

FILED FEB 07 2006

SENATE FILE 2163  
BY COMMITTEE ON LOCAL  
GOVERNMENT

(SUCCESSOR TO SF 257)

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

**A BILL FOR**

1 An Act relating to protesting a county or city budget.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2163

1 Section 1. Section 331.436, Code 2005, is amended to read  
2 as follows:

3 331.436 PROTEST.

4 Protests to the adopted budget must be made in accordance  
5 with sections 24.27 through 24.32 as if the county were the  
6 municipality under those sections except that the number of  
7 people necessary to file a protest under this section shall  
8 not be less than one hundred. The written protest filed with  
9 the county auditor shall, in detail, describe the item or  
10 items being protested. The hearing on the protest shall be  
11 limited to consideration of those items described in the  
12 written protest.

13 For purposes of a protest to the adopted budget, "item"  
14 means a budgeted expenditure, appropriation, or cash reserve  
15 from a fund for a service area, program, program element, or  
16 purpose.

17 Sec. 2. Section 384.19, unnumbered paragraphs 1 and 3,  
18 Code 2005, are amended to read as follows:

19 Within a period of ten days after the final date that a  
20 budget or amended budget may be certified to the county  
21 auditor, persons affected by the budget may file a written  
22 protest with the county auditor specifying their objections to  
23 the budget or any part of it. A protest must be signed by  
24 registered voters equal in number to one-fourth of one percent  
25 of the votes cast for governor in the last preceding general  
26 election in the city, but the number shall not be less than  
27 ten persons and the number need not be more than one hundred  
28 persons. The written protest filed with the county auditor  
29 shall, in detail, describe the item or items being protested.

30 The state appeal board shall proceed to consider the  
31 protest in accordance with the same provisions that protests  
32 to budgets of municipalities are considered under chapter 24,  
33 except that the hearing on the protest shall be limited to  
34 consideration of those items described in the written protest.  
35 The state appeal board shall certify its decision with respect

1 to the protest to the county auditor and to the parties to the  
2 appeal as provided by rule, and the decision shall be final.

3 Sec. 3. Section 384.19, Code 2005, is amended by adding  
4 the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. For purposes of a protest to the  
6 adopted budget, "item" means a budgeted expenditure,  
7 appropriation, or cash reserve from a fund for a service area,  
8 program, program element, or purpose.

9 EXPLANATION

10 This bill provides that a protest filed to a county or city  
11 budget shall, in detail, describe the item or items being  
12 protested. The bill further provides that the hearing on a  
13 protest filed to a county or city budget shall be limited to  
14 consideration of those items described in the written protest.  
15 The bill defines "item" as a budgeted expenditure,  
16 appropriation, or cash reserve from a fund for a service area,  
17 program, program element, or purpose.

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