

County Government  
Wells, Chairperson  
Vande Hoef  
Hester

APR 6 1981

Place On Calendar

HOUSE FILE 836

BY COMMITTEE ON COUNTY  
GOVERNMENT

(Formerly Study Bill 170)

Passed House, Date 4-12-81 (p. 1211) Passed Senate, Date 4-24-81 (p. 1424)

Vote: Ayes 96 Nays 0 Vote: Ayes 40 Nays 0

Approved June 20, 1981

*Repassed House 5-6-81 (p. 1688)*  
96 - 0

*Repassed Senate 5-11-81 (p. 1626)*  
46 - 0

# A BILL FOR

- 1 An Act relating to honoring county warrants.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 3

HOUSE FILE 836

S-3551

- 1 Amend House File 836, as passed by the House, as
- 2 follows:
- 3 1. By striking lines 1 through 18 and inserting
- 4 in lieu thereof the following:
- 5 "Section 1. Acts of the Sixty-ninth General
- 6 Assembly, 1981 Session, Senate File 130, section 900,
- 7 subsection 6, is amended by adding the following new
- 8 unlettered paragraph following paragraph g:
- 9 NEW UNLETTERED PARAGRAPH. Within the restrictions
- 10 of this subsection and after consultation with the
- 11 county auditor, the board of supervisors, and the
- 12 official charged with the administration of the fund
- 13 in question, the county treasurer may honor warrants
- 14 drawn upon a county fund at any time during the fiscal
- 15 year rather than proceeding under under chapter 74,
- 16 regardless of the current availability of a cash
- 17 balance in the fund on which the warrant is drawn,
- 18 if there are sufficient funds available in the total
- 19 cash balance of all county funds."

S-3551 FILED

BY JAMES D. WELLS

APRIL 23, 1981

*Adopted 4/24/81 (p. 1424)*

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1 Section 1. Section 343.10, unnumbered paragraph 1, Code  
2 1981, is amended to read as follows:

3 1. It shall-be is unlawful for any a county, or for any  
4 an officer thereof of a county, to allow any a claim, or to  
5 issue any a warrant, or to enter into any a contract, which  
6 will result, during said a year, in an expenditure from any  
7 a county fund in excess of an amount equal to the collectible  
8 revenues in said the fund for said that year, plus any the  
9 unexpended balance in said the fund for any previous years.

10 2. However, within the restrictions of subsection 1, and  
11 after consultation with the county auditor, the board of  
12 supervisors, and the official charged with the administration  
13 of the fund in question, the county treasurer, rather than  
14 proceeding under chapter 74, may honor warrants drawn upon  
15 a county fund at any time during the fiscal year, regard-  
16 less of the current availability of a cash balance in the  
17 fund on which the warrant is drawn, if there are sufficient  
18 funds available in the total cash balance of all county funds.

19 Sec. 2. This Act, being deemed of immediate importance,  
20 takes effect from and after its publication in The Council  
21 Bluffs Nonpareil, a newspaper published in Council Bluffs,  
22 Iowa, and in the Le Mars Daily Sentinel, a newspaper published  
23 in Le Mars, Iowa.

24 EXPLANATION

25 Section 343.10 prohibits issuing a warrant on a county  
26 fund for an amount in excess of the "collectible" revenues  
27 in the fund for the year. Apparently this has been interpreted  
28 to prohibit issuance of a warrant on a fund for an amount  
29 in excess of the amount in the fund at the time of issuance,  
30 even though the fund may have a balance at the end of the  
31 year. This interpretation may require a county to carry large  
32 balances or pay interest on anticipatory or stamped warrants.

33 This bill authorizes the county treasurer after consultation  
34 with other county officials to honor warrants on a fund regard-  
35 less of the current balance in that fund, if there are

1 sufficient moneys available in the total cash balance of all  
2 county funds. The limitation that there must be sufficient  
3 collectible revenues in the particular fund still applies.  
4 The bill will take effect upon publication.

5

SENATE AMENDMENT TO  
HOUSE FILE 836

H-3856

1 Amend House File 836, as passed by the House, as  
2 follows:

3 1. By striking lines 1 through 18 and inserting  
4 in lieu thereof the following:

5 "Section 1. Acts of the Sixty-ninth General  
6 Assembly, 1981 Session, Senate File 130, section 900,  
7 subsection 6, is amended by adding the following new  
8 unlettered paragraph following paragraph g:

9 NEW UNLETTERED PARAGRAPH. Within the restrictions  
10 of this subsection and after consultation with the  
11 county auditor, the board of supervisors, and the  
12 official charged with the administration of the fund  
13 in question, the county treasurer may honor warrants  
14 drawn upon a county fund at any time during the fiscal  
15 year rather than proceeding under chapter 74,  
16 regardless of the current availability of a cash  
17 balance in the fund on which the warrant is drawn,  
18 if there are sufficient funds available in the total  
19 cash balance of all county funds."

H-3856 FILED APRIL 28, 1981 RECEIVED FROM THE SENATE  
*House amended & concurred 5/6/81 (p. 1487)*

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HOUSE FILE 836

H-4015

- 1 Amend the Senate amendment H-3856 to House File 836
- 2 as follows:
- 3 1. Page 1, line 3, by striking the numeral "18"
- 4 and inserting in lieu thereof the numeral "23".

H-4015 FILED MAY 6, 1981

ADOPTED (p. 1687)

by HANSON of Delaware

HOUSE AMENDMENT TO SENATE AMENDMENT

TO HOUSE FILE 836

S-3716

- 1 Amend the Senate amendment H-3856 to House File
- 2 836 as follows:
- 3 1. Page 1, line 3, by striking the numeral "18"
- 4 and inserting in lieu thereof the numeral "23".

S-3716 FILED  
MAY 8, 1981

RECEIVED FROM THE HOUSE

*Senate Concurred 5/11/81 (p. 1626)*

the fund on which the warrant is drawn, if there are sufficient funds available in the total cash balance of all county funds.

HOUSE FILE 836

AN ACT  
RELATING TO HONORING COUNTY WARRANTS.

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

Section 1. Acts of the Sixty-ninth General Assembly, 1981 Session, Senate File 130, section 900, subsection 6, is amended by adding the following new unlettered paragraph following paragraph g:

NEW UNLETTERED PARAGRAPH. Within the restrictions of this subsection and after consultation with the county auditor, the board of supervisors, and the official charged with the administration of the fund in question, the county treasurer may honor warrants drawn upon a county fund at any time during the fiscal year rather than proceeding under chapter 74, regardless of the current availability of a cash balance in

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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 836, Sixty-ninth General Assembly.

\_\_\_\_\_  
PAT H. HARPER  
Chief Clerk of the House

Approved June 20, 1981

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ROBERT D. RAY  
Governor

H.F. 836