

**Senate Joint Resolution 6 - Introduced**

SENATE JOINT RESOLUTION 6  
BY ZAUN

**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 with  
13 the power and authority of a municipal corporation, county,  
14 or joint county-municipal corporation government, the power  
15 and authority exercised by a municipal corporation, county, or  
16 joint county-municipal corporation government shall prevail  
17 within the jurisdiction of the municipal corporation, county,  
18 or joint county-municipal corporation government.

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

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

29 EXPLANATION

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

1 district conflicts with the power and authority of a municipal  
2 corporation, county, or joint county-municipal corporation  
3 government, the power and authority exercised by a municipal  
4 corporation, county, or joint county-municipal corporation  
5 government shall prevail within the jurisdiction of the  
6 municipal corporation, county, or joint county-municipal  
7 corporation government.

8     The resolution, if adopted, would be referred to the next  
9 general assembly before being submitted to the electorate for  
10 ratification.