

Senate File 2330 - Introduced

SENATE FILE _____
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SF 2256)

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

A BILL FOR

1 An Act relating to the authority of a public agency to spend
2 property tax revenues under a contract or agreement with
3 another public agency.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 6151SV 82
6 md/sc/14

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1 1 Section 1. Section 28E.4, Code 2007, is amended to read as
1 2 follows:

1 3 28E.4 AGREEMENT WITH OTHER AGENCIES.

1 4 Any public agency of this state may enter into an agreement
1 5 with one or more public or private agencies for joint or
1 6 cooperative action pursuant to the provisions of this chapter,
1 7 including the creation of a separate entity to carry out the
1 8 purpose of the agreement. Appropriate action by ordinance,
1 9 resolution or otherwise pursuant to law of the governing
1 10 bodies involved shall be necessary before any such agreement
1 11 may enter into force. Nothing in this chapter shall be
1 12 construed to limit a public agency's authority to appropriate
1 13 or expend property tax revenues to carry out a duty specified
1 14 in an agreement with another public agency.

1 15 Sec. 2. Section 28E.12, Code 2007, is amended to read as
1 16 follows:

1 17 28E.12 CONTRACT WITH OTHER AGENCIES.

1 18 Any one or more public agencies may contract with any one
1 19 or more other public agencies to perform any governmental
1 20 service, activity, or undertaking which any of the public
1 21 agencies entering into the contract is authorized by law to
1 22 perform, provided that such contract shall be authorized by
1 23 the governing body of each party to the contract. Such
1 24 contract shall set forth fully the purposes, powers, rights,
1 25 objectives, and responsibilities of the contracting parties.
1 26 Nothing in this chapter shall be construed to limit a public
1 27 agency's authority to appropriate or expend property tax
1 28 revenues to carry out a duty specified in a contract with
1 29 another public agency to provide a governmental service.

1 30 EXPLANATION

1 31 This bill amends Code section 28E.4, relating to agreements
1 32 between public agencies and other public or private agencies
1 33 to provide a governmental service, and Code section 28E.12,
1 34 relating to contracts between public agencies to provide a
1 35 governmental service, by specifying that the provisions of
2 1 Code chapter 28E shall not be construed to limit a public
2 2 agency's authority to appropriate or expend property tax
2 3 revenues to carry out a duty specified in an agreement or
2 4 contract with another public agency to provide a governmental
2 5 service.
2 6 LSB 6151SV 82
2 7 md/sc/14