

**House File 2479 - Reprinted**

HOUSE FILE 2479

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HF 2454)

(SUCCESSOR TO HF 2215)

(As Amended and Passed by the House April 18, 2018)

**A BILL FOR**

- 1 An Act establishing a process for voter approval of a
- 2 proposition to require a township to provide emergency
- 3 medical service.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 359.42, Code 2018, is amended to read as  
2 follows:

3 **359.42 Township fire protection service, emergency warning  
4 system, and emergency medical service.**

5 Except as otherwise provided in [section 331.385](#), the  
6 trustees of each township shall provide fire protection service  
7 for the township, exclusive of any part of the township within  
8 a benefited fire district and may provide emergency medical  
9 service. However, except as otherwise provided in section  
10 331.385, the trustees of a township shall provide emergency  
11 medical service for the township if required to do so by a  
12 proposition approved under section 359.44. The trustees may  
13 purchase, own, rent, or maintain fire protection service or  
14 emergency medical service apparatus or equipment or both  
15 kinds of apparatus or equipment and provide housing for the  
16 equipment. The trustees of a township which is located within  
17 a county having a population of three hundred thousand or  
18 more may also establish and maintain an emergency warning  
19 system within the township. The trustees may contract with a  
20 public or private agency under [chapter 28E](#) for the purpose of  
21 providing any service or system required or authorized under  
22 this section.

23 **Sec. 2. NEW SECTION. 359.44 Emergency medical service —  
24 motion or petition — election.**

25 1. *a.* Unless the county is providing emergency medical  
26 service to a township pursuant to section 331.385, the board  
27 of township trustees may on its own motion, and upon receipt  
28 of a valid petition shall, direct the county commissioner of  
29 elections to submit to the registered voters of the township,  
30 excluding those areas of the township within corporate  
31 boundaries of a city, the proposition of requiring the township  
32 to provide emergency medical service to those areas of the  
33 township outside the corporate limits of a city and outside  
34 those areas being provided emergency medical service under  
35 chapter 357F or 357J for a period of time stated in the

1 proposition but not less than four years.

2     *b.* A valid petition shall be signed by eligible electors of  
3 the township residing outside the corporate limits of a city  
4 equal in number to at least twenty-five percent of the number  
5 of votes cast in the township outside the corporate limits  
6 of a city for the office of president of the United States  
7 or governor at the preceding general election. The petition  
8 shall include the signatures of the petitioners, a statement  
9 of their place of residence, and the date on which they signed  
10 the petition.

11     *c.* The election shall be held at the next general election  
12 following adoption of the board's motion or receipt of the  
13 valid petition. However, a petition authorized by this section  
14 shall be filed not later than eighty-two days before the date  
15 of the general election if the proposition is to be voted upon  
16 at the general election. If a valid petition is filed after  
17 that date, the proposition shall be voted on at the general  
18 election following the next general election.

19     *d.* A petition shall be examined before it is accepted for  
20 filing. If it appears valid on its face, it shall be accepted  
21 for filing. If it lacks the required number of signatures, it  
22 shall be returned to the petitioners.

23     *e.* Petitions which have been accepted for filing are valid  
24 unless written objections are filed. Objections must be  
25 filed with the county auditor within five working days after  
26 the petition was filed. The objection process in section  
27 44.7 shall be followed for objections filed pursuant to this  
28 section.

29     2. The question shall be submitted to the voters in  
30 substantially the following form:

31 Shall the township of ....., in .....  
32 County, Iowa, be required to provide emergency medical  
33 service to those areas of ..... township outside the  
34 corporate limits of a city and outside the areas receiving  
35 emergency medical service from another political subdivision

1 of this state and provide such service through imposition of  
2 a property tax in those areas of the township outside the  
3 corporate limits of a city?

4 3. The proposition is adopted if a majority of those  
5 voting on the proposition at the election approves it. If the  
6 proposition is approved at election, the township trustees  
7 shall provide emergency medical service to all areas of the  
8 township outside the corporate limits of a city and those areas  
9 not otherwise receiving such service under chapter 357F or 357J  
10 using methods and funding authorized in sections 359.42 and  
11 359.43 for the period of time approved at election, beginning  
12 with the fiscal year beginning July 1 following the general  
13 election at which the proposition was approved.

14 4. The proposition is not affected by a change in the  
15 boundaries of the township.

16 5. An extension of the period of time for requiring the  
17 township to provide emergency medical service under this  
18 section or the rescission of the requirement to provide  
19 emergency medical service may be completed using the same  
20 procedure as is required for initial approval.

21 6. In lieu of the procedure under subsection 5, the  
22 requirement for providing emergency medical service under this  
23 section may be rescinded by resolution of the board of township  
24 trustees, upon a finding that the emergency medical service  
25 being provided has not been beneficial or is unnecessary.