

1-12-95 State Gov.

FILED JAN 12 1995

SENATE FILE 35
BY RITTMER and SORENSEN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the power of a city with a home rule charter
2 to allow registered voters of the city to request
3 reconsideration of a city ordinance.

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

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S.F. 35

1 Section 1. Section 364.2, Code 1995, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5. The general grant of home rule power
4 conferred by the Constitution includes the power of a city,
5 through a home rule charter adopted by the voters, to grant to
6 the registered voters of a city the right to request
7 reconsideration of a city ordinance upon the filing of a
8 petition signed by registered voters of the city equal in
9 number to not less than twenty-five percent of the persons who
10 voted at the last preceding city election.

11 The right to request reconsideration of city ordinances
12 shall not extend to the following:

13 a. Any ordinance primarily of an administrative nature,
14 including one that sets the salaries of city officers or
15 employees.

16 b. The collection and expenditure of revenue by the city.

17 c. The creation and payment of public debt.

18 d. The letting of contracts and granting of franchises
19 pursuant to this section.

20 e. Any ordinance required to be enacted by state or
21 federal law.

22 f. Amendments affecting the city zoning ordinance.

23 EXPLANATION

24 This bill allows a city, through the city's home rule
25 charter, to grant to registered voters of the city the right
26 to request reconsideration of a city ordinance (referendum)
27 subject to specified exceptions.

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