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SENATE FILE 1174
By DODERER

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

A BILL FOR

1 An Act relating to the qualifications of police and fire
2 chiefs.

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

4 Section 1. Section three hundred sixty-five point thirteen
5 (365.13), Code 1971, is amended to read as follows:

6 365.13 CHIEF OF POLICE AND CHIEF OF FIRE DEPARTMENT.

7 ~~The chief of the fire department shall be appointed from the~~
8 ~~chief's civil service eligible list and shall hold full civil~~
9 ~~service rights as chief, and in cities over twenty-five~~
10 ~~thousand and the chief of the police department shall be~~
11 ~~appointed from the active members of the department who hold~~
12 ~~civil service seniority rights as patrolmen and have had five~~
13 ~~years service in the department by the mayor with approval~~
14 ~~by the city or town council. A person appointed the chief~~
15 ~~of the fire department or the chief of the police department~~
16 ~~shall be a man of high moral character, of good standing in~~
17 ~~the community in which he lives, and shall be selected solely~~
18 ~~with regard to his qualifications and fitness to discharge~~
19 ~~the duties of his office. In cities of under twenty-five~~
20 ~~thousand population the~~ The city council shall specify the
21 residency requirements for chief of police. A chief of police
22 or chief of the fire department shall maintain his civil
23 service rights as determined by section 365.12. Any person
24 who becomes a chief of a fire department or chief of a police
25 department of a city or town may transfer all rights he may

1 have acquired, including employer and employee contributions,
2 under chapter 410 to another city or town which has the same
3 retirement system, or if such person was a member of a
4 retirement system authorized under chapter 411, he may in
5 the same manner transfer rights acquired to another retirement
6 system authorized by chapter 411.

7 In cities under the commission plan of government the
8 superintendent of public safety, with the approval of the
9 city council, shall appoint the chief of the fire department
10 and the chief of the police department. In cities under the
11 city manager plan the city manager shall make such
12 appointments, ~~and in all other cities such appointments shall~~
13 ~~be made by the mayor.~~

14 EXPLANATION

15 This bill deletes the strict requirements that a fire chief
16 and police chief must be a member of the civil service system
17 of the appointing authority and, in the case of the police
18 chief, delete the 5-year requirement. Qualifications are
19 established which are based upon the capabilities of the
20 individual, not seniority or residence, in order that more
21 qualified persons might be attracted to police and fire chief
22 positions. Transfer of retirement benefits are provided.

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27 1 Amend Senate File 1174, page 2, line 12 by adding
28 2 after the word "appointments" the words "with
29 3 approval of the council".

30 Filed By DODERER
31 February 23, 1972