

**CHAPTER 1121****CITY STREET CONSTRUCTION REPORTS AND FUNDS***H.F. 2142*

**AN ACT** relating to reporting requirements for certain cities receiving road use tax funds, and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 312.12, Code 1989, is amended to read as follows:

**312.12 PROGRAM SUBMITTED.**

Cities which receive funds from road use tax funds and which have a population of at least five thousand shall prepare, adopt, and ~~submit~~ deliver to the department on or before ~~December~~ May 1 of each fiscal year a comprehensive program of street construction and reconstruction. Such program shall be prepared for a period of five fiscal years subsequent to the fiscal year in which the program is submitted, based upon the construction funds estimated to be available for each fiscal year. ~~At the close of each fiscal year, as a part of the five-year plan, the city shall include a statement of the progress made toward the completion of each project contained in the approved program.~~ Such cities which have a population of less than five thousand and greater than one thousand shall prepare and submit annually by December 31 of each year to the department for examination and review, a program of proposed street construction and reconstruction for its total system of streets for the ensuing fiscal year. Nothing in this ~~This~~ section shall does not prohibit a city of less than five thousand from adopting by resolution a comprehensive five-year plan.

Sec. 2. Section 312.14, Code 1989, is amended to read as follows:

**312.14 CITIES TO SUBMIT REPORT.**

Cities in the state which receive allotments of funds from road use tax funds shall prepare and ~~submit by~~ deliver on or before ~~September 10~~ September 30 each year to the department an annual report showing all street receipts and expenditures for the city for the previous fiscal year.

Sec. 3. Section 312.15, Code 1989, is amended to read as follows:

**312.15 WHEN FUNDS NOT ALLOCATED.**

Funds shall not be allocated to any city until such city shall have complied with the provisions of sections 312.11, 312.12 and 312.14.

If a city has not complied with the provisions of section 312.14, the treasurer of state shall withhold funds allocated to the city until the city complies. If a city has not complied with the provisions of section 312.14 by December 31 following the date the report was required, funds shall not be allocated to the city until the city has complied and all funds withheld under this paragraph shall revert to the street construction fund of the cities.

The department shall notify the treasurer of state if any city fails to comply with the provisions of sections 312.11, 312.12 and 312.14.

Sec. 4. Any funds not allocated to cities under the provisions of section 312.15 during the fiscal year ending June 30, 1990 shall be restored to the cities affected from the street construction fund of the cities.

Sec. 5. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 30, 1990