

Senate File 2500 - Reprinted

SENATE FILE 2500

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2431)

(SUCCESSOR TO SSB 3009)

(As Amended and Passed by the Senate April 22, 2026)

A BILL FOR

1 An Act relating to townships, including the appointment and
2 duties of township officers, township budgets, and the
3 provision of fire protection and emergency medical services
4 to townships by cities, and including effective date
5 provisions.

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

DIVISION I

TOWNSHIP GOVERNANCE

1
2
3 Section 1. Section 39.22, unnumbered paragraph 1, Code
4 2026, is amended to read as follows:

5 ~~The~~ This section applies only to the election or appointment
6 of township officers in townships not subject to the provisions
7 of section 359.11, subsection 1. The appointment of township
8 officers in townships subject to the provisions of section
9 359.11, subsection 1, shall occur only as provided in that
10 subsection. Otherwise, the offices of township trustee and
11 township clerk shall be filled by appointment or election as
12 follows:

13 Sec. 2. Section 64.1A, subsection 5, Code 2026, is amended
14 to read as follows:

15 5. Township trustees and, if appointed pursuant to section
16 359.11, subsection 1, township clerks.

17 Sec. 3. Section 69.8, subsection 5, Code 2026, is amended
18 to read as follows:

19 5. *Elected township offices.*

20 a. When a vacancy occurs in the office of township clerk
21 or township trustee in a township that is not subject to the
22 provisions of section 359.11, subsection 1, the vacancy shall
23 be filled by appointment by the trustees. All appointments to
24 fill vacancies in township offices shall be until a successor
25 is elected at the next general election and qualifies by taking
26 the oath of office. If the term of office in which the vacancy
27 exists will expire within seventy days after the next general
28 election, the person elected to the office for the succeeding
29 term shall qualify by taking the oath of office within ten days
30 after the election and shall serve for the remainder of the
31 unexpired term, as well as for the next four-year term.

32 b. However, if the offices of two trustees are vacant in
33 a township that is not subject to the provisions of section
34 359.11, subsection 1, the county board of supervisors shall
35 fill the vacancies by appointment. If the offices of three

1 trustees are vacant in a township that is not subject to the
2 provisions of section 359.11, subsection 1, the board may
3 fill the vacancies by appointment, or the board may adopt a
4 resolution stating that the board will exercise all powers and
5 duties assigned by law to the trustees of the township in which
6 the vacancies exist until the vacancies are filled at the next
7 general election. If a township office vacancy is not filled
8 by the trustees within thirty days after the vacancy occurs,
9 the board of supervisors may appoint a successor to fill the
10 vacancy until the vacancy can be filled at the next general
11 election.

12 c. When a vacancy occurs in the office of township trustee
13 or township clerk in a township that is subject to the
14 provisions of section 359.11, subsection 1, the vacancy shall
15 be filled pursuant to that subsection.

16 Sec. 4. Section 331.502, subsection 24, Code 2026, is
17 amended to read as follows:

18 24. Carry out duties related to posting financial
19 information of a township as provided in sections ~~359.23 and~~
20 359.49 and 359.51A.

21 Sec. 5. Section 331.512, subsection 1, paragraph i, Code
22 2026, is amended to read as follows:

23 i. The levy of taxes certified by the board of trustees of a
24 township as provided in ~~chapters~~ chapter 359 and 360.

25 Sec. 6. Section 359.10, Code 2026, is amended to read as
26 follows:

27 ~~359.10 New township — first election~~ Initial township
28 elections.

29 When a new township is formed and is not subject to the
30 provisions of section 359.11, subsection 1, or when a township
31 ceases to be subject to the provisions of section 359.11,
32 subsection 1, in which and township officers are to be
33 elected, the board of supervisors shall call the first township
34 election, to be held at such place as it may designate, on the
35 day of the next general election. If at any time a new township

1 has been created in a year in which no general election is
2 held, the board may call a special election for the election of
3 the township officers of the new township, who shall continue
4 in office until their successors are elected and qualified.
5 There shall be elected two trustees for a term of two years,
6 whose successors shall serve terms of four years, one trustee
7 for a term of four years, and one clerk for a term of four
8 years.

9 Sec. 7. Section 359.11, Code 2026, is amended by striking
10 the section and inserting in lieu thereof the following:

11 **359.11 Appointment of trustees and clerks — training.**

12 1. *a.* This subsection applies only to townships located in
13 a county with a population of less than seventy-five thousand
14 according to the most recent federal decennial census, except
15 this subsection does not apply to any township with a taxable
16 valuation for property tax purposes of two hundred fifty
17 million dollars or more.

