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JUDICIARY

SENATE FILE 2161
BY JOHNSON

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

A BILL FOR

1 An Act relating to funding for unified law enforcement districts.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 28E.22, unnumbered paragraph 5, Code
2 2005, is amended to read as follows:

3 Such moneys collected pursuant to the tax levy shall be
4 expended only for providing additional moneys needed for
5 unified law enforcement services in the district and shall be
6 in addition to the revenues raised in the county and cities in
7 the district from their general funds ~~which-are-based-upon-an~~
8 or other available funds. In the first fiscal year following
9 establishment of the district, the amount of revenue that
10 shall be raised in addition to the tax levy authorized in this
11 section shall be an amount equal to the average of revenues
12 raised for law enforcement purposes by the-county-or-city each
13 member political subdivision for the three previous years.
14 The amount of revenues raised for law enforcement purposes by
15 the county for the three previous years shall be computed
16 separately for the unincorporated portion of the district and
17 for each city in the district.

18 Sec. 2. Section 28E.23, Code 2005, is amended by striking
19 the section and inserting in lieu thereof the following:

20 28E.23 BUDGET.

21 For the second fiscal year following establishment of the
22 district, and for each subsequent fiscal year, the public
23 safety commission shall annually determine the amount of
24 revenue deemed necessary for the operation of the district.
25 On or before January 10 of each year, the public safety
26 commission shall determine the amounts to be contributed to
27 the public safety fund by each member political subdivision,
28 pursuant to the allocation provisions in the agreement, and
29 shall certify that amount to the governing body of each member
30 political subdivision.

31 Sec. 3. Section 28E.24, Code 2005, is amended by striking
32 the section and inserting in lieu thereof the following:

33 28E.24 REVENUE AND TAX LEVIES.

34 1. Not later than ten days after the allocation amounts
35 have been certified to a member political subdivision, the

1 member political subdivision shall certify to the public
2 safety commission the amounts of revenue from sources other
3 than the unified law enforcement levy in section 28E.22 that
4 are available to be contributed by the member political
5 subdivision.

6 2. The public safety commission shall subtract from the
7 amount of the proposed budget the sum of the amounts certified
8 by each member political subdivision as being available for
9 contribution pursuant to subsection 1. The difference is the
10 amount of the additional revenue needed for unified law
11 enforcement services. If the levy rate necessary to raise
12 such additional amount exceeds the maximum levy rate in
13 section 28E.22, the public safety commission and the member
14 political subdivisions shall resolve the funding issue
15 pursuant to the provisions of the agreement.

16 3. The governing body of each member political subdivision
17 shall certify to the county auditor the amount of revenue to
18 be raised by the political subdivision pursuant to subsection
19 2, including the amount to be raised by imposition within the
20 political subdivision of the tax levy authorized in section
21 28E.22. The amount certified by the county board of
22 supervisors of a county that is a member political subdivision
23 is the amount to be levied in the unincorporated area of the
24 county.

25 4. Taxes collected pursuant to the tax levies and other
26 moneys received from the county and cities in the district
27 shall be placed in a public safety fund and used only for the
28 operation of the district. Any unencumbered funds remaining
29 in the fund at the end of a fiscal year shall carry over to
30 the next fiscal year and may be used for the operation of the
31 district.

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EXPLANATION

33 This bill makes changes relating to how the operations of a
34 unified law enforcement district are financed.

35 The bill provides that the requirement that each member

1 political subdivision of a unified law enforcement district is
2 responsible for contributing an amount based on the average
3 revenues raised for law enforcement purposes in the three
4 previous years only applies to the fiscal year following
5 establishment of the district. For subsequent fiscal years,
6 the bill provides that the public safety commission shall
7 determine the amount to be contributed by each member
8 political subdivision pursuant to the allocation provisions of
9 the Code chapter 28E agreement establishing the unified law
10 enforcement district.

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