibits
24 member political subdivisions from supplanting funds used
25 for law enforcement purposes based upon the previous three-
26 year average.

27 The bill sets tax limits of \$1.50 per thousand dollars
28 of assessed valuation on property in cities and \$.75 per
29 thousand dollars of assessed valuation on property in
30 unincorporated areas and sets two procedures for determining
31 the proportion paid by each: per capita and percent of service
32 received.

33 The bill requires that a public safety commission be
34 established to administer the unified law enforcement agency
35 if a tax has been authorized. It requires agreements to be

1 of at least a five-year duration and allows unincorporated
2 areas to join an existing district.

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35

SF 380
db/slc/26C

AN ACT

RELATING TO UNIFIED LAW ENFORCEMENT, INCLUDING CLARIFICATION
OF THE TAX LEVY, ELECTION PROCEDURES, AND ADMINISTRATION
OF THE DISTRICT.

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

Section 1. Section twenty-eight E point twenty-one
(28E.21), Code 1977, is amended to read as follows:

28E.21 DEFINITION. For the purpose of this division,
the term "unified-law-enforcement district" means a unified
law enforcement district established by an agreement under
the provisions of this chapter by counties a county, or
portions thereof, or cities to provide law enforcement within
the boundaries of the member political subdivisions.

Sec. 2. Section twenty-eight E point twenty-two (28E.22),
Code 1977, is amended to read as follows:

28E.22 REFERENDUM FOR TAX. ~~In every county that
establishes a unified-law-enforcement-district, the board
of-supervisors~~ The board of supervisors, or the city councils
of a district composed only of cities, 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 general election
providing or at a special election held throughout the
district. The proposition shall provide 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 rates specified in this section
~~28E.23~~ for the purpose of providing additional moneys for
the operation of the unified-law-enforcement district.

~~At the election the~~ The ballot for the election 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~~ an annual levy, the amount of which will not
exceed ~~the amount which would be raised by a uniform~~ a rate
of one dollar and ~~sixty-two~~ fifty cents per thousand dollars
of assessed value of the taxable property in the unified law
enforcement district be authorized for providing additional
moneys needed for unified law enforcement services in the
district for a period of not exceeding five years?"

Yes No

If a majority of the qualified electors in each city and
the unincorporated area of the county voting on the proposition
approve the proposition, the county board of supervisors for
unincorporated area and city councils for cities are authorized
to levy the tax as provided in section twenty-eight E point
twenty-three (28E.23) of the Code.

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 expended only for
providing additional moneys needed for unified law enforcement
services in the district and shall be in addition to the
revenues raised in the county and cities in the district from
their general funds which are based upon an average of revenues
raised for law enforcement purposes by the county or city
for the three previous years.

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 28E.23.

The amount of revenues raised for law enforcement purposes

by the county for the three previous years shall be computed separately for the unincorporated portion of the district and for each city in the district.

Sec. 3. Section twenty-eight E point twenty-three (28E.23), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

28E.23 BUDGET. The public safety commission, on or before January tenth of each year, shall make an estimate of the total amount of revenue deemed necessary for operation of the district and, in conjunction with the county board of supervisors and city councils in the district, determine the amounts which will be contributed by the county and each city in the district from their general funds which are based upon an average of revenues raised for law enforcement purposes in the county or city for the three previous years.

One of the following methods shall be used by the public safety commission for computing the amount of revenue deemed necessary for the operation of the district:

1. The per capita cost shall be computed by dividing the amount of revenue deemed necessary for the operation of the district by the total population of the district and by computing separate amounts for the public safety fund as follows:

a. The funds to be contributed by each city in the district shall be computed by multiplying the per capita cost by the population residing in each city of the district.

b. The funds to be contributed by the unincorporated area of the district shall be computed by multiplying the per capita cost by the population residing in the unincorporated area of the district.

2. The percent of service received by the unincorporated area and by each city in the district shall be computed and the percent of service received by each shall be multiplied by the amount of revenue deemed necessary for the operation of the district.