18 *b.* Prior to January 1, 2027, the board of supervisors shall
19 appoint three registered voters of each township to serve on
20 the board of trustees in each township, whose terms shall begin
21 January 1, 2027. The initial terms of the board of trustees
22 shall be staggered. One appointee under this paragraph shall
23 serve a term of one year, one appointee under this paragraph
24 shall serve a term of two years, and one appointee under this
25 paragraph shall serve a term of three years. This paragraph is
26 repealed January 1, 2031.

27 *c.* A board of trustees in each township shall consist
28 of three registered voters of the township appointed by the
29 board of supervisors to serve three-year terms staggered so
30 that one term expires on January 1 of each year. Prior to
31 the expiration of the term of an appointee to the board of
32 trustees, the board of supervisors shall appoint a registered
33 voter of the township to serve a term of three years beginning
34 January 1.

35 *d.* The board of supervisors shall appoint a township clerk

1 to serve a term of four years beginning January 1.

2 2. A township that has appointed officers pursuant to
3 subsection 1 that is no longer subject to subsection 1 due to
4 the township being located in a county with a population of
5 at least seventy-five thousand according to the most recent
6 federal decennial census or the taxable valuation of the
7 township for property tax purposes reaching or exceeding two
8 hundred fifty million dollars shall arrange for the election of
9 township officers pursuant to section 359.10.

10 3. The board of supervisors may remove a person appointed
11 under subsection 1 at any time for neglect of duty or
12 maladministration.

13 4. A vacancy on the board of trustees or of the position
14 of township clerk shall be filled for the unexpired portion of
15 the regular term in the same manner as regular appointments are
16 made pursuant to subsection 1 or as provided in section 69.8,
17 if applicable.

18 5. *a.* Prior to initially taking office as a township
19 trustee or township clerk, the appointee or officer-elect
20 shall attend training on township budgets, duties, and
21 responsibilities, including but not limited to a trustee's role
22 as a fence viewer under chapter 359A. The training shall be
23 offered by the county agriculture extension council created
24 pursuant to section 176A.5. If multiple county agricultural
25 extension councils exist in the same county, the county
26 agricultural extension councils shall coordinate to offer the
27 required training. County agricultural extension councils may
28 collaborate with the department of management and organizations
29 representing county and city governments in producing the
30 content for and presenting the required training. The county
31 agricultural extension council shall notify the board of
32 supervisors when an appointee or officer-elect has attended the
33 required training.

34 *b.* If an appointee under subsection 1 fails to attend the
35 required training, the board of supervisors shall make a new

1 appointment for the position and the new appointee shall attend
2 the required training prior to taking office.

3 **Sec. 8. NEW SECTION. 359.51A Annual reports.**

4 Each township clerk shall prepare and submit to the
5 department of management and the county board of supervisors,
6 on or before July 31 of each year, a report in writing,
7 showing all receipts of money and disbursements in the clerk's
8 office for each separate tax levy authorized by law for the
9 preceding fiscal year, showing the current public debt of the
10 township, showing the balance as of June 30 of all separate
11 reserve accounts held by the township, and providing an
12 itemized statement and any other information the department of
13 management deems relevant, which shall be certified as correct
14 by the trustees of the township. The report shall be in a form
15 prescribed by the department of management in consultation with
16 the county finance committee. Each township clerk shall send a
17 copy of this written report to the department of management,
18 county board of supervisors, and county auditor. The county
19 auditor shall post the report or a summary of the report in
20 a prominent place in the building where the auditor's office
21 is located. The department of management shall post all
22 reports received pursuant to this section on the department of
23 management's internet site and a county shall post all reports
24 received pursuant to this section on the county's internet
25 site. The county treasurer shall withhold disbursement of
26 township taxes until the report is filed with the county board
27 of supervisors and the county auditor. The county auditor
28 shall notify the county treasurer if taxes are to be withheld.

29 **Sec. 9. NEW SECTION. 359.61 Intergovernmental agreements.**

30 1. Any legal or contractual agreement or obligation to which
31 a township is subject in effect prior to the township becoming
32 subject to the provisions of section 359.11, subsection 1,
33 shall remain in effect until the expiration of the legal or
34 contractual agreement or obligation.

35 2. Any agreement entered into under chapter 28E to which a

1 township is a party is invalid and unenforceable on and after
2 January 1, 2027, if the agreement has not been filed with the
3 secretary of state by that date pursuant to section 28E.8.
4 This subsection does not prohibit a township from entering a
5 new agreement under chapter 28E as long as the agreement is
6 filed pursuant to section 28E.8.

7 Sec. 10. NEW SECTION. **384.12A Rural fire protection fund.**

8 1. A city that provides fire protection and emergency
9 medical services to a township pursuant to a contract shall
10 establish a rural fire protection fund under the control of the
11 city's fire department.

12 2. A city that receives payment from a township pursuant
13 to a township's levy for fire protection or emergency medical
14 services pursuant to section 359.43 shall deposit such payments
15 into the city's rural fire protection fund. The city shall use
16 moneys in the rural fire protection fund only for purposes of
17 providing fire protection and emergency medical services.

