

SENATE FILE 257

BY TINSMAN

LOCAL GOVERNMENT

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to protesting a county or city budget.

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

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SF 257
LOCAL GOVERNMENT

1 Section 1. Section 331.436, Code 2005, is amended to read
2 as follows:

3 331.436 PROTEST.

4 Protests to the adopted budget must be made in accordance
5 with sections 24.27 through 24.32 as if the county were the
6 municipality under those sections except that the number of
7 people necessary to file a protest under this section shall
8 not be less than one hundred. The written protest filed with
9 the county auditor shall, in detail, describe the item or
10 items being protested. The hearing on the protest shall be
11 limited to consideration of those items described in the
12 written protest.

13 For purposes of a protest to the adopted budget, "item"
14 means a budgeted expenditure, appropriation, or cash reserve
15 from a fund for a service area, program, program element, or
16 purpose.

17 Sec. 2. Section 384.19, unnumbered paragraphs 1 and 3,
18 Code 2005, are amended to read as follows:

19 Within a period of ten days after the final date that a
20 budget or amended budget may be certified to the county
21 auditor, persons affected by the budget may file a written
22 protest with the county auditor specifying their objections to
23 the budget or any part of it. A protest must be signed by
24 registered voters equal in number to one-fourth of one percent
25 of the votes cast for governor in the last preceding general
26 election in the city, but the number shall not be less than
27 ten persons and the number need not be more than one hundred
28 persons. The written protest filed with the county auditor
29 shall, in detail, describe the item or items being protested.

30 The state appeal board shall proceed to consider the
31 protest in accordance with the same provisions that protests
32 to budgets of municipalities are considered under chapter 24,
33 except that the hearing on the protest shall be limited to
34 consideration of those items described in the written protest.
35 The state appeal board shall certify its decision with respect

1 to the protest to the county auditor and to the parties to the
2 appeal as provided by rule, and the decision shall be final.

3 Sec. 3. Section 384.19, Code 2005, is amended by adding
4 the following new unnumbered paragraph:

5 NEW UNNUMBERED PARAGRAPH. For purposes of a protest to the
6 adopted budget, "item" means a budgeted expenditure,
7 appropriation, or cash reserve from a fund for a service area,
8 program, program element, or purpose.

9 EXPLANATION

10 This bill provides that a protest filed to a county or city
11 budget shall, in detail, describe the item or items being
12 protested. The bill further provides that the hearing on a
13 protest filed to a county or city budget shall be limited to
14 consideration of those items described in the written protest.
15 The bill defines "item" as a budgeted expenditure,
16 appropriation, or cash reserve from a fund for a service area,
17 program, program element, or purpose.

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