

CHAPTER 74**EMERGENCY FIRE AND MEDICAL SERVICES — TOWNSHIPS***H.F. 607*

AN ACT relating to emergency services provided to residents of certain townships and including effective date and retroactive applicability date provisions.

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

Section 1. Section 331.385, subsection 5, Code 2005, is amended by striking the subsection and inserting in lieu thereof the following:

5. a. Notwithstanding subsection 1, if as of July 1, 2006, a township has in force an agreement entered into pursuant to chapter 28E for a city or another township to provide fire protection service or fire protection service and emergency medical service for the township, or if a township is otherwise contracting with a city or another township for provision to the township of fire protection service or fire protection service and emergency medical service, the county board of supervisors shall, for the fiscal year beginning July 1, 2007, and subsequent fiscal years, negotiate for and enter into an agreement pursuant to chapter 28E providing for continued fire protection service, or fire protection service and emergency medical service, to the township, and shall certify taxes for levy in the township, pursuant to section 331.424C, in amounts sufficient to meet the financial obligations pertaining to the agreement.

b. This subsection applies to a county with a population in excess of three hundred thousand. This subsection does not prohibit a county with a population in excess of three hundred thousand from also assuming the powers and duties of township trustees in accordance with the provisions of subsections 1 through 4, for those townships in the county that are not subject to paragraph "a".

Sec. 2. Section 331.424C, Code 2005, is amended to read as follows:

331.424C EMERGENCY SERVICES FUND.

A county that is providing fire protection service or emergency medical service to a township pursuant to section 331.385 shall establish an emergency services fund and may certify taxes for levy in the township not to exceed ~~sixty and three-fourths cents per one thousand dollars of the assessed value of taxable property located in the township~~ the amounts authorized in section 359.43. The county has the authority to use a portion of the taxes levied and deposited in the fund for the purpose of accumulating moneys to carry out the purposes of section 359.43, subsection 4.

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

Sec. 4. RETROACTIVE APPLICABILITY. The section of this Act that strikes section 331.385, subsection 5, Code 2005, applies retroactively to January 1, 2005, and section 331.385, subsection 5, Code 2005, is void and of no effect with regard to township fire protection service or emergency medical service agreements or contracts entered into on or after that date.

Approved April 28, 2005