

House Study Bill 155 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON WAGNER)

A BILL FOR

1 An Act providing for the assumption by certain cities of county
2 powers and authority, establishing an advisory committee,
3 and including effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **364.2A Exclusive city authority.**

2 1. A city with a population of thirty thousand or more
3 may, by ordinance, assume and exercise within the boundaries
4 of the city the exclusive authority and duties of the county
5 or counties in which the city is located, including but not
6 limited to the taxing authority of the county within the city.

7 2. If a city adopts an ordinance under subsection 1,
8 the city shall receive all revenues that would otherwise be
9 received by the county within the the city.

10 Sec. 2. CITY AUTHORITY ADVISORY COMMITTEE ESTABLISHED.

11 1. A city authority advisory committee is established to
12 consider all issues relating to the implementation of exclusive
13 city power within the city's boundaries, including but not
14 limited to all of the following:

15 a. The process and procedures needed to transfer authority
16 from the county to the city.

17 b. The administration of tax levies and revenue.

18 c. The emergency management operations.

19 d. Execution of criminal laws.

20 e. The transfer of county offices to the city.

21 2. The committee shall also consider any issues relating
22 to the provisions of Article III, sections 30 and 39A, and
23 Article XI, section 2, of the Constitution of the State of Iowa
24 concerning county boundaries, county home rule, and county
25 creation and reduction in size.

26 3. The committee shall also consider all issues relating
27 to statutory authorization for a city to transfer authority
28 currently held by the county where the city is located to a
29 neighboring county.

30 4. The committee shall be comprised of one representative
31 appointed by the Iowa league of cities, one representative
32 appointed by the Iowa state association of counties, and the
33 director of the department of management or the director's
34 designee. The members of the committee shall not receive
35 compensation by reason of their membership on the committee.

1 The committee shall recommend to the general assembly, for the
2 general assembly's consideration and approval, any amendments
3 to the Constitution of the State of Iowa or to the Code
4 necessary or beneficial to the implementation of section 1
5 of this Act. The committee shall also make recommendations
6 to the general assembly relating to the topics described
7 in subsections 2 and 3. The committee shall make such
8 recommendations to the general assembly on or before November
9 1, 2013.

10 Sec. 3. EFFECTIVE DATE. The section of this Act enacting
11 section 364.2A takes effect July 1, 2014.

12 EXPLANATION

13 This bill enacts new Code section 364.2A, which provides
14 that certain cities may assume county powers and authority
15 within the cities' boundaries and receive all revenues due
16 for assuming such county powers and authority. Additional
17 amendments to the Constitution of the State of Iowa or to the
18 Code of Iowa may be necessary to fully implement this provision
19 of the bill.

20 The bill provides for the establishment of a city authority
21 advisory committee to consider all issues relating to the
22 implementation of new Code section 364.2A. The committee is
23 comprised of one representative appointed by the Iowa league
24 of cities, one representative appointed by the Iowa state
25 association of counties, and the director of the department
26 of management or the director's designee. Committee members
27 shall not receive compensation by reason of their membership
28 on the committee. The committee is required to recommend to
29 the general assembly any amendments to the Constitution of the
30 State of Iowa or to the Code necessary or beneficial to the
31 implementation of new Code section 364.2A.

32 The committee is required to consider and make
33 recommendations on any issues relating to the provisions of
34 Article III, sections 30 and 39A, and Article XI, section 2,
35 of the Constitution of the State of Iowa concerning county

1 boundaries, county home rule, and county creation and reduction
2 in size. The committee is also required to consider and
3 make recommendations on all issues relating to statutory
4 authorization for a city to transfer authority currently held
5 by the county where the city is located to a neighboring
6 county.

7 The committee is required to make such recommendations to
8 the general assembly on or before November 1, 2013.

9 The section of the bill enacting Code section 364.2A takes
10 effect July 1, 2014.