

JAN 31 2003
LOCAL GOVERNMENT

HOUSE FILE 139
BY SUKUP

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

A BILL FOR

1 An Act relating to the maximum annual property tax levy for
2 benefited street lighting districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 139

1 Section 1. Section 357C.7, Code 2001, is amended to read
2 as follows:

3 357C.7 ELECTION ON PROPOSED LEVY AND CANDIDATES FOR
4 TRUSTEES.

5 When a preliminary plat has been approved by the board of
6 supervisors, an election shall be held within the district
7 within sixty days to approve or disapprove the levy of a tax
8 of not more than ~~fifty-four~~ eighty-five cents per thousand
9 dollars of assessed value on all the taxable property within
10 the district, and to choose candidates for the offices of
11 trustees of the district. Notice of the election, including
12 the time and place of holding the ~~same~~ election, shall be
13 given in the same manner as for the original public hearing as
14 provided herein in section 357C.3. The vote shall be by
15 ballot which shall state clearly the proposition to be voted
16 upon, and any registered voter residing within the district at
17 the time of the election shall be entitled to vote. It shall
18 not be mandatory for the county commissioner of elections to
19 conduct elections held pursuant to this chapter, but they
20 shall be conducted in accordance with ~~the-provisions-of~~
21 chapter 49 where not in conflict with this chapter. Judges
22 shall be appointed to serve without pay by the board of
23 supervisors from among the registered voters of the district
24 who will have charge of the election. The proposition shall
25 be deemed to have carried if sixty percent of those voting
26 thereon on the proposition vote in favor of ~~same~~ the
27 proposition.

28 Sec. 2. Section 357C.9, Code 2001, is amended to read as
29 follows:

30 357C.9 TRUSTEES' POWERS.

31 The trustees may purchase street lighting service and
32 facilities and may levy an annual tax not to exceed ~~fifty-four~~
33 eighty-five cents per thousand dollars of assessed value for
34 the purpose of exercising the powers granted in this chapter.
35 This levy shall be optional with the trustees, but no levy

1 shall be made unless first approved by the voters as provided
2 ~~herein~~ in section 357C.7. The trustees may purchase material,
3 employ labor, and may perform all other acts necessary to
4 properly maintain and operate the benefited street lighting
5 district. The trustees shall be allowed necessary expenses in
6 the discharge of the duties, but shall not receive any salary.

7 Sec. 3. Section 357C.11, Code 2001, is amended to read as
8 follows:

9 357C.11 DISSOLUTION OF DISTRICT.

10 Upon petition of thirty-five percent of the resident
11 eligible electors, the board of supervisors may dissolve a
12 benefited street lighting district and dispose of any
13 remaining property, proceeds of which shall first be applied
14 against outstanding obligations and any balance shall be
15 applied to tax credit of property owners of the district.
16 However, if the district is annexed, the board of supervisors
17 may transfer the remaining property and balance to the city
18 which annexed the district. The board of supervisors shall
19 continue to levy tax after dissolution of a district, of not
20 to exceed ~~fifty-four~~ eighty-five cents per thousand dollars of
21 assessed value on all the taxable property of the district,
22 until all outstanding obligations of the district are paid.

23 EXPLANATION

24 This bill provides for an increase in the maximum annual
25 property tax levy for a benefited street lighting district
26 from \$.54 per \$1,000 to \$.85 per \$1,000 of assessed value of
27 all taxable property in a district.

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