

SENATE FILE 118

4 Do Pass 2/10 (p. 404)

Local Government
Mann, Chair
Vande Hoef
Colton

SENATE FILE 118

BY VANDE HOEF

SENATE FILE 118

*1/4 Do Pass 2/11/83
(p. 528)
FILED JAN 20 1983*

Ways & Means
Hester, Chair
Hoit
Carr

Senate File 118

Local Government: Menke, Chair; Grandia and Oxley.

Do Pass 3/21/83 (p. 1050)

Passed Senate, Date 3-4-83 (p. 626) Passed House, Date 4-14-83 (p. 1327)

Vote: Ayes 47 Nays 2 Vote: Ayes 90 Nays 4

Approved May 2, 1983 (p. 1515)

A BILL FOR

1 An Act providing for the discontinuation of a tax levy for,
2 and dissolution of, a unified law enforcement district.

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

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1 Section 1. Section 28E.22, unnumbered paragraph 3, Code
2 1983, is amended to read as follows:

3 "Shall an annual levy, the amount of which will not exceed
4 a rate of one dollar and fifty cents per thousand dollars
5 of assessed value of the taxable property in the unified law
6 enforcement district be authorized for providing additional
7 moneys needed for unified law enforcement services in the
8 district ~~for a period of not exceeding five years?~~"

9 Yes _____ No _____

10 Sec. 2. Chapter 28E, Code 1983, is amended by adding after
11 section 28E.28 the following new section:

12 NEW SECTION. 28E.28A REFERENDUM ON TAX LEVY--DISSOLUTION
13 OF DISTRICT.

14 1. After five years from the date that a district is
15 established, the public safety commission, upon receipt of
16 a petition signed by fifteen percent of the qualified electors
17 residing in the district, shall submit a proposition to the
18 electorate of the district at the next general election to
19 discontinue the annual levy for unified law enforcement
20 services in the district. If a majority of the qualified
21 electors in each city and the unincorporated area of the
22 county, as applicable, approve the proposition, the tax levy
23 shall be discontinued.

24 2. If the discontinuation of the tax levy necessitates
25 the dissolution of the district, the public safety commission
26 shall dispose of any remaining property, the proceeds of which
27 shall be applied first against any outstanding obligations
28 of the district and any balance shall be remitted to the
29 county and each city in the district in the same proportion
30 that each jurisdiction contributed to the district's budget
31 in its final fiscal year. The board of supervisors, on behalf
32 of the unincorporated area of the county and the city councils
33 of the cities included in the dissolved district shall continue
34 to levy taxes and appropriate funds to the public safety fund
35 as provided in section 28E.24 until all outstanding obligations

1 of the dissolved district are paid.

2 Sec. 3. Section 331.381, subsection 1, Code 1983, is
3 amended to read as follows:

4 1. Proceed in response to a petition to establish a unified
5 law enforcement district in accordance with sections 28E.21
6 to ~~28E-28~~ 28E.28A, or the board may proceed under those
7 sections on its own motion.

8 Sec. 4. Section 331.425, subsection 1, Code 1983, is
9 amended to read as follows:

10 1. A public safety fund, if a unified law enforcement
11 district is established under sections 28E.21 to ~~28E-28~~
12 28E.28A.

13 EXPLANATION

14 This bill provides for the discontinuation of a tax levy
15 for a unified law enforcement district by reverse referendum.
16 Under current law, the county and cities or the cities included
17 in a unified law enforcement district must pass a referendum
18 each five years to continue the annual tax levy. A vote on
19 the tax levy is required by a petition of fifteen percent
20 of the qualified electors of the district. The bill also
21 provides for the dissolution of the district if discontinuation
22 of the tax levy requires it.

23 This bill takes effect July 1 following its enactment.

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Sec. 2. Chapter 28E, Code 1983, is amended by adding after section 28E.28 the following new section:

NEW SECTION. 28E.28A REFERENDUM ON TAX LEVY--DISSOLUTION OF DISTRICT.

1. After five years from the date that a district is established, the public safety commission, upon receipt of a petition signed by fifteen percent of the qualified electors residing in the district, shall submit a proposition to the electorate of the district at the next general election to discontinue the annual levy for unified law enforcement services in the district. If a majority of the qualified electors in each city and the unincorporated area of the county, as applicable, approve the proposition, the tax levy shall be discontinued.

2. If the discontinuation of the tax levy necessitates the dissolution of the district, the public safety commission shall dispose of any remaining property, the proceeds of which shall be applied first against any outstanding obligations of the district and any balance shall be remitted to the county and each city in the district in the same proportion that each jurisdiction contributed to the district's budget in its final fiscal year. The board of supervisors, on behalf of the unincorporated area of the county and the city councils of the cities included in the dissolved district shall continue to levy taxes and appropriate funds to the public safety fund as provided in section 28E.24 until all outstanding obligations of the dissolved district are paid.

Sec. 3. Section 331.381, subsection 1, Code 1983, is amended to read as follows:

1. Proceed in response to a petition to establish a unified law enforcement district in accordance with sections 28E.21 to ~~28E.28~~ 28E.28A, or the board may proceed under those sections on its own motion.

SENATE FILE 118

AN ACT

PROVIDING FOR THE DISCONTINUATION OF A TAX LEVY FOR, AND DISSOLUTION OF, A UNIFIED LAW ENFORCEMENT DISTRICT.

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

Section 1. Section 28E.22, unnumbered paragraph 3, Code 1983, is amended to read as follows:

"Shall an annual levy, the amount of which will not exceed a rate of one dollar and 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 _____

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Sec. 4. Section 331.425, subsection 1, Code 1983, is amended to read as follows:

1. A public safety fund, if a unified law enforcement district is established under sections 28E.21 to ~~28E.28~~ 28E.28A.

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 118, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved May 2, 1983

TERRY E. BRANSTAD
Governor