

Cities: Hargrave, Chair; Smalley, Toft, Newhard and Perkins.

Cities Do pass 4/4 (p. 1384)

FEB 6 1978

See Cities 4/13 Do Pass 4/26 (p. 1046)

HOUSE FILE 2128

HOUSE FILE 2128

By BINA

Cities
Miller of Des Moines, Chairperson
Readinger
Slater

Passed House, Date 4-10-78 (p. 1432) Passed Senate, Date 5-1-78 (p. 1170)
Vote: Ayes 81 Nays 1 Vote: Ayes 43 Nays 0
Approved 5-12-78

A BILL FOR

1 An Act relating to the publication requirements for an addi-
2 tional public hearing required under local budget law.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Publication 6/30 (p. 2804)

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HOUSE FILE 2128

S-5683

1 Amend House File 2123 as passed by the House
2 as follows:
3 1. Page 2, by striking lines 10 through 14.

S-5683 FILED *withdrawn 5/1/78*
APRIL 26, 1978

BY COMMITTEE ON CITIES
ALVIN V. MILLER, CHAIRPERSON

1 Section 1. Section twenty-four point forty-one (24.41),
2 Code 1977, is amended to read as follows:

3 24.41 ADDITIONAL PUBLIC HEARING--FISCAL YEARS-1977-78
4 AND YEAR 1978-79.

5 Upon receipt of the notification from the state comptroller
6 that the property tax budget of the certified total budget
7 of a political subdivision for the fiscal year beginning ~~July~~
8 ~~1, 1977, or~~ July 1, 1978, exceeds seven percent but not more
9 than nine percent of the property tax budget of such political
10 subdivision for the base year, the governing body of such
11 political subdivision shall publish notice of and conduct
12 a second public hearing not later than April 15. The date,
13 time and location of the public hearing and ~~the information~~
14 ~~required to be published under section 24.42 of this division,~~
15 either a revised budget estimate summary and a statement of
16 what changes have been made or a statement that the originally
17 proposed budget has not been revised, together with the state
18 comptroller's budget limit calculation table shall be published
19 in a newspaper having general circulation throughout the
20 political subdivision not less than ~~five~~ four days before
21 the date of hearing. Thereafter, the total budget shall be
22 recertified, with or without changes that may be made after
23 the hearing, to the county auditor and the state comptroller
24 not later than April 15. ~~If, after such hearing,~~ the property
25 tax budget for the fiscal year beginning ~~July 1, 1977, or~~
26 July 1, 1978, exceeds the property tax budget of the base
27 year by more than nine percent, such budget shall be subject
28 to the approval of the state appeal board as provided in
29 section 24.40.

30 Sec. 2. Section twenty-four point forty-two (24.42),
31 unnumbered paragraph two (2), Code 1977, is amended to read
32 as follows:

33 The provisions of this section shall not apply to
34 publication of notice for a hearing on ~~a total budget for~~
35 ~~the fiscal year beginning July 1, 1976, required under section~~

1 ~~24.9 or 384.16 if the notice of hearing has been published~~
2 ~~before the effective date of this division,~~ an amendment to
3 a total budget or for a second public hearing required under
4 section twenty-four point forty-one (24.41) of the Code, but
5 it shall apply to any ~~other~~ notice for a the hearing on a
6 the originally proposed total budget ~~or amendment to a total~~
7 ~~budget required by this division or other provision of law~~
8 for the fiscal years year beginning ~~July 1, 1976~~ ~~July 1,~~
9 ~~1977~~ and July 1, 1978.

5683 { 10 Sec. 3. This Act, being deemed of immediate importance,
11 shall take effect and be in force from and after its
12 publication in the Quad-City Times, a newspaper published
13 in Davenport, Iowa, and the Globe-Gazette, a newspaper
14 published in Mason City, Iowa.

15 EXPLANATION

16 This bill reduces the amount of information which is
17 required to be published if a second public hearing is required
18 under the Local Budget Law. If the second public hearing
19 is required, the municipality will be required to publish
20 a revised budget estimate summary and a statement of what
21 changes have been made or a statement that the originally
22 proposed budget has not been changed, plus the state
23 comptroller's budget limit calculation table. The bill also
24 provides that notices published for public hearings on budget
25 amendments need not include the information required for the
26 originally proposed total budget.

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HOUSE FILE 2128

AN ACT

RELATING TO THE PUBLICATION REQUIREMENTS FOR AN ADDITIONAL
PUBLIC HEARING REQUIRED UNDER LOCAL BUDGET LAW.

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

Section 1. Section twenty-four point forty-one (24.41),
Code 1977, is amended to read as follows:

24.41 ADDITIONAL PUBLIC HEARING--FISCAL YEARS-1977-78
AND YEAR 1978-79.

Upon receipt of the notification from the state comptroller
that the property tax budget of the certified total budget
of a political subdivision for the fiscal year beginning ~~July~~
~~17-1977-or~~ July 1, 1978, exceeds seven percent but not more
than nine percent of the property tax budget of such political
subdivision for the base year, the governing body of such
political subdivision shall publish notice of and conduct
a second public hearing not later than April 15. The date,
time and location of the public hearing and ~~the information~~
~~required-to-be-published-under-section-24.42-of-this-division,~~
either a revised budget estimate summary and a statement of
what changes have been made or a statement that the originally
proposed budget has not been revised, together with the state
comptroller's budget limit calculation table shall be published
in a newspaper having general circulation throughout the
political subdivision not less than ~~five~~ four days before
the date of hearing. Thereafter, the total budget shall be
recertified, with or without changes that may be made after
the hearing, to the county auditor and the state comptroller
not later than April 15. ~~If-after-such-hearing,~~ the property
tax budget for the fiscal year beginning ~~July-17-1977-or~~
July 1, 1978, exceeds the property tax budget of the base
year by more than nine percent, such budget shall be subject

to the approval of the state appeal board as provided in
section 24.40.

Sec. 2. Section twenty-four point forty-two (24.42),
unnumbered paragraph two (2), Code 1977, is amended to read
as follows:

The provisions of this section shall not apply to
publication of notice for a hearing on ~~a total budget for~~
~~the fiscal year beginning July-17-1976, required under section~~
~~24.9-or-304.16-if-the-notice-of-hearing-has-been-published~~
~~before-the-effective-date-of-this-division,~~ an amendment to
a total budget or for a second public hearing required under
section twenty-four point forty-one (24.41) of the Code, but
it shall apply to any ~~other~~ notice for a the hearing on a
the originally proposed total budget or amendment to a total
budget required by this division or other provision of law
for the fiscal years year beginning ~~July-17-1976-July-17-~~
~~1977-and~~ July 1, 1978.

Sec. 3. This Act, being deemed of immediate importance,
shall take effect and be in force from and after its
publication in the Quad-City Times, a newspaper published
in Davenport, Iowa, and the Globe-Gazette, a newspaper
published in Mason City, Iowa.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2128, Sixty-seventh General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved May 12, 1978

ROBERT D. RAY
Governor