

Reported Recommending .....  
Ind. Postponed .....  
Passed House .....  
Failed to Pass House .....  
Passed Senate .....  
Failed to Pass Senate .....

**House File 458**

February 27, 1947.  
Motor Vehicles and Transportation.

By SLOANE and BURKMAN.

## **A BILL FOR**

An Act to amend Section three hundred twenty-four point sixty three relating to motor vehicle fuel tax and the distribution of proceeds to incorporated cities and towns.

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

1 Section 1. Section three hundred twenty four  
2 point sixty three is amended by adding the following:  
3 When a city or town of this state has been in-  
4 corporated subsequent to the latest federal census  
5 or no federal census is available, the council shall  
6 after proper proceedings immediately take a census of  
7 the population of such incorporated city or town and  
8 pay for the same out of the general fund. The popula-  
9 tion, census, council proceedings, and manner of ob-  
10 taining the census shall be set out in an affidavit  
11 verified under oath and signed by every council member  
12 and certified by the city clerk to the treasurer of  
13 state. The census shall be the official census of the  
14 population of the city or town until the next federal  
15 census. The incorporated city or town shall then be  
16 credited and apportioned its portion as set out in

17 this section.

1     Sec. 2. This act being deemed of importance

2 shall be in full force and effect from and after its

3 passage and publication in the .....

4 a newspaper published at ....., Iowa and

5 the ..... a newspaper published at

6 ....., Iowa.

EXPLANATION OF H. F. 458

The 51st General Assembly provided for an additional 1c gas tax, 2/5ths of which goes to incorporated cities and towns, in proportion to their population, based on the last Federal census which was in 1940.

The Attorney General has ruled that a city or town incorporated since 1940 is not entitled to any proportionate share of this gasoline tax money for streets, as there is no basis for determining its proportionate share.

This bill provides a method for a city or town that has been incorporated since the last Federal census in 1940 to take a census and to qualify to receive a proportionate share of this gasoline tax money. There are several towns in Iowa that have been incorporated since 1940 that should be allowed to participate in these funds, and there will not be another Federal census until 1950 or later.