

Senate Study Bill 3200 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON CHAPMAN)

A BILL FOR

1 An Act relating to the use of revenues from the secure an
2 advanced vision for education fund for certain athletic
3 facility infrastructure projects and including effective
4 date and retroactive applicability provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 423F.3, subsection 7, paragraph a, Code
2 2020, is amended to read as follows:

3 a. Prior to approving the use of revenues received under
4 this chapter for an athletic facility infrastructure project
5 within the scope of the school district's approved revenue
6 purpose statement or pursuant to subsection 4 for a school
7 district without an approved revenue statement, the board of
8 directors shall adopt a resolution setting forth the proposal
9 for the athletic facility infrastructure project and hold an
10 additional public hearing on the issue of construction of the
11 athletic facility. Notice of the time and place of the public
12 hearing shall be published not less than ten nor more than
13 twenty days before the public hearing in a newspaper which is a
14 newspaper of general circulation in the school district. If
15 at any time prior to the fifteenth day following the hearing,
16 the secretary of the board of directors receives a petition
17 containing the required number of signatures and asking that
18 the question of the approval of the use of revenues for the
19 athletic facility infrastructure project be submitted to the
20 voters of the school district, the board of directors shall
21 either rescind the board's resolution for the use of revenues
22 for the athletic facility infrastructure project or direct the
23 county commissioner of elections to submit the question to the
24 registered voters of the school district at an election held
25 on a date specified in section 39.2, subsection 4, paragraph
26 "c". The petition must be signed by eligible electors equal
27 in number to ~~not less than one hundred~~ the lesser of one
28 thousand or thirty percent of the number of voters who cast
29 a vote for the board of directors of the school district at
30 the last preceding election of school officials under section
31 277.1, whichever is greater but not less than one hundred.
32 If a ~~majority~~ at least sixty percent of those voting on the
33 question favors the use of the revenues for the athletic
34 facility infrastructure project, the board shall be authorized
35 to approve such use by resolution of the board. If a ~~majority~~

1 less than sixty percent of those voting on the question ~~does~~
2 ~~not favor~~ favours the use of the revenues for the athletic
3 facility infrastructure project, the board of directors shall
4 rescind the board's resolution for the use of revenues for the
5 athletic facility infrastructure project. If a petition is not
6 received by the board of directors within the prescribed time
7 period, the board of directors may approve the use of revenues
8 for the athletic facility infrastructure project without voter
9 approval.

10 Sec. 2. SECURE AN ADVANCED VISION FOR EDUCATION REVENUES —
11 ATHLETIC FACILITY INFRASTRUCTURE PROJECTS — ELECTION REQUIRED.

12 1. For an athletic facility infrastructure project approved
13 by the board of directors of a school district on or after
14 May 1, 2020, but before the effective date of this Act, to
15 be funded in whole or in part by revenues from the secure an
16 advanced vision for education fund, the portion of section
17 423F.3, subsection 7, authorizing the filing of a petition
18 requesting an election be held on the question of the approval
19 of the use of revenues for the project shall not apply and such
20 athletic facility infrastructure project shall not be funded in
21 whole or in part by revenues from the secure an advanced vision
22 for education fund until the use is approved by the voters of
23 the school district under subsection 2.

24 2. For an athletic facility infrastructure project subject
25 to the election requirement of subsection 1, the board of
26 directors shall either rescind the board's resolution for
27 the use of revenues for the athletic facility infrastructure
28 project or direct the county commissioner of elections to
29 submit the question to the registered voters of the school
30 district at an election held on a date specified in section
31 39.2, subsection 4, paragraph "c". If at least sixty percent
32 of those voting on the question favors the use of the revenues
33 for the athletic facility infrastructure project, the board
34 shall be authorized to approve such use by resolution of the
35 board. If less than sixty percent of those voting on the

1 question favors the use of the revenues for the athletic
2 facility infrastructure project, the board of directors shall
3 rescind the board's resolution for the use of revenues for the
4 athletic facility infrastructure project.

5 3. For purposes of this section, "athletic facility
6 infrastructure project" means the same as defined in section
7 423F.3, subsection 7.

8 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
9 importance, takes effect upon enactment.

10 Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act
11 relating to athletic facility infrastructure projects approved
12 on or after May 1, 2020, but before the effective date of this
13 Act applies retroactively to May 1, 2020, for athletic facility
14 infrastructure projects approved on or after that date but
15 before the effective date of this Act.

16 EXPLANATION

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

19 This bill relates to the use of revenues from the secure an
20 advanced vision for education (SAVE) fund for certain athletic
21 facility infrastructure projects.

22 Code section 423F.3 provides that prior to approving the
23 use of revenues received from the SAVE fund for an athletic
24 facility infrastructure project, the board of directors of
25 the school district must adopt a resolution setting forth the
26 proposal for the athletic facility infrastructure project and
27 hold an additional public hearing on the issue of construction
28 of the athletic facility. Additionally, if at any time prior
29 to the fifteenth day following the hearing, the secretary of
30 the board of directors receives a petition containing the
31 required number of signatures and asking that the question
32 of the approval of the use of revenues for the athletic
33 facility infrastructure project be submitted to the voters
34 of the school district, the board of directors shall either
35 rescind the board's resolution for the use of revenues for

1 the athletic facility infrastructure project or direct the
2 county commissioner of elections to submit the question to the
3 registered voters of the school district. The petition is
4 required to be signed by eligible electors equal in number to
5 not less than 100 or 30 percent of the number of voters at the
6 last preceding election of school officials. Under the bill,
7 such a petition must be signed by eligible electors equal in
8 number to the lesser of 1,000 or 30 percent of the number of
9 voters who cast a vote for the board of directors of the school
10 district at the last preceding election of school officials,
11 but not less than 100. Additionally, the bill changes the
12 threshold for voter approval of the use of SAVE fund revenues
13 for an athletic facility infrastructure project from a majority
14 to 60 percent.

15 For an athletic facility infrastructure project approved by
16 the board of directors of a school district on or after May 1,
17 2020, but before the effective date of the bill, to be funded
18 in whole or in part by revenues from the secure an advanced
19 vision for education (SAVE) fund, the bill provides that the
20 portion of Code section 423F.3(7) authorizing the filing of a
21 petition requesting an election be held on the question of the
22 approval of such use shall not apply and that such athletic
23 facility infrastructure project shall not be funded in whole
24 or in part by revenues from the SAVE fund until the use is
25 approved by the voters of the school district.

26 The section of the bill relating to athletic facility
27 infrastructure projects approved on or after May 1, 2020, but
28 before the effective date of the bill applies retroactively
29 to May 1, 2020, for athletic facility infrastructure projects
30 approved on or after that date but before the effective date
31 of the bill.

32 The bill takes effect upon enactment.