

House File 2013 - Introduced

HOUSE FILE _____
BY WHITAKER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to leaves of absence for service in elective
2 office.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 5119HH 82
5 jr/rj/5

PAG LIN

1 1 Section 1. Section 55.1, Code 2007, is amended to read as
1 2 follows:
1 3 55.1 LEAVE OF ABSENCE FOR SERVICE IN ELECTIVE OFFICE.
1 4 A person who is elected to a municipal, county, state, or
1 5 federal office shall, upon written application to the employer
1 6 of that person, be granted a leave of absence on a full-time
1 7 or part-time basis from regular employment to serve in that
1 8 office except where prohibited by the federal law. The leave
1 9 of absence may be granted without pay and shall be granted
1 10 without loss of net credited service and benefits earned.
1 11 This section shall not be construed to require an employer to
1 12 pay pension, health or other benefits during the leave of
1 13 absence to an employee taking a leave of absence under this
1 14 section.
1 15 A leave of absence for a person regularly employed pursuant
1 16 to chapter 8A, subchapter IV, is subject to section 8A.416.
1 17 An employee shall not be prohibited from returning to
1 18 regular employment before the period expires for which the
1 19 leave of absence was granted. This section applies only to
1 20 employers which employ twenty or more full-time persons. The
1 21 leave of absence granted by this section need not exceed six
1 22 years. The leave of absence granted by this section does not
1 23 apply to an elective office held by the employee prior to the
1 24 election.
1 25 Temporary substitute teachers and teachers hired on a
1 26 temporary basis to replace teachers who have been granted
1 27 leaves of absence pursuant to this section are not subject to
1 28 the provisions of chapter 279 relating to the termination of
1 29 continuing contracts.

EXPLANATION

1 31 Code chapter 55 guarantees a leave of absence from regular
1 32 employment for a person elected to serve in public office.
1 33 This bill specifies that the leave of absence can be either
1 34 full-time or part-time.
1 35 LSB 5119HH 82
2 1 jr/rj/5