

*E. Education Amend for S-5257 to Base
3/5 (p. 713)*

HOUSE FILE 2458

FEB 7 1980

BY COMMITTEE ON EDUCATION

Place On Calendar

(Formerly Study Bill 553)

Passed House, Date 2-19-80 (p. 558) Passed Senate, Date 3/27/80 (p. 1121)

Vote: Ayes 97 Nays 0 Vote: Ayes 45 Nays 0

Approved April 24, 1980

*Repealed then re-enacted by Senate
1-8-86 (p. 1417)
90-1*

A BILL FOR

1 An Act relating to the authority of reorganized school
2 districts to levy the schoolhouse tax.

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

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S-5257

HOUSE FILE 2458

1 Amend House File 2458, as passed by the House,
2 as follows:
3 1. Page 2, by striking lines 23 through 25 and
4 inserting in lieu thereof: "district for the least
5 amount and the shortest time for which it is in effect
6 in any of the districts. Authorized levies for the
7 period".

S-5257 FILED
MARCH 5, 1980
Adopted 3/27 (p. 1120)

BY COMMITTEE ON EDUCATION
WILLARD R. HANSEN, CHAIRPERSON

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1 Section 1. Section two hundred seventy-five point twelve
2 (275.12), Code 1979, as the section is amended by Acts of
3 the Sixty-eighth General Assembly, 1979 Session, chapter
4 sixty-one (61), section one (1), is amended by adding the
5 following new subsection:

6 NEW SUBSECTION. The petition may also include a provision
7 that the schoolhouse tax provided in section two hundred
8 seventy-eight point one (278.1), subsection seven (7), of
9 the Code will be voted upon at the election conducted under
10 section two hundred seventy-five point eighteen (275.18) of
11 the Code.

12 Sec. 2. Section two hundred seventy-five point twenty
13 (275.20), Code 1979, is amended to read as follows:

14 275.20 SEPARATE VOTE IN EXISTING DISTRICTS. The voters
15 shall vote separately in each existing school district affected
16 and voters residing in the entire existing district are
17 eligible to vote both upon the proposition to create such
18 a new school corporation and the proposition to levy the
19 schoolhouse tax under section two hundred seventy-eight point
20 one (278.1), subsection seven (7), of the Code if the petition
21 included a provision for a vote to levy the schoolhouse tax.
22 If ~~the~~ a proposition receives a majority of the votes cast
23 in each of at least seventy-five percent of the ~~said~~ districts,
24 and also a majority of the total number of votes cast in all
25 of ~~said~~ the districts, the proposition ~~shall-be-deemed~~ is
26 carried.

27 Sec. 3. Section two hundred seventy-eight point one
28 (278.1), subsection seven (7), Code 1979, as the section is
29 amended by Acts of the Sixty-eighth General Assembly, 1979
30 Session, chapter sixty-one (61), section four (4), is amended
31 to read as follows:

32 7. Vote a schoolhouse tax, not exceeding sixty-seven and
33 one-half cents per thousand dollars of assessed value in any
34 one year, for the purchase of grounds, for construction of
35 schoolhouses or buildings, for the payment of debts contracted

1 for the erection or construction of schoolhouses or buildings,
2 not including interest on bonds, for procuring or acquisition
3 of libraries, for opening roads to schoolhouses or buildings,
4 for the purchase of buildings or equipment for buildings or
5 schoolhouses, for the purpose of repairing, remodeling,
6 reconstructing, improving or expanding the schoolhouses or
7 buildings for the school district, for the purpose of
8 landscaping, paving, or improving the schoolhouse or building
9 grounds, or for the rental of facilities pursuant to chapter
10 28E. Interest earned from investments of these funds may
11 be used for the purposes voted. The power to levy said a
12 schoolhouse tax, when voted, shall continue for such the
13 period of time ~~as may be~~ authorized by the voters and shall
14 not be affected by any change in the boundaries of the school
15 district, ~~in whatever manner effected~~, except ~~in case the~~
16 ~~school district is reorganized pursuant to sections 275-12~~
17 ~~to 275-22~~ as otherwise provided in this section. If each
18 school district involved in a school reorganization under
19 chapter two hundred seventy-five (275) of the Code has voted
20 the schoolhouse tax and if the voters have not voted upon
21 the proposition to levy the schoolhouse tax in the reorganized
22 district, the schoolhouse tax is in effect for the reorganized
23 district to the extent, both in amount, duration, and purposes
24 that it is in effect in the district which has voted it on
25 the most restrictive basis. Authorized levies for the period
26 of time presently approved shall not be affected as a result
27 of a failure of a proposition proposed to expand the purposes
28 for which the funds may be expended. As used in this
29 subsection, "repair" means to restore the existing structure
30 or thing to its original condition, as near as may be, after
31 decay, waste, injury, or partial destruction, but does not
32 include maintenance or customary repainting; and
33 "reconstruction" means to rebuild or to restore again as an
34 entity the thing which was lost or destroyed.

35 Sec. 4. Section three (3) of this Act applies to school

1 districts for which a reorganization under chapter two hundred
2 seventy-five (275) of the Code takes effect July 1, 1980.

3 Sec. 5. This Act, being deemed of immediate importance,
4 shall take effect from and after its publication in The
5 Holstein Advance, a newspaper published in Holstein, Iowa,
6 and in The Hartley Sentinel, a newspaper published in Hartley,
7 Iowa.

8 EXPLANATION

9 This bill authorizes a continuation of the schoolhouse
10 tax on the most restrictive basis if all of the districts
11 involved in a school reorganization have approved levying
12 the schoolhouse tax. It also provides that the electorate
13 can vote on levying the schoolhouse tax at the same election
14 that the vote is held on reorganization. The bill takes
15 effect upon its publication.

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SENATE AMENDMENT TO
HOUSE FILE 2458

H-5757

1 Amend House File 2458, as passed by the House,
2 as follows:
3 1. Page 2, by striking lines 23 through 25 and
4 inserting in lieu thereof: "district for the least
5 amount and the shortest time for which it is in effect
6 in any of the districts. Authorized levies for the
7 period".

H-5757 FILED
MARCH 28, 1980
Adopted

RECEIVED FROM THE SENATE
House Amendment 1/2 (p. 1417)

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LSB 4174H 68
db/sc/14

HOUSE FILE 2458

AN ACT
RELATING TO THE AUTHORITY OF REORGANIZED SCHOOL DISTRICTS
TO LEVY THE SCHOOLHOUSE TAX.

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

Section 1. Section two hundred seventy-five point twelve (275.12), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979 Session, chapter sixty-one (61), section one (1), is amended by adding the following new subsection:

NEW SUBSECTION. The petition may also include a provision that the schoolhouse tax provided in section two hundred seventy-eight point one (278.1), subsection seven (7), of the Code will be voted upon at the election conducted under section two hundred seventy-five point eighteen (275.18) of the Code.

Sec. 2. Section two hundred seventy-five point twenty (275.20), Code 1979, is amended to read as follows:

275.20 SEPARATE VOTE IN EXISTING DISTRICTS. The voters shall vote separately in each existing school district affected and voters residing in the entire existing district are eligible to vote both upon the proposition to create ~~such~~ a new school corporation and the proposition to levy the schoolhouse tax under section two hundred seventy-eight point one (278.1), subsection seven (7), of the Code if the petition included a provision for a vote to levy the schoolhouse tax. If ~~the~~ a proposition receives a majority of the votes cast in each of at least seventy-five percent of the ~~said~~ districts, and also a majority of the total number of votes cast in all of ~~said the~~ districts, the proposition ~~shall be deemed to~~ is carried.

Sec. 3. Section two hundred seventy-eight point one (278.1), subsection seven (7), Code 1979, as the section is amended by Acts of the Sixty-eighth General Assembly, 1979

Session, chapter sixty-one (61), section four (4), is amended to read as follows:

7. Vote a schoolhouse tax, not exceeding sixty-seven and one-half cents per thousand dollars of assessed value in any one year, for the purchase of grounds, ~~for~~ construction of schoolhouses or buildings, ~~for~~ the payment of debts contracted for the erection or construction of schoolhouses or buildings, not including interest on bonds, for procuring or acquisition of libraries, for opening roads to schoolhouses or buildings, for the purchase of buildings or equipment for buildings or schoolhouses, for the purpose of repairing, remodeling, reconstructing, improving or expanding the schoolhouses or buildings for the school district, for the purpose of landscaping, paving, or improving the schoolhouse or building grounds, or for the rental of facilities pursuant to chapter 282. Interest earned from investments of these funds may be used for the purposes voted. The power to levy ~~said a~~ schoolhouse tax, when voted, shall continue for ~~such the~~ period of time ~~as may be~~ authorized by the voters and shall not be affected by any change in the boundaries of the school district ~~in whatever manner effected, except in case the school district is reorganized pursuant to sections 275-22 to 275-24 as otherwise provided in this section.~~ If each school district involved in a school reorganization under chapter two hundred seventy-five (275) of the Code has voted the schoolhouse tax and if the voters have not voted upon the proposition to levy the schoolhouse tax in the reorganized district, the schoolhouse tax is in effect for the reorganized district for the least amount and the shortest time for which it is in effect in any of the districts. Authorized levies for the period of time presently approved shall not be affected as a result of a failure of a proposition proposed to expand the purposes for which the funds may be expended. As used in this subsection, "repair" means to restore the existing structure or thing to its original condition, as near as may be, after decay, waste, injury, or partial destruction, but does not include maintenance or customary repainting; and

"reconstruction" means to rebuild or to restore again as an entity the thing which was lost or destroyed.

Sec. 4. Section three (3) of this Act applies to school districts for which a reorganization under chapter two hundred seventy-five (275) of the Code takes effect July 1, 1980.

Sec. 5. This Act, being deemed of immediate importance, shall take effect from and after its publication in The Holstein Advance, a newspaper published in Holstein, Iowa, and in The Hartley Sentinel, a newspaper published in Hartley, Iowa.

WILLIAM H. HARBOR
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2458, Sixty-eighth General Assembly.

BRUCE GRAHAM
Assistant Chief Clerk of the House

Approved April 24, 1980

ROBERT D. RAY
Governor