SENATE FILE 2410
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3200)

(As Amended and Passed by the Senate June 4, 2020)
[= New Language by the Senate

A BILL FOR

An Act relating to the use of revenues from the secure an advanced vision for education fund for certain athletic facility infrastructure projects and including effective date and retroactive applicability provisions.

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

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

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

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

Sec. 2. Section 423F.4, subsection 2, paragraph b, Code 2020, is amended to read as follows:

b. For bonds subject to the requirements of paragraph "*a*", if at any time prior to the fifteenth day following the hearing, the secretary of the board of directors receives a petition containing the required number of signatures and asking that the question of the issuance of such bonds be submitted to the voters of the school district, the board shall either rescind its adoption of the resolution or direct the county commissioner of elections to submit the question to the registered voters of the school district at an election held on a date specified in section 39.2, subsection 4, paragraph "*c*". The petition must be signed by eligible electors equal in number to not less than one hundred or thirty percent of the number of voters who cast a vote for the board of directors of the school district at the last preceding election of school officials under section 277.1, whichever is greater. If the board submits the question at an election and a majority of those voting on the question favors issuance of the bonds, the board shall be authorized to issue the bonds.

Sec. 3. SECURE AN ADVANCED VISION FOR EDUCATION REVENUES — ATHLETIC FACILITY INFRASTRUCTURE PROJECTS — ELECTION REQUIRED.

1. For an athletic facility infrastructure project approved by the board of directors of a school district on or after May 1, 2020, but before the effective date of this Act, to be funded in whole or in part by revenues from the secure an

advanced vision for education fund, the portion of section 423F.3, subsection 7, authorizing the filing of a petition requesting an election be held on the question of the approval of the use of revenues for the project shall not apply and such athletic facility infrastructure project shall not be funded in whole or in part by revenues from the secure an advanced vision for education fund until the use is approved by the voters of the school district under subsection 2.

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

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

Sec. 4. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 5. RETROACTIVE APPLICABILITY. The section of this Act relating to athletic facility infrastructure projects approved on or after May 1, 2020, but before the effective date of this Act applies retroactively to May 1, 2020, for athletic facility infrastructure projects approved on or after that date but before the effective date of this Act.