

Senate File 2227 - Introduced

SENATE FILE 2227

BY KOELKER

A BILL FOR

1 An Act relating to certain emergency services provided by a
2 city.

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

1 Section 1. Section 362.5, subsection 3, paragraph a, Code
2 2022, is amended to read as follows:

3 a. The payment of lawful compensation of a city officer,
4 volunteer fire fighter as defined in section 85.61, emergency
5 medical care provider as defined in section 147A.1, or employee
6 holding more than one city office or position, the holding of
7 which is not incompatible with another public office or is
8 not prohibited by law. This section shall not be construed
9 to prohibit nominal stipends, compensation, incentives, or
10 benefits for volunteer fire fighters or emergency medical care
11 providers.

12 Sec. 2. Section 372.13, subsection 10, Code 2022, is amended
13 to read as follows:

14 10. A council member, during the term for which that member
15 is elected, is not precluded from holding the office of chief
16 of the volunteer fire department or from serving the volunteer
17 fire department in any other position or capacity. A person
18 holding the office of chief of such a volunteer fire department
19 at the time of the person's election to the city council may
20 continue to hold the office of chief of the fire department
21 during the city council term for which that person was elected,
22 or may serve as chief of the volunteer fire department upon
23 a majority vote of the council. A council member who is a
24 candidate for the position of chief of the volunteer fire
25 department or an appointed officer position shall abstain
26 from voting upon the council member's own appointment to the
27 position.

28 Sec. 3. Section 384.3, Code 2022, is amended to read as
29 follows:

30 **384.3 General fund.**

31 1. All moneys received for city government purposes from
32 taxes and other sources must be credited to the general fund
33 of the city, except that moneys received for the purposes of
34 the debt service fund, the trust and agency funds, the capital
35 improvements reserve fund, the emergency fund, and other

1 funds established by state law must be deposited as otherwise
2 required or authorized by state law. All moneys received by
3 a city from the federal government must be reported to the
4 department of management who shall transmit a copy to the
5 legislative services agency.

6 2. a. If a city has established an additional fund for
7 police, fire, or other emergency services and has received a
8 payment, award, judgment, or insurance settlement for damaged
9 police, fire, or emergency medical services equipment or
10 vehicles, the city shall deposit the moneys into the relevant
11 fund rather than into the general fund of the city.

12 b. If a city has established an additional fund for police,
13 fire, or other emergency services, moneys remaining in the
14 fund at the end of the fiscal year may be deposited into a
15 reserve savings account. Moneys in a reserve savings account
16 shall be used for the purpose of maintaining or acquiring major
17 equipment including vehicles.

18 EXPLANATION

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

21 This bill relates to certain emergency services provided by
22 a city.

23 Current law generally voids a contract entered into by a
24 city officer or employee if the officer or employee has an
25 interest, direct or indirect, in the contract or job of work
26 or material or the profits thereof or services to be furnished
27 or performed for the officer's or employee's city. The bill
28 provides that this provision does not prohibit the lawful
29 compensation, including nominal stipends, incentives, and
30 benefits, for a volunteer fire fighter or emergency medical
31 care provider holding one or more city office or position if
32 holding the office or position is not incompatible with another
33 public office or is not prohibited by law.

34 Current law allows a city council member, during the term
35 for which the member is elected, to serve as the chief of a

1 volunteer fire department or serve a volunteer fire department
2 in any other capacity. A person holding the office of chief of
3 such a volunteer fire department at the time of the person's
4 election to the city council may continue to hold the office of
5 chief of the volunteer fire department during the city council
6 term for which that person was elected. The bill allows a
7 city council member to serve as chief of the volunteer fire
8 department upon a majority vote of the council.

9 The bill provides that if a city has established an
10 additional fund for police, fire, or other emergency services
11 and has received a payment, award, judgment, or insurance
12 settlement for damaged police, fire, or emergency medical
13 services equipment or vehicles, the city shall deposit the
14 moneys into the relevant fund rather than into the general
15 fund of the city. Additionally, if a city has established an
16 additional fund for police, fire, or other emergency services,
17 moneys remaining in the fund at the end of the fiscal year
18 may be deposited into a reserve savings account. Moneys in
19 a reserve savings account shall be used for the purpose of
20 maintaining or acquiring major equipment including vehicles.