Sec. 4. Chapter twenty-eight E (28E), Code 1977, is amended by adding the following new section after section twenty-eight E point twenty-three (28E.23) of the Code:

NEW SECTION. REVENUE AND TAX LEVIES. The county board of supervisors shall certify to the public safety commission the amount of revenue from the county general fund credited to the unincorporated area in the district based upon an average of revenues raised for law enforcement purposes in the unincorporated area for the three previous years. The public safety commission shall subtract this amount from the amount of revenue to be contributed by the unincorporated area. The difference is the amount of additional revenue needed for unified law enforcement purposes.

In addition, the county board of supervisors and the city council of each city in the district shall certify to the public safety commission the amounts of revenue from the county general fund and from the city general fund credited to each city in the district based upon an average of revenues raised for law enforcement purposes in each city for the three previous years. The public safety commission shall subtract the total of these amounts from the amount of revenue to be contributed by each city respectively. The difference for each city is the amount of additional revenue needed for unified law enforcement purposes.

The county board of supervisors and the council of each city located within the district shall review the proposed budget and upon the approval of the budget by the board of supervisors and all city councils in the district, each governing body shall determine the source of the additional revenue needed for unified law enforcement purposes. If the tax levy is approved as the source of revenue, the governing body shall certify to the county auditor the amount of revenue to be raised from the tax levy in either the unincorporated area of the district or a city in the district.

If the tax rate in any of the cities or the unincorporated

area exceeds the limitations prescribed in section twenty-eight E point twenty-two (28E.22) of the Code, the public safety commission shall revise the budget to conform with the tax limitations.

The county board of supervisors and the city council of each city in the district shall deposit in the public safety fund the amounts of revenue from their general funds certified to the public safety commission in this section based upon an average of revenues raised for law enforcement purposes for the three previous years.

If the average of revenues raised for law enforcement purposes in the unincorporated area or a city for the previous three years exceeds the amount of revenue needed for unified law enforcement purposes, the unincorporated area or city is only required to contribute the amount of revenue needed.

Taxes collected pursuant to the tax levies and other moneys received from the county and cities in the district shall be placed in a public safety fund and used only for the operation of the district. Any unencumbered funds remaining in the fund at the end of a fiscal year shall carry over to the next fiscal year and may be used for the operation of the district.

Sec. 5. Section twenty-eight E point twenty-four (28E.24), Code 1977, is amended to read as follows:

28E.24 EXPANSION OF DISTRICT. Cities and unincorporated areas may join an established unified-law-enforcement district upon the affirmative vote of the city council or county board of supervisors, whichever is applicable, and a tax may be levied for providing additional moneys for unified law enforcement purposes services only upon the affirmative vote of qualified electors of the city or unincorporated area voting in the manner provided in this division. A city or unincorporated area 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

or unincorporated area may become a member.

~~A-unified-law-enforcement-district-may-encompass-more-than one-county-~~

Sec. 6. Section twenty-eight E point twenty-six (28E.26), Code 1977, is amended to read as follows:

28E.26 DURATION OF AGREEMENTS FOR LAW ENFORCEMENT PURPOSES. An agreement under this chapter to provide joint or cooperative services or facilities for unified law enforcement purposes shall not be executed for less than a three-year five-year period.

Sec. 7. Chapter twenty-eight E (28E), Code 1977, is amended by adding the following new section:

NEW SECTION. PUBLIC SAFETY COMMISSION. If the levy of a tax has been approved under section twenty-eight E point twenty-two (28E.22) of the Code, a public safety commission shall be established under section twenty-eight E point six (28E.6) of the Code. The public safety commission shall be responsible for administering the unified law enforcement agreement. The public safety commission shall be composed of elected officials from public agencies party to the agreement. The composition of the commission shall be determined by the terms of the agreement. A vacancy shall exist when a member of the commission ceases to hold the elected office which qualifies the member for commission membership.

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 380, Sixty-seventh General Assembly.

Approved June 13, 1978
KEVIN P. LIGHT
Acting Secretary of the Senate

ROBERT D. RAY
Governor