

House Study Bill 216

Bill Text

PAG LIN

1 1 Section 1. Section [357B.5](#), Code 1997, is amended to read
1 2 as follows:

1 3 357B.5 DISSOLUTION OF DISTRICT.

1 4 1. Upon petition of a number of registered voters residing
1 5 in a district at least equal to thirty-five percent of the
1 6 property taxpayers in the district, the board of supervisors
1 7 may dissolve a benefited fire district and dispose of any
1 8 remaining property, the proceeds of which shall first be
1 9 applied against any outstanding obligation of the district.
1 10 Any remaining balance shall be applied as a tax credit for the
1 11 property owners of the district. However, except as provided
1 12 in subsection 2, if all or a part of a district is annexed,
1 13 the board of supervisors may transfer the remaining property
1 14 and balance to the city which annexed the territory. The
1 15 board of supervisors shall continue to levy an annual tax
1 16 after the dissolution of a district, not to exceed

~~forty and~~

1 17

~~one half~~

- ~~sixty and three-fourths~~ cents per thousand dollars of
1 18 assessed value of the taxable property of the district, until
1 19 all outstanding obligations of the district are paid.
1 20 2. If a benefited fire district is dissolved that has been
1 21 providing fire protection by contract, direct levy, or
1 22 combination of both, to a city within the district for at
1 23 least twenty years and the city's annual payments by contract
1 24 or levy for the fire protection comprise seventy-five percent
1 25 or more of the district's annual budget, the board of
1 26 supervisors, in lieu of the disposal of property as provided
1 27 in subsection 1, shall transfer to the city all of the
1 28 district's real and personal property. The city shall assume
1 29 all of the outstanding obligations of the district. If the
1 30 district provides fire protection outside of the city's
1 31 boundaries, the city shall continue to provide fire protection
1 32 to this area until it is assigned to another fire protection
1 33 district by the board of supervisors. If the city continues
1 34 the fire protection outside its boundaries, the city shall
1 35 certify to the board of supervisors the cost of providing this
2 1 service, which shall be at the same rate as contained in the
2 2 budget for property within the city, but not exceeding

~~forty~~

2 3

~~and one half~~

- ~~sixty and three-fourths~~ cents per thousand
2 4 dollars of assessed value of all taxable property in the area.
2 5 The board of supervisors shall levy the amount of tax
2 6 certified as provided in section 357B.3. The tax shall be
2 7 collected and allocated in the same manner as other property
2 8 taxes and paid to the city.
2 9 Sec. 2. Section [357B.8](#), subsection 2, Code 1997, is

2 10 amended to read as follows:

2 11 2. In lieu of subsection 1, a benefited fire district that
2 12 includes a city within the boundaries of the fire district may
2 13 certify an annual tax levy not exceeding

~~forty and one half~~

2 14 sixty and three-fourths cents per thousand dollars of assessed
2 15 valuation of the taxable property within the city for the
2 16 purpose of fire protection. The benefited fire district shall
2 17 certify the tax levy as provided in this subsection only after
2 18 agreement granted by resolution of the city council. The
2 19 amount of the tax rate levied under this subsection shall
2 20 reduce by an equal amount the maximum tax levy authorized for
2 21 the general fund of that city under section 384.1. If the
2 22 district levies directly against property within a city to
2 23 provide fire protection for that city, the city shall not be
2 24 responsible for providing fire protection as provided in
2 25 section 364.16, and shall have no liability for the method,
2 26 manner, or means in which the district provides the fire
2 27 protection.

2 28

EXPLANATION

2 29 This bill changes from 40 1/2 cents per \$1,000 of valuation
2 30 to 60 3/4 cents per \$1,000 the amount a city located in a
2 31 benefited fire district may levy for fire protection, or the
2 32 amount a city which was located in a dissolved fire district
2 33 may levy if it takes over fire protection services from the
2 34 dissolved district. Current law allows a benefited fire
2 35 district to levy a maximum combined levy of 60 3/4 cents per
3 1 \$1,000.

3 2 LSB 2670HC 77

3 3 sc/cf/24