

House Amendment 8675

Amendment Text

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1 1 Amend the amendment, [H-8616](#), to [Senate File 2366](#),
1 2 as amended, passed, and reprinted by the Senate, as
1 3 follows:
1 4 #1. Page 15, by inserting after line 1 the
1 5 following:
1 6 "Sec. ____ NEW SECTION. 257.51 SMALLER CLASS
1 7 SIZE INFRASTRUCTURE PROGRAM.
1 8 1. A smaller class size infrastructure program
1 9 that provides additional funding for school districts
1 10 is established. A board of directors that wishes to
1 11 consider participating in the smaller class size
1 12 infrastructure program shall hold a public hearing on
1 13 the question of participation. The board shall set
1 14 forth its proposal, including the method that will be
1 15 used to fund the program, in a resolution and shall
1 16 publish the notice of the time and place of a public
1 17 hearing on the resolution. Notice of the time and
1 18 place of the public hearing shall be published not
1 19 less than ten nor more than twenty days before the
1 20 public hearing in a newspaper which is a newspaper of
1 21 general circulation in the school district. At the
1 22 hearing, or no later than thirty days after the date
1 23 of the hearing, the board shall take action to adopt a
1 24 resolution to participate in the smaller class size
1 25 infrastructure program for a period not exceeding five
1 26 years or to direct the county commissioner of
1 27 elections to submit the question of participation in
1 28 the program for a period not exceeding ten years to
1 29 the registered voters of the school district at the
1 30 next regular school election or at a special election.
1 31 If the board submits the question at an election and a
1 32 majority of those voting on the question favors
1 33 participation in the program, the board shall adopt a
1 34 resolution to participate and certify the results of
1 35 the election to the department of management.
1 36 2. If the board does not provide for an election
1 37 and adopts a resolution to participate in the smaller
1 38 class size infrastructure program, the district shall
1 39 participate in the smaller class size infrastructure
1 40 program unless within twenty-eight days following the
1 41 action of the board, the secretary of the board
1 42 receives a petition containing the required number of
1 43 signatures, asking that an election be called to
1 44 approve or disapprove the action of the board in
1 45 adopting the smaller class size infrastructure
1 46 program. The petition must be signed by eligible
1 47 electors equal in number to not less than one hundred
1 48 or thirty percent of the number of voters at the last
1 49 preceding regular school election, whichever is
2 1 greater. The board shall either rescind its action or
2 2 direct the county commissioner of elections to submit
2 3 the question to the registered voters of the school
2 4 district at the next following regular school election
2 5 or a special election. If a majority of those voting
2 6 on the question at the election favors disapproval of
2 7 the action of the board, the district shall not
2 8 participate in the smaller class size infrastructure

2 8 program. If a majority of those voting on the
2 9 question favors approval of the action, the board
2 10 shall certify the results of the election to the
2 11 department of management and the district shall
2 12 participate in the program.

2 13 At the expiration of the twenty-eight day period,
2 14 if no petition is filed, the board shall certify its
2 15 action to the department of management and the
2 16 district shall participate in the program.

2 17 3. Participation in a smaller class size
2 18 infrastructure program is not affected by a change in
2 19 the boundaries of the school district, except as
2 20 otherwise provided in this section. If each school
2 21 district involved in a school reorganization under
2 22 chapter 275 has approved a smaller class size
2 23 infrastructure program, and if the voters have not
2 24 voted upon the question of participation in the
2 25 program in the reorganized district, the smaller class
2 26 size infrastructure program shall be in effect for the
2 27 reorganized district that has been approved for the
2 28 least amount and the shortest time in any of the
2 29 districts.

2 30 Sec. _____. NEW SECTION. 257.52 SMALLER CLASS SIZE
2 31 INFRASTRUCTURE FUNDING.

2 32 1. The additional funding for the smaller class
2 33 size infrastructure program for a budget year is
2 34 limited to an amount not exceeding ten percent of the
2 35 total of regular program district cost for the budget
2 36 year and moneys received under section 257.14 as a
2 37 budget adjustment for the budget year. Moneys
2 38 received by a district for the smaller class size
2 39 infrastructure program are miscellaneous income and
2 40 may be used for any general fund purpose. However,
2 41 moneys received by a district for the smaller class
2 42 size infrastructure program shall be expended solely
2 43 for smaller class size infrastructure needs.

2 44 2. Certification of a board's intent to
2 45 participate for a budget year, the method of funding,
2 46 and the amount to be raised shall be made to the
2 47 department of management not later than April 15 of
2 48 the base year. Funding for the smaller class size
2 49 infrastructure program shall be obtained from smaller
2 50 class size infrastructure state aid and from local
3 1 funding using either a smaller class size
3 2 infrastructure income surtax or a combination of a
3 3 smaller class size infrastructure property tax and a
3 4 smaller class size infrastructure income surtax as
3 5 determined by the board of directors.

