

*Bill No. 2338, 1st Pass 7/26*

FILED MAR 09 1992

SENATE FILE 2338  
BY COMMITTEE ON STATE GOVERNMENT  
*approved 2/25/92*  
(SUCCESSOR TO SSB 2275)

Passed Senate, Date 3/18/92 (p. 837) Passed House, Date 4/2/92 (p. 1018)  
Vote: Ayes 49 Nays 0 Vote: Ayes 96 Nays 0  
Approved April 13, 1992 (p. 1382)

A BILL FOR

1 An Act relating to the use of local sales and services tax  
2 moneys.

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

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*SF 2338*

1 Section 1. Section 422B.1, subsection 5, paragraph a,  
2 unnumbered paragraph 1, Code 1991, is amended to read as  
3 follows:

4 If a majority of those voting on the question of imposition  
5 of a local option tax favor imposition of a local option tax,  
6 the governing body of that county shall impose the tax at the  
7 rate specified for an unlimited period. However, in the case  
8 of a local sales and services tax, the county shall not impose  
9 the tax in any incorporated area or the unincorporated area if  
10 the majority of those voting on the tax in that area did not  
11 favor its imposition. For purposes of the local sales and  
12 services tax, all cities contiguous to each other shall be  
13 treated as part of one incorporated area and the tax shall be  
14 imposed in each of those contiguous cities only if the  
15 majority of those voting on the tax in the total area covered  
16 by the contiguous cities favored its imposition. The local  
17 option tax may be repealed or the rate increased or decreased  
18 or the use thereof changed after an election at which a  
19 majority of those voting on the question of repeal or rate or  
20 use change favored the repeal or rate or use change. The  
21 election at which the question of repeal or rate or use change  
22 is offered shall be called and held in the same manner and  
23 under the same conditions as provided in subsections 3 and 4  
24 for the election on the imposition of the local option tax.  
25 However, in the case of a local sales and services tax where  
26 the tax has not been imposed countywide, the question of  
27 repeal or imposition or rate or use change shall be voted on  
28 only by the qualified electors of the areas of the county  
29 where the tax has been imposed or has not been imposed, as  
30 appropriate.

31 EXPLANATION

32 This bill allows a city or county to change the designated  
33 use of a local option tax through an election at which the  
34 majority of those voting approve the change. The procedure is  
35 the same as that provided for repeal or change of the rate of

1 a local option tax.

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DIELGMAN, CH.  
DOYLE  
SORBONSON  
DRAKE  
VANDEHOFF

SSB 2275

STATE GOVERNMENT  
New

SENATE FILE 2338

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL  
BY CHAIRPERSON KIBBIE)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the use of excess local sales and services tax  
2 moneys.

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

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1 Section 1. Section 422B.10, subsection 5, Code 1991, is  
2 amended to read as follows:

3 5. Local sales and services tax moneys received by a city  
4 or county in excess of the amount needed for the purposes  
5 stated on the ballot may be expended for any lawful purpose of  
6 the city or county.

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EXPLANATION

8 This bill allows a city or county to expend local sales and  
9 services tax moneys received in excess of the amount needed  
10 for the purposes stated on the ballot for any lawful purpose  
11 of the city or county.

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SENATE FILE 2338

where the tax has been imposed or has not been imposed, as appropriate.

AN ACT

RELATING TO THE USE OF LOCAL SALES AND SERVICES TAX MONEYS.

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

Section 1. Section 422B.1, subsection 5, paragraph a, unnumbered paragraph 1, Code 1991, is amended to read as follows:

If a majority of those voting on the question of imposition of a local option tax favor imposition of a local option tax, the governing body of that county shall impose the tax at the rate specified for an unlimited period. However, in the case of a local sales and services tax, the county shall not impose the tax in any incorporated area or the unincorporated area if the majority of those voting on the tax in that area did not favor its imposition. For purposes of the local sales and services tax, all cities contiguous to each other shall be treated as part of one incorporated area and the tax shall be imposed in each of those contiguous cities only if the majority of those voting on the tax in the total area covered by the contiguous cities favored its imposition. The local option tax may be repealed or the rate increased or decreased or the use thereof changed after an election at which a majority of those voting on the question of repeal or rate or use change favored the repeal or rate or use change. The election at which the question of repeal or rate or use change is offered shall be called and held in the same manner and under the same conditions as provided in subsections 3 and 4 for the election on the imposition of the local option tax. However, in the case of a local sales and services tax where the tax has not been imposed countywide, the question of repeal or imposition or rate or use change shall be voted on only by the qualified electors of the areas of the county

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MICHAEL E. GRONSTAL  
President of the Senate

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ROBERT C. ARNOULD  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2338, Seventy-fourth General Assembly.

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JOHN F. DWYER  
Secretary of the Senate  
Approved April 13, 1992

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TERRY E. BRANSTAD  
Governor

SF 2338