Senate Study Bill 1239

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

A BILL FOR

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1 An Act relating to regional transit districts.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
3 TLSB 2842XC 81
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1  1      Section 1.  Section 28M.3, unnumbered paragraph 2, Code
1  2 2005, is amended to read as follows:
1  3      The commission appointed pursuant to section 28M.4 shall
1  4 have and may exercise all powers of the board of supervisors
1  5 in management and administration of the regional transit
1  6 district as if it were was a board of supervisors and as if
1  7 the regional transit district was a county enterprise under
1  8 sections 331.462 through 331.469.
1  9      Sec. 2.  Section 28M.4, subsection 1, Code 2005, is amended
1 10 to read as follows:
1 11      1.  The governing bodies of counties and cities
1 12 participating in a regional transit district shall appoint a
1 13 commission to manage and administer the regional transit
1 14 district.  Commission Unless otherwise provided in the chapter
1 15 28E agreement, commission members shall serve for staggered
1 16 six=year terms.  The agreement creating the regional transit
1 17 district shall set the compensation of commission members.
1 18      Sec. 3.  Section 28M.5, Code 2005, is amended to read as
1 19 follows:
1 20      28M.5  REGIONAL TRANSIT DISTRICT LEVY.
1 21      1.  The commission, with the approval of the board of
1 22 supervisors of participating counties and the city council of
1 23 participating cities, all parties to the chapter 28E
1 24 agreement, may levy annually a tax not to exceed ninety=five
1 25 cents per thousand dollars of the assessed value of all
1 26 taxable property in a regional transit district to the extent
1 27 provided in this section.  The chapter 28E agreement may
1 28 authorize the commission to levy the tax at different rates
1 29 within the participating cities and counties in amounts
1 30 sufficient to meet the revenue responsibilities of such cities
1 31 and counties as allocated in the budget adopted by the
1 32 commission.  However, for a city participating in a regional
1 33 transit district, the total of all the tax levies imposed in
1 34 the city pursuant to section 384.12, subsection 10, and this
1 35 section shall not exceed the aggregate of ninety=five cents
2  1 per thousand dollars of the assessed value of all taxable
2  2 property in the participating city.
2  3      2.  The If a regional transit district budget allocates
2  4 revenue responsibilities to the board of supervisors of a
2  5 participating county, the amount of the regional transit
2  6 district levy that is the responsibility of a the
2  7 participating county shall be deducted from the maximum rates
2  8 of taxes authorized to be levied by the county pursuant to
2  9 section 331.423, subsections 1 and 2, as applicable, unless
2 10 the county meets its revenue responsibilities as allocated in
2 11 the budget from other revenue sources or from levies other
2 12 than the levies authorized in those subsections.  However, for
2 13 a regional transit district that includes a county with a
2 14 population of less than three hundred thousand, the amount of
2 15 the regional transit district levy that is the responsibility
2 16 of a such participating county shall be deducted from the
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2 17 maximum rate of taxes authorized to be levied by the county
2 18 pursuant to section 331.423, subsection 1.
2 19   3. The regional transit district tax levy imposed in a
2 20 participating city located in a nonparticipating contiguous
2 21 county shall, when collected, be paid to the county treasurer
2 22 of the participating county.
2 23   2. 4. The proceeds of the tax levy shall be used for the
2 24 operation and maintenance of a regional transit district, for
2 25 payment of debt obligations of the district, and for the
2 26 creation of a reserve fund. The commission may divide the
2 27 territory of a regional transit district outside the
2 28 boundaries of a city into separate service areas and impose a
2 29 regional transit district levy not to exceed the maximum rate
2 30 authorized by this section in each service area.
2 31   Sec. 4. NEW SECTION. 28M.6 EFFECT OF AGREEMENT ON COUNTY
2 32 DUTY TO PROVIDE TRANSIT SERVICES.
2 33   Notwithstanding any provision of this chapter to the
2 34 contrary, a county that enters into a chapter 28E agreement to
2 35 create a regional transit district under this chapter, does
3 1 not, by virtue of such agreement, create a duty on the part of
3 2 the county to provide transit services to any area of the
3 3 county.
3 4   Sec. 5. Section 331.461, subsection 2, paragraph h, Code
3 5 2005, is amended by striking the paragraph.
3 6   EXPLANATION
3 7   This bill makes changes relating to regional transit
3 8 districts.
3 9   The bill provides that regional transit district commission
3 10 members shall serve staggered six year terms unless the Code
3 11 chapter 28E agreement creating the district provides
3 12 otherwise.
3 13   The bill provides that the Code chapter 28E agreement may
3 14 authorize a regional transit district commission to levy the
3 15 transit district property tax at different rates within the
3 16 participating cities and counties sufficient to meet the
3 17 revenue responsibilities of such cities and counties. The
3 18 bill further provides that a participating county which is
3 19 allocated revenue responsibilities in a regional transit
3 20 district budget is not required to deduct the amount of its
3 21 revenue responsibilities from the general basic or rural basic
3 22 fund of the county if the county is meeting its
3 23 responsibilities from a revenue source or property tax levy
3 24 other than the general basic or rural basic levy.
3 25   The bill clarifies that a county that is a party to a Code
3 26 chapter 28E agreement creating a regional transit district
3 27 does not create a duty on the part of the county to provide
3 28 transit services to any area of the county.
3 29 LSB 2842XC 81
3 30 sc:nh/pj/5