3 6 3. The smaller class size infrastructure income
3 7 surtax shall fund at least sixty percent of the local
3 8 funding costs of the program. Subject to the
3 9 limitation specified in section 298.14, for each
3 10 budget year the board shall determine the percent of
3 11 income surtax that will be imposed, expressed as full
3 12 percentage points, not to exceed twenty percent.

3 13 4. For purposes of sections 257.51 through 257.60,
3 14 "smaller class size infrastructure", means those
3 15 activities for which a school district is authorized
3 16 to contract indebtedness and issue general obligation
3 17 bonds under section 296.1, except those activities
3 18 related to a teacher's or superintendent's home or
3 19 homes. The activities include the construction,
3 20 reconstruction, repair, purchasing, or remodeling of
3 21 schoolhouses, stadiums, gyms, fieldhouses, and bus
3 22 garages, and the procurement of schoolhouse
3 23 construction sites and the making of site
3 24 improvements. Additionally, "school infrastructure"

3 25 includes the payment or retirement of outstanding
3 26 bonds previously issued for school infrastructure
3 27 purposes as described in this subsection, and the
3 28 maintenance of schoolhouses and school district
3 29 property.

3 30 Sec. _____. NEW SECTION. 257.53 SMALLER CLASS SIZE
3 31 INFRASTRUCTURE STATE AID APPROPRIATION.

3 32 1. In order to determine the amount of smaller
3 33 class size infrastructure state aid and the amount of
3 34 local funding for the smaller class size
3 35 infrastructure program for a district, the department
3 36 of management shall divide the total assessed
3 37 valuation in the state by the total budget enrollment
3 38 for the budget year in the state to determine a state
3 39 assessed valuation per pupil and shall divide the
3 40 assessed valuation in each district by the district's
3 41 budget enrollment for the budget year to determine the
3 42 district assessed valuation per pupil. The department
3 43 of management shall multiply the ratio of the state's
3 44 valuation per pupil to the district's valuation per
3 45 pupil by twenty-five hundredths and subtract that
3 46 result from one to determine the portion of the
3 47 smaller class size infrastructure program budget that
3 48 is local funding. The remaining portion of the budget
3 49 shall be funded by smaller class size infrastructure
3 50 state aid.

4 1 2. Notwithstanding section 8.57, subsection 5,
4 2 paragraph "c", there is appropriated for each fiscal
4 3 year from the rebuild Iowa infrastructure fund to the
4 4 department of education, the sum of twenty million
4 5 dollars to pay smaller class size infrastructure state
4 6 aid as determined under subsection 1.

4 7 3. If the amount appropriated under subsection 2
4 8 is insufficient to pay the amount of smaller class
4 9 size infrastructure state aid determined under
4 10 subsection 1, the department of education shall
4 11 prorate the amount of the smaller class size
4 12 infrastructure state aid provided to each district.

4 13 4. Smaller class size infrastructure state aid
4 14 shall be paid at the same time and in the same manner
4 15 as foundation aid is paid under section 257.16.

4 16 Sec. _____. NEW SECTION. 257.54 COMPUTATION OF
4 17 SMALLER CLASS SIZE INFRASTRUCTURE AMOUNT.

4 18 1. The department of management shall establish
4 19 the amount of smaller class size infrastructure
4 20 property tax to be levied and the amount of smaller
4 21 class size infrastructure income surtax to be imposed
4 22 by a district in accordance with the decision of the
4 23 board under section 257.52 for each school year for
4 24 which the smaller class size infrastructure program is
4 25 authorized. The department of management shall
4 26 determine these amounts based upon the most recent
4 27 figures available for the district's valuation of
4 28 taxable property, individual state income tax paid,
4 29 and budget enrollment in the district, and shall
4 30 certify to the district's county auditor the amount of
4 31 smaller class size infrastructure property tax if a
4 32 smaller class size infrastructure property tax is to
4 33 be imposed, and to the director of revenue and finance
4 34 the amount of smaller class size infrastructure income
4 35 surtax to be imposed.

4 36 2. The smaller class size infrastructure income
4 37 surtax shall be imposed on the state individual income
4 38 tax for the calendar year during which the school's
4 39 budget year begins, or for a taxpayer's fiscal year
4 40 ending during the second half of that calendar year
4 41 and after the date the board adopts a resolution to

4 42 participate in the program or the first half of the
4 43 succeeding calendar year, and shall be imposed on all
4 44 individuals residing in the school district on the
4 45 last day of the applicable tax year. As used in this
4 46 section, "state individual income tax" means the taxes
4 47 computed under section 422.5, less the credits allowed
4 48 in sections 422.11A, 422.11B, 422.12, and 422.12B.

