Senate File 318 - Introduced

SENATE FILE 318 BY DANIELSON

A BILL FOR

- 1 An Act relating to operations of townships by requiring that
- 2 townships provide emergency medical service, modifying
- 3 provisions related to township cemeteries, and including
- 4 applicability provisions.
- 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

S.F. 318

- 1 Section 1. Section 359.17, subsection 2, Code 2017, is 2 amended to read as follows:
- 3 2. A board of township trustees shall give prior notice of
- 4 a meeting to discuss, deliberate, or act upon a matter relating
- 5 to the budget or a tax levy of the township or relating to
- 6 the trustees' duty to provide fire protection service and,
- 7 if provided, emergency medical service, pursuant to section
- 8 359.42. The trustees shall give notice of such meeting at
- 9 least twenty-four hours preceding the commencement of the
- 10 meeting. The notice shall state the time, date, and place
- 11 of the meeting and the proposed agenda. The notice shall be
- 12 provided to the county auditor who shall post the notice in an
- 13 area of the courthouse where notices to the public are commonly 14 posted.
- 15 Sec. 2. Section 359.31, Code 2017, is amended to read as 16 follows:
- 17 359.31 Power and control.
- 18 They The board of township trustees shall control any such
- 19 cemeteries, or appoint trustees for the same, or sell the same
- 20 to any private corporation for cemetery purposes. The board of
- 21 township trustees may contract with a public or private agency
- 22 under chapter 28E or to establish a joint cemetery board under
- 23 section 359.36 for the purposes of improving, maintaining, and
- 24 supporting township cemeteries.
- Sec. 3. Section 359.42, Code 2017, is amended to read as
- 26 follows:
- 27 359.42 Township fire protection service, emergency warning
- 28 system, and emergency medical service.
- 29 1. Except as otherwise provided in section 331.385, the
- 30 trustees of each township shall provide fire the following
- 31 services for the township:
- 32 a. Fire protection service for the township, exclusive of
- 33 any part of the township within a benefited fire district and
- 34 may provide emergency medical service.
- 35 b. Emergency medical service.

- 1 2. The trustees may purchase, own, rent, or maintain fire 2 protection service or emergency medical service apparatus or 3 equipment or both kinds of apparatus or equipment and provide 4 housing for the equipment. The trustees of a township which 5 is located within a county having a population of three 6 hundred thousand or more may also establish and maintain an 7 emergency warning system within the township. The trustees 8 may contract with a public or private agency under chapter 28E 9 for the purpose of providing any service or system required or 10 authorized under this section. Sec. 4. Section 359.49, subsection 2, Code 2017, is amended 11 12 to read as follows: 13 2. By January 15 of each year, each township fire department 14 in the township shall provide to the board of trustees a 15 proposed budget showing all revenues and all expenses for 16 emergency services for the next fiscal year. By January 15 of 17 each year, each entity providing emergency medical service in 18 the township shall provide to the board of trustees a proposed 19 budget showing all revenues and all expenses for emergency 20 medical service for the next fiscal year. By January 15 of 21 each year, each township fire department, and each municipal 22 fire department or other entity providing emergency services 23 to a township, shall submit to the board of trustees a report 24 detailing emergency services calls for the prior calendar year 25 for the fire district and a copy of the fire report filed by 26 the fire department with the state fire marshal's office. 27 purposes of this subsection, "municipal" means relating to a 28 city, county, township, benefited fire district, or chapter 28E 29 agency authorized by law to provide emergency services.
- 30 Sec. 5. IMPLEMENTATION OF ACT. Section 25B.2, subsection
- 31 3, shall not apply to this Act.
- 32 Sec. 6. APPLICABILITY. This Act applies to fiscal years
- 33 beginning on or after July 1, 2018.
- 34 EXPLANATION
- 35 The inclusion of this explanation does not constitute agreement with

S.F. 318

- the explanation's substance by the members of the general assembly.
- 2 This bill requires that a township provide emergency medical
- 3 service within the township. Under current law, a township is
- 4 required to provide fire protection service and is authorized,
- 5 but not required, to provide emergency medical service. The
- 6 bill also makes corresponding changes to provisions of law
- 7 governing the township budgeting process.
- 8 The bill specifies that each board of township trustees is
- 9 authorized to contract with a public or private agency under
- 10 Code chapter 28E (joint exercise of governmental powers) or to
- 11 establish a joint cemetery board with a city council under Code
- 12 section 359.36 for the purpose of improving, maintaining, and
- 13 supporting township cemeteries.
- 14 The bill may include a state mandate as defined in Code
- 15 section 25B.3. The bill makes inapplicable Code section 25B.2,
- 16 subsection 3, which would relieve a political subdivision from
- 17 complying with a state mandate if funding for the cost of
- 18 the state mandate is not provided or specified. Therefore,
- 19 political subdivisions are required to comply with any state
- 20 mandate included in the bill.
- 21 The bill may cause a state agency or political subdivision to
- 22 offer for sale to the public a service or product that competes
- 23 with private enterprise.
- 24 The bill applies to fiscal years beginning on or after July
- 25 1, 2018.