

House Study Bill 678 - Introduced

HOUSE FILE _____

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

A BILL FOR

1 An Act relating to city libraries, including library directors
2 and library projects and initiatives.

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

1 Section 1. Section 392.5, Code 2024, is amended to read as
2 follows:

3 **392.5 Library board.**

4 1. *a.* A city library board of trustees functioning on the
5 effective date of the city code shall continue to function in
6 the same manner until altered or discontinued ~~as provided in~~
7 ~~this section.~~

8 *b.* In order for the board to function in the same manner,
9 the council shall retain all applicable ordinances, and shall
10 adopt as ordinances all applicable state statutes repealed by
11 1972 Iowa Acts, ch. 1088.

12 2. A library board may accept and control the expenditure of
13 all gifts, devises, and bequests to the library.

14 3. ~~*a.* A proposal to alter the composition, manner of~~
15 ~~selection, or charge of a library board, or to replace it with~~
16 ~~an alternate form of administrative agency, is subject to the~~
17 ~~approval of the voters of the city.~~

18 ~~*b.* The proposal may be submitted to the voters at any city~~
19 ~~election by the council on its own motion. Upon receipt of a~~
20 ~~valid petition as defined in [section 362.4](#), requesting that a~~
21 ~~proposal be submitted to the voters, the council shall submit~~
22 ~~the proposal at the next regular city election. A proposal~~
23 ~~submitted to the voters must describe with reasonable detail~~
24 ~~the action proposed.~~

25 ~~*c.* If a majority of those voting approves the proposal, the~~
26 ~~city may proceed as proposed.~~

27 ~~*d.* If a majority of those voting does not approve the~~
28 ~~proposal, the same or a similar proposal may not be submitted~~
29 ~~to the voters of the city for at least four years from the date~~
30 ~~of the election at which the proposal was defeated. A council~~
31 ~~may oversee and change the practice related to hiring a library~~
32 ~~director and utilize moneys collected pursuant to section~~
33 ~~8A.222 for library projects and initiatives by ordinance and~~
34 ~~without a referendum.~~

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EXPLANATION

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

3 This bill relates to city library directors and city library
4 policies and initiatives.

5 Under current law, a city council may, on its own motion,
6 or shall, upon receipt of a valid petition, submit a proposal
7 to alter the composition, selection process, or charge of the
8 library board to the voters of the city. The bill strikes this
9 provision and allows a city council to oversee and change the
10 hiring practice for a library director and utilize library tax
11 moneys for library projects and initiatives by ordinance and
12 without a referendum.