

*Article 42*

SENATE FILE 55 21

Cities  
Schwenzels, Chairperson  
Gallagher  
C.P. Miller

FILED

SENATE FILE 55

BY ASHCRAFT

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to the qualifications of chiefs of fire  
2 departments and chiefs of police departments.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

1 Section 1. Section four hundred point thirteen (400.13),  
2 unnumbered paragraphs one (1) and three (3), Code 1977, are  
3 amended to read as follows:

4 The chief of the fire department and the chief of the  
5 police department shall be appointed from the chiefs' civil  
6 service eligible lists. Such lists shall be determined by  
7 original examination open to all persons applying, whether  
8 or not members of the employing city. The chief of a fire  
9 department shall have had a minimum of five years'  
10 ~~administrative~~ experience in a fire department, ~~or three years~~  
11 ~~experience in a fire department and two years of comparable~~  
12 ~~experience or educational training.~~ The chief of a police  
13 department shall have had a minimum of five years  
14 ~~administrative~~ experience in a public law enforcement agency,  
15 ~~or three years experience in a public law enforcement agency~~  
16 ~~and two years of comparable experience or educational training.~~  
17 A chief of a police department or fire department shall  
18 maintain his civil service rights as determined by section  
19 400.12. For the purpose of this section, "public law  
20 enforcement agency" does not include any branch of the armed  
21 forces of the United States.

22 In cities under the commission plan of government the  
23 superintendent of public safety, with the approval of the  
24 city council, shall appoint the chief of the fire department  
25 and the chief of the police department. In cities under the  
26 city manager plan the city manager shall make such appointments  
27 with the approval of the city council, and in all other cities  
28 such appointments shall be made by the mayor with the approval  
29 of the city council.

30 Sec. 2. This Act is effective January 1, 1978.

31 EXPLANATION

32 This bill removes the provision that the requirement of  
33 3 years experience in a public law enforcement agency or fire  
34 department and 2 years of comparable experience or educational  
35 training for chiefs of police and fire departments can be

1 substituted for 5 years of experience and requires that the  
2 experience be administrative. It prohibits counting military  
3 service in the five year requirement. It also requires the  
4 approval of the city council in mayor-council forms of city  
5 government for approval of a chief of the fire or police  
6 department named by the mayor.

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35