18 3. By June 30, 2026, and by June 30 of each year thereafter,
19 a city that deposits payments from a township into the city's
20 rural fire protection fund pursuant to subsection 2 shall
21 share with the township board of trustees and, if the township
22 is subject to the provisions of section 359.11, subsection
23 1, with the county board of supervisors an itemized list of
24 expenditures from the fund.

25 4. Moneys remaining in a city's rural fire protection fund
26 at the close of the city's fiscal year shall remain available
27 for expenditure for the purposes of fire protection and
28 emergency medical services.

29 Sec. 11. REPEAL. Sections 359.23, 359.38, and 359.39, Code
30 2026, are repealed.

31 Sec. 12. REPEAL. Chapter 360, Code 2026, is repealed.

32 Sec. 13. TRANSITION — ELECTED TOWNSHIP OFFICIALS. The
33 term of all elected township officials in all townships subject
34 to the provisions of section 359.11, subsection 1, as enacted
35 by this division of this Act, shall terminate on January 1,

1 2027. A person serving as a township trustee or township clerk
2 pursuant to chapter 359, Code 2026, may continue serving in
3 that role until January 1, 2027.

4 Sec. 14. TRANSITION — TRANSFER OF MONEYS. On or before
5 September 1, 2026, any moneys collected by a township pursuant
6 to taxes levied under chapter 360, Code 2026, and under control
7 of the township clerk shall be transferred by the township
8 clerk to the general fund of a school district or districts pro
9 rata in which the moneys were raised.

10 Sec. 15. EFFECTIVE DATE. This division of this Act, being
11 deemed of immediate importance, takes effect upon enactment.

12 DIVISION II

13 TOWNSHIP BUDGETS

14 Sec. 16. Section 359.49, Code 2026, is amended by adding the
15 following new subsection:

16 NEW SUBSECTION. 1A. a. Prior to adoption and certification
17 of the budget proposed pursuant to this section, the board of
18 trustees shall provide the proposed budget to the board of
19 supervisors.

20 b. The board of supervisors shall have the option to approve
21 or reject the proposed budget of a township subject to section
22 359.11, subsection 1. The board of supervisors shall approve
23 or reject the proposed budget of a township subject to section
24 359.11, subsection 1, and direct changes to be made in a timely
25 manner so as to not delay the duties of the board of trustees to
26 adopt a budget and certify taxes by the deadlines provided in
27 this section.

28 c. The board of supervisors shall not direct or allocate
29 any moneys collected pursuant to a levy in one township for
30 use in another township. This paragraph does not prohibit
31 cost-sharing agreements entered into between two or more
32 townships.

33 d. All approved budgets, whether approved by the board
34 of trustees or by the board of supervisors as required under
35 paragraph "b", shall be itemized and presented at hearings and

1 meetings for the review or consideration of the county budget
2 or a county levy.

3 Sec. 17. Section 359.49, subsections 4 and 7, Code 2026, are
4 amended to read as follows:

5 4. The board of trustees shall transmit a copy of the
6 proposed budget and a notice of the meeting set as required by
7 subsection 5 to the county auditor for posting. The county
8 auditor shall post the notice and the proposed budget in an
9 area of the courthouse where notices to the public are commonly
10 posted. The county auditor shall also post the notice and
11 proposed budget on the county's internet site.

12 7. After the meeting on the proposed budget, the board of
13 trustees shall adopt by resolution a budget for at least the
14 next fiscal year, and the clerk shall certify the necessary
15 tax levy for the next fiscal year to the county auditor and
16 the county board of supervisors by April 30. The tax levy
17 certified may be less than but shall not be more than the
18 amount estimated in the proposed budget submitted at the
19 meeting. Two copies each of the detailed budget as adopted
20 and of the certified tax levy must be transmitted to the
21 county auditor by April 30. The county auditor shall post the
22 detailed budget on the county's internet site.

23 Sec. 18. Section 359.50, subsection 1, Code 2026, is amended
24 to read as follows:

25 1. A township budget as finally adopted for the following
26 fiscal year becomes effective July 1. A township budget for
27 the current fiscal year may be amended, with the approval of
28 the board of supervisors if approval is required under section
29 359.49, subsection 1A, paragraph "b", for any of the following
30 purposes:

31 a. To permit the expenditure of unexpended, unencumbered
32 cash balances on hand at the end of the preceding fiscal year
33 ~~which~~ that had not been anticipated in the budget.

34 b. To permit the expenditure of amounts anticipated to be
35 available from sources other than property taxation, and ~~which~~

1 that had not been anticipated in the budget.

2 Sec. 19. EFFECTIVE DATE. This division of this Act takes

3 effect January 1, 2027.