

House File 463 - Introduced

HOUSE FILE _____
BY DEYOE

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

A BILL FOR

1 An Act providing authority to reallocate specified surcharge
2 revenue otherwise payable to a joint E911 service board under
3 certain circumstances.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2385YH 83
6 rn/nh/5

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1 1 Section 1. Section 34A.7A, subsection 2, paragraph h, Code
1 2 2009, is amended to read as follows:
1 3 h. (1) The administrator, in consultation with the
1 4 program manager and the E911 communications council, shall
1 5 adopt rules pursuant to chapter 17A governing the distribution
1 6 of the surcharge collected and distributed pursuant to this
1 7 subsection. The rules shall include provisions that all joint
1 8 E911 service boards and the department of public safety which
1 9 answer or service wireless E911 calls are eligible to receive
1 10 an equitable portion of the receipts.
1 11 (2) Notwithstanding subparagraph (1), the administrator
1 12 may reallocate all or a portion of the surcharge collected
1 13 pursuant to this subsection otherwise payable to a joint E911
1 14 service board which is not in compliance with the membership
1 15 requirements of section 34A.3, subsection 1. A reallocation
1 16 pursuant to this subparagraph shall direct surcharge revenue
1 17 to an entity or entities entitled to but denied membership on
1 18 the joint E911 service board, in an amount to be determined by
1 19 the administrator. The administrator shall attempt to resolve
1 20 the noncompliance, in consultation with the office of the
1 21 attorney general, and shall reallocate surcharge revenue
1 22 pursuant to this subparagraph only in the event that the
1 23 attempt to resolve the noncompliance proves unsuccessful.

1 24 EXPLANATION

1 25 This bill authorizes the administrator of the homeland
1 26 security and emergency management division of the department
1 27 of public defense to reallocate all or a portion of surcharge
1 28 revenue otherwise payable to a joint E911 service board if the
1 29 service board does not comply with the membership requirements
1 30 specified in Code section 34A.3, subsection 1. Code section
1 31 34A.7A provides for a monthly surcharge of up to 65 cents to
1 32 be imposed on each wireless communications service number in
1 33 the state and deposited into a wireless E911 emergency
1 34 communications fund for distribution in priority order as
1 35 specified in Code section 34A.7A, subsection 2. Designated
2 1 amounts are allocated to the joint E911 service boards, to be
2 2 distributed on an equitable basis.
2 3 The bill provides that the reallocated amounts shall be
2 4 directed to entities otherwise entitled to membership on the
2 5 joint E911 service board but who have been denied membership,
2 6 and that the amount of the reallocation shall be determined by
2 7 the administrator. The bill also provides that the
2 8 administrator shall coordinate with the attorney general to
2 9 attempt to resolve the noncompliance prior to resorting to a
2 10 reallocation.
2 11 LSB 2385YH 83
2 12 rn/nh/5