4 49 Sec. _____. NEW SECTION. 257.55 STATUTES
4 50 APPLICABLE.

5 1 The director of revenue and finance shall
5 2 administer the smaller class size infrastructure
5 3 income surtax imposed under this chapter, and sections
5 4 422.20, 422.22 to 422.31, 422.68, and 422.72 to 422.75
5 5 shall apply with respect to administration of the
5 6 smaller class size infrastructure income surtax.

5 7 Sec. _____. NEW SECTION. 257.56 FORM AND TIME OF
5 8 RETURN.

5 9 The smaller class size infrastructure income surtax
5 10 shall be made a part of the Iowa individual income tax
5 11 return subject to the conditions and restrictions set
5 12 forth in section 422.21.

5 13 Sec. _____. NEW SECTION. 257.57 DEPOSIT OF SMALLER
5 14 CLASS SIZE INFRASTRUCTURE INCOME SURTAX.

5 15 1. The director of revenue and finance shall
5 16 deposit all moneys received as smaller class size
5 17 infrastructure income surtax to the credit of each
5 18 district from which the moneys are received, in the
5 19 school district income surtax fund which is
5 20 established in section 298.14.

5 21 2. The director of revenue and finance shall
5 22 deposit smaller class size infrastructure income
5 23 surtax moneys received on or before November 1 of the
5 24 year following the close of the school budget year for
5 25 which the surtax is imposed to the credit of each
5 26 district from which the moneys are received in the
5 27 school district income surtax fund.

5 28 3. Smaller class size infrastructure income surtax
5 29 moneys received or refunded after November 1 of the
5 30 year following the close of the school budget year for
5 31 which the surtax is imposed shall be deposited in or
5 32 withdrawn from the general fund of the state and shall
5 33 be considered part of the cost of administering the
5 34 smaller class size infrastructure income surtax.

5 35 Sec. _____. NEW SECTION. 257.58 SMALLER CLASS SIZE
5 36 INFRASTRUCTURE INCOME SURTAX CERTIFICATION.

5 37 On or before October 20 each year, the director of
5 38 revenue and finance shall make an accounting of the
5 39 smaller class size infrastructure income surtax
5 40 collected under this chapter applicable to tax returns
5 41 for the last preceding calendar year, or for a
5 42 taxpayer's fiscal year ending during the second half
5 43 of that calendar year and after the date the board
5 44 adopts a resolution to participate in the program, or
5 45 the first half of the succeeding calendar year, from
5 46 taxpayers in each school district in the state which
5 47 has approved the smaller class size infrastructure
5 48 program, and shall certify to the department of
5 49 management and the department of education the amount
5 50 of total smaller class size infrastructure income
6 1 surtax credited from the taxpayers of each school
6 2 district.

6 3 Sec. _____. NEW SECTION. 257.59 SMALLER CLASS SIZE
6 4 INFRASTRUCTURE INCOME SURTAX DISTRIBUTION.

6 5 The director of revenue and finance shall draw
6 6 warrants in payment of the amount of smaller class
6 7 size infrastructure surtax in the manner provided in
6 8 section 298.14.

6 9 Sec. ____ NEW SECTION. 257.60 CONTINUATION OF
6 10 SMALLER CLASS SIZE INFRASTRUCTURE PROGRAM.

6 11 1. At the expiration of the period for which the
6 12 smaller class size infrastructure program was adopted,
6 13 the program may be extended for a period of not
6 14 exceeding five or ten years in the manner provided in
6 15 section 257.51.

6 16 2. If the voters do not approve adoption of the
6 17 smaller class size infrastructure program, the board
6 18 shall wait at least one hundred twenty days following
6 19 the election before taking action to adopt the program
6 20 or resubmit the proposition."

6 21 #2. By renumbering as necessary.

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6 24 _____
6 25 [WARNSTADT](#) of Woodbury

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6 28 _____
6 29 [BRAND](#) of Tama

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6 32 _____
6 33 [BUKTA](#) of Clinton

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6 36 _____
6 37 [COHOON](#) of Des Moines

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6 40 _____
6 41 [FALCK](#) of Fayette

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6 44 _____
6 45 [FOEGE](#) of Linn

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6 48 _____
6 49 [KINZER](#) of Scott

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7 1

7 2 _____
7 3 [MASCHER](#) of Johnson

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7 6 _____
7 7 [THOMAS](#) of Clayton

7 8

7 9

7 10 _____
7 11 [WISE](#) of Lee

7 12 [SF 2366.231](#) 77

7 13 kh/jl/28