

# House File 465 - Introduced

HOUSE FILE \_\_\_\_\_  
BY DEYOE

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

## A BILL FOR

1 An Act authorizing the withholding of specified surcharge revenue  
2 otherwise payable to a joint E911 service board under certain  
3 circumstances.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
5 TLSB 2381YH 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 withhold distribution of all or a portion of the surcharge  
1 13 collected pursuant to this subsection otherwise payable to a  
1 14 joint E911 service board which is not in compliance with the  
1 15 membership requirements of section 34A.3, subsection 1. The  
1 16 administrator shall attempt to resolve the noncompliance, in  
1 17 consultation with the attorney general, and shall withhold  
1 18 distribution pursuant to this subparagraph only in the event  
1 19 that the attempt to resolve the noncompliance proves  
1 20 unsuccessful.

### EXPLANATION

1 21 This bill authorizes the administrator of the homeland  
1 22 security and emergency management division of the department  
1 23 of public defense to withhold surcharge revenue otherwise  
1 24 payable to a joint E911 service board if the service board  
1 25 does not comply with membership requirements specified in Code  
1 26 section 34A.3, subsection 1. Code section 34A.7A provides for  
1 27 a monthly surcharge of up to 65 cents to be imposed on each  
1 28 wireless communications service number in the state and  
1 29 deposited into a wireless E911 emergency communications fund  
1 30 for distribution in priority order as specified in Code  
1 31 section 34A.7A, subsection 2. Designated amounts are  
1 32 allocated to the joint E911 services boards, to be distributed  
1 33 on an equitable basis.  
1 34 The bill provides that the amount to be withheld shall be  
1 35 determined by the administrator, and that withholding shall  
2 1 not occur until and unless efforts to resolve the  
2 2 noncompliance with the joint E911 service board, with the  
2 3 assistance of the attorney general, prove unsuccessful.  
2 4 LSB 2381YH 83  
2 5 rn/nh/5  
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