

House Study Bill 514 - Introduced

HOUSE FILE _____

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

A BILL FOR

1 An Act setting the dates for the submission of local public
2 measures to the electors.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 39.2, subsection 4, unnumbered paragraph
2 1, Code 2018, is amended to read as follows:

3 ~~Unless otherwise provided by law~~ Except as provided in
4 sections 75.1, 423B.1, or other law, special elections on
5 public measures are limited to the following dates:

6 Sec. 2. Section 75.1, Code 2018, is amended by adding the
7 following new subsection:

8 NEW SUBSECTION. 3. A proposition to authorize an issuance
9 of bonds shall only be submitted to the electors on the first
10 Tuesday after the first Monday in November of each year.

11 Sec. 3. Section 423B.1, subsection 5, Code 2018, is amended
12 to read as follows:

13 5. The county commissioner of elections shall submit the
14 question of imposition of a local option tax at an election
15 held on ~~a date specified in section 39.2, subsection 4,~~
16 ~~paragraph "a"~~ the first Tuesday after the first Monday in
17 November. The election shall not be held sooner than sixty
18 days after publication of notice of the ballot proposition.
19 The ballot proposition shall specify the type and rate of tax
20 and in the case of a vehicle tax the classes that will be
21 exempt and in the case of a local sales and services tax the
22 date it will be imposed which date shall not be earlier than
23 ninety days following the election. The ballot proposition
24 shall also specify the approximate amount of local option tax
25 revenues that will be used for property tax relief and shall
26 contain a statement as to the specific purpose or purposes for
27 which the revenues shall otherwise be expended. If the county
28 board of supervisors decides under subsection 6 to specify a
29 date on which the local option sales and services tax shall
30 automatically be repealed, the date of the repeal shall also be
31 specified on the ballot. The rate of the vehicle tax shall be
32 in increments of one dollar per vehicle as set by the petition
33 seeking to impose the tax. The rate of a local sales and
34 services tax shall not be more than one percent as set by the
35 governing body. The state commissioner of elections shall

1 establish by rule the form for the ballot proposition which
2 form shall be uniform throughout the state.

3 Sec. 4. APPLICABILITY. Notwithstanding section 47.6,
4 subsection 1, paragraph "b", the governing body of a political
5 subdivision may, by a resolution filed with the county
6 commissioner of elections, remove a public measure from a
7 ballot that is not in compliance with section 75.1, subsection
8 3, as enacted by this Act, or section 423B.1, as amended by
9 this Act, prior to January 1, 2019.

10

EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill requires all propositions to authorize the
14 issuance of bonds by a county, township, school corporation,
15 city, or any local board or commission or the imposition
16 of local option taxes by a city or county to be submitted
17 to electors on the first Tuesday after the first Monday in
18 November of each year. The bill exempts such elections from
19 certain limitations on the withdrawal of public measures from a
20 ballot until January 1, 2019.