

Reprinted  
JAN 1 1981

SENATE FILE 91  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 44)

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

A BILL FOR

1 An Act relating to minimum qualifications for the office of  
30122 county sheriff and providing filing deadlines.

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

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SE 91

3012 amended  
3051  
3577

1 Section 1. Section 331.651, subsections 2 and 3, Code  
2 1991, are amended by striking the subsections and inserting in  
3 lieu thereof the following:

4 2. A person elected or appointed to the office of sheriff  
5 must be an eligible elector of the county who has earned a  
6 certificate of graduation as a law enforcement officer from a  
7 school approved by the Iowa law enforcement academy council  
8 pursuant to chapter 803 and has a minimum of four years  
9 experience as a full-time peace officer, or who has earned an  
10 associate arts or baccalaureate degree from an accredited  
11 college or university and has a minimum of two years  
12 experience as a full-time peace officer.

13 3. a. The county commissioner of elections shall not  
14 place the name of a candidate for the office of sheriff on a  
15 primary or general election ballot unless the candidate has  
16 filed with the county commissioner of elections documentation  
17 of proof of eligibility not later than five p.m. on the fifty-  
18 fifth day before the primary election or not later than five  
19 p.m. on the sixty-seventh day before the general election.

20 b. Documentation of proof of eligibility must include a  
21 notarized letter from an employer stating the candidate's  
22 number of years of service as a full-time peace officer and a  
23 copy of the candidate's certificate of graduation from a  
24 school approved by the Iowa law enforcement academy council or  
25 a copy of the candidate's associate arts or baccalaureate  
26 degree, whichever is applicable.

27 Sec. 2. This Act does not apply to a person holding the  
28 office of county sheriff on the effective date of this Act.

29 EXPLANATION

30 This bill requires that candidates for the office of county  
31 sheriff meet certain minimum qualifications. A candidate for  
32 the office of sheriff must either be a graduate of a school  
33 recognized by the Iowa law enforcement academy council and  
34 have a minimum of four years experience as a full-time peace  
35 officer or possess an associate arts or baccalaureate degree

1 from an accredited college or university and have a minimum of  
2 two years experience as a full-time peace officer.

3 Candidates for the office of sheriff are required to file  
4 documentation of proof of eligibility with the county  
5 commissioner of elections not later than five p.m. on the  
6 fifty-fifth day before the primary election or not later than  
7 five p.m. on the sixty-seventh day before the general  
8 election. The county commissioner of elections shall not  
9 place on the ballot the name of any candidate for sheriff who  
10 has not filed documentation of proof of eligibility.

11 Documentation of proof of eligibility shall include a  
12 notarized letter from an employer attesting to the number of  
13 years the candidate has served as a full-time peace officer  
14 and a copy of either a certificate of graduation from a school  
15 approved by the Iowa law enforcement academy council or an  
16 associate arts or baccalaureate degree.

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SENATE FILE 91

S-3051

1 Amend Senate File 91 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 331.651A QUALIFICATIONS  
5 OF SHERIFF.

6 A person is not eligible to serve as a county  
7 sheriff unless, upon election, the sheriff  
8 successfully completes five weeks of training from