

**Senate Joint Resolution 9 - Introduced**

SENATE JOINT RESOLUTION 9  
BY FEENSTRA, HAHN, ZAUN,  
JOHNSON, and BOETTGER

**SENATE JOINT RESOLUTION**

1 A Joint Resolution proposing an amendment to the Constitution  
2 of the State of Iowa to provide home rule for school  
3 districts.

4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. The following amendment to the Constitution of  
2 the State of Iowa is hereby proposed:

3 Article III, legislative department, Constitution of the  
4 State of Iowa, is hereby amended by adding the following new  
5 section:

6 **School district home rule.** SEC. 39B. School districts are  
7 granted home rule power and authority, not inconsistent with  
8 the laws of the general assembly, to determine their local  
9 affairs and government, except that they shall not have power  
10 to levy any tax unless expressly authorized by the general  
11 assembly.

12 If the power or authority of a school district conflicts  
13 with the power and authority of a municipal corporation,  
14 county, or joint county-municipal corporation, the power and  
15 authority exercised by a municipal corporation, county, or  
16 joint county-municipal corporation shall prevail within its  
17 jurisdiction.

18 The rule or proposition of law that a school district  
19 possesses and can exercise only those powers granted in express  
20 words is not a part of the law of this state.

21 Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed  
22 amendment to the Constitution of the State of Iowa is hereby  
23 referred to the general assembly to be chosen at the next  
24 general election for members of the general assembly, and  
25 the secretary of state is directed to cause the same to be  
26 published for three consecutive months previous to the date of  
27 said election as provided by law.

28 EXPLANATION

29 This joint resolution proposes an amendment to the  
30 Constitution of the State of Iowa to provide home rule  
31 powers and authority for school districts. The home rule  
32 powers cannot be inconsistent with state law and the power  
33 to tax is limited to those taxes expressly authorized by the  
34 general assembly. If the power or authority of a school  
35 district conflicts with the power and authority of a municipal

1 corporation, county, or joint county-municipal corporation,  
2 the power and authority exercised by a municipal corporation,  
3 county, or joint county-municipal corporation shall prevail  
4 within its jurisdiction.

5 The resolution, if adopted, would be referred to the next  
6 general assembly before being submitted to the electorate for  
7 ratification.