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Bill Passed for 2096 2/17 (p. 435)

JAN 21 1981

EDUCATION

HOUSE FILE 143

BY TYRRELL

Passed House, Date 3-2-81 (p. 621) Passed Senate, Date _____

Vote: Ayes 90 Nays 3 Vote: Ayes _____ Nays _____

Approved May 5, 1981

A BILL FOR

1 An Act relating to the authority of school districts to levy
2 a tax for public educational and recreational purposes.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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143

1 Section 1. Chapter 300, Code 1981, is repealed and sec-
2 tions 2 through 5 of this Act are inserted in lieu thereof:

3 Sec. 2. NEW SECTION. PUBLIC RECREATION. Boards of
4 directors of school districts may establish and maintain for
5 children and adults public recreation places and playgrounds,
6 and necessary accommodations for the recreation places and
7 playgrounds, in the public school buildings and grounds of
8 the district. The board may cooperate under chapter 28E with
9 a public agency having the custody and management of public
10 parks or public buildings and grounds, and with a private
11 agency having custody and management of buildings or grounds
12 open to the public, located within the school district, and
13 may provide for the supervision and instruction necessary
14 to carry on public educational and recreational activities
15 in the parks, buildings, and grounds located within the
16 district.

17 Sec. 3. NEW SECTION. TAX LEVY. The board of directors
18 of a school district may, and upon receipt of a petition
19 signed by eligible electors equal in number to at least twenty-
20 five percent of the number of voters at the last preceding
21 school election, shall, direct the county commissioner of
22 elections to submit to the qualified electors of the school
23 district the question of whether to levy a tax of not to
24 exceed thirteen and one-half cents per thousand dollars of
25 assessed valuation for public educational and recreational
26 activities authorized under sections 2 through 5 of this Act.
27 If at the time of filing the petition, it is more than three
28 months until the next regular school election, the board of
29 directors shall submit the question at a special election
30 within sixty days. Otherwise, the question shall be submitted
31 at the next regular school election.

32 If a majority of the votes cast upon the proposition is
33 in favor of the proposition, the board shall certify the
34 amount required for a fiscal year to the county board of
35 supervisors by March 15 of the preceding fiscal year. The

1 board of supervisors shall levy the amount certified. The
2 amount shall be placed in the schoolhouse fund of the district
3 and shall be used only for the purposes specified in sections
4 2 through 5 of this Act.

5 Sec. 4. NEW SECTION. DISCONTINUANCE OF LEVY. Once ap-
6 proved at an election, the authority of the board to levy
7 and collect the tax under section 3 of this Act shall continue
8 until the voters of the school district by majority vote order
9 the discontinuance of the levy and collection of the tax.
10 The tax shall be discontinued in the manner provided for
11 imposition of the tax in section 3 of this Act.

12 Sec. 5. NEW SECTION. COMMUNITY EDUCATION. The tax levied
13 under sections 3 and 4 of this Act may also be used for
14 community education purposes under chapter 276.

15 EXPLANATION

16 This bill revises chapter 300 of the Code by updating
17 language and by removing the requirement that only a school
18 district in which a city is located can levy the tax for
19 recreation purposes. The bill takes effect July 1 following
20 enactment.

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HOUSE FILE 143

H-3096

1 Amend House File 143 as follows:
2 1. Page 2, line 8, by inserting after the word
3 "until" the words "the board votes to rescind the
4 levy and collection of the tax or".
5 2. Page 2, line 10, by inserting after the word
6 "discontinued" the words "in the manner provided in
7 this section or".
8 3. Page 2, by inserting after line 14 the following
9 section:
10 "Sec. 6. Tax levies approved by the voters under
11 chapter 300 prior to the effective date of this Act
12 may be used for the purposes provided in sections
13 1 through 5 of this Act and shall be continued until
14 discontinued as provided in section 4 of this Act."

H-3096 FILED
FEBRUARY 17, 1981

BY COMMITTEE ON EDUCATION
DAGGETT, Chair

Adopted 3/2 (p. 630)

Sin. Educator D. Pass 3/12 (p. 766)

HOUSE FILE 143

BY TYRRELL

(As Amended and Passed by the House)

Passed House, Date 3-2-81 (p. 631) Passed Senate, Date 4-23-81 (p. 1400)

Vote: Ayes 90 Nays 3 Vote: Ayes 37 Nays 11

Approved May 5, 1981

A BILL FOR

1 An Act relating to the authority of school districts to levy
2 a tax for public educational and recreational purposes.

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

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_____ House Amendments

1 Section 1. Chapter 300, Code 1981, is repealed and sec-
2 tions 2 through 5 of this Act are inserted in lieu thereof:

3 Sec. 2. NEW SECTION. PUBLIC RECREATION. Boards of
4 directors of school districts may establish and maintain for
5 children and adults public recreation places and playgrounds,
6 and necessary accommodations for the recreation places and
7 playgrounds, in the public school buildings and grounds of
8 the district. The board may cooperate under chapter 28E with
9 a public agency having the custody and management of public
10 parks or public buildings and grounds, and with a private
11 agency having custody and management of buildings or grounds
12 open to the public, located within the school district, and
13 may provide for the supervision and instruction necessary
14 to carry on public educational and recreational activities
15 in the parks, buildings, and grounds located within the
16 district.

17 Sec. 3. NEW SECTION. TAX LEVY. The board of directors
18 of a school district may, and upon receipt of a petition
19 signed by eligible electors equal in number to at least twenty-
20 five percent of the number of voters at the last preceding
21 school election, shall, direct the county commissioner of
22 elections to submit to the qualified electors of the school
23 district the question of whether to levy a tax of not to
24 exceed thirteen and one-half cents per thousand dollars of
25 assessed valuation for public educational and recreational
26 activities authorized under sections 2 through 5 of this Act.
27 If at the time of filing the petition, it is more than three
28 months until the next regular school election, the board of
29 directors shall submit the question at a special election
30 within sixty days. Otherwise, the question shall be submitted
31 at the next regular school election.

32 If a majority of the votes cast upon the proposition is
33 in favor of the proposition, the board shall certify the
34 amount required for a fiscal year to the county board of
35 supervisors by March 15 of the preceding fiscal year. The

1 board of supervisors shall levy the amount certified. The
2 amount shall be placed in the schoolhouse fund of the district
3 and shall be used only for the purposes specified in sections
4 2 through 5 of this Act.

5 Sec. 4. NEW SECTION. DISCONTINUANCE OF LEVY. Once ap-
6 proved at an election, the authority of the board to levy
7 and collect the tax under section 3 of this Act shall continue
8 until the board votes to rescind the levy and collection of
9 the tax or the voters of the school district by majority vote
10 order the discontinuance of the levy and collection of the
11 tax. The tax shall be discontinued in the manner provided
12 in this section or in the manner provided for imposition of
13 the tax in section 3 of this Act.

14 Sec. 5. NEW SECTION. COMMUNITY EDUCATION. The tax levied
15 under sections 3 and 4 of this Act may also be used for
16 community education purposes under chapter 276.

17 Sec. 6. Tax levies approved by the voters under chapter
18 300 prior to the effective date of this Act may be used for
19 the purposes provided in sections 1 through 5 of this Act
20 and shall be continued until discontinued as provided in
21 section 4 of this Act.

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HOUSE FILE 143

AN ACT

RELATING TO THE AUTHORITY OF SCHOOL DISTRICTS TO LEVY A TAX
FOR PUBLIC EDUCATIONAL AND RECREATIONAL PURPOSES.

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

Section 1. Chapter 300, Code 1981, is repealed and sections 2 through 5 of this Act are inserted in lieu thereof:

Sec. 2. NEW SECTION. PUBLIC RECREATION. Boards of directors of school districts may establish and maintain for children and adults public recreation places and playgrounds, and necessary accommodations for the recreation places and playgrounds, in the public school buildings and grounds of the district. The board may cooperate under chapter 28E with a public agency having the custody and management of public parks or public buildings and grounds, and with a private agency having custody and management of buildings or grounds open to the public, located within the school district, and may provide for the supervision and instruction necessary to carry on public educational and recreational activities in the parks, buildings, and grounds located within the district.

Sec. 3. NEW SECTION. TAX LEVY. The board of directors of a school district may, and upon receipt of a petition signed by eligible electors equal in number to at least twenty-five percent of the number of voters at the last preceding school election, shall, direct the county commissioner of elections to submit to the qualified electors of the school district the question of whether to levy a tax of not to exceed thirteen and one-half cents per thousand dollars of assessed valuation for public educational and recreational activities authorized under sections 2 through 5 of this Act. If at the time of filing the petition, it is more than three months until the next regular school election, the board of directors shall submit the question at a special election within sixty days. Otherwise, the question shall be submitted at the next regular school election.

If a majority of the votes cast upon the proposition is in favor of the proposition, the board shall certify the amount required for a fiscal year to the county board of supervisors by March 15 of the preceding fiscal year. The board of supervisors shall levy the amount certified. The amount shall be placed in the schoolhouse fund of the district and shall be used only for the purposes specified in sections 2 through 5 of this Act.

Sec. 4. NEW SECTION. DISCONTINUANCE OF LEVY. Once approved at an election, the authority of the board to levy and collect the tax under section 3 of this Act shall continue until the board votes to rescind the levy and collection of the tax or the voters of the school district by majority vote order the discontinuance of the levy and collection of the tax. The tax shall be discontinued in the manner provided in this section or in the manner provided for imposition of the tax in section 3 of this Act.

Sec. 5. NEW SECTION. COMMUNITY EDUCATION. The tax levied under sections 3 and 4 of this Act may also be used for community education purposes under chapter 276.

Sec. 6. Tax levies approved by the voters under chapter 300 prior to the effective date of this Act may be used for the purposes provided in sections 1 through 5 of this Act and shall be continued until discontinued as provided in section 4 of this Act.

DELWYN STROMER
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 143, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved May 5, 1981

ROBERT D. RAY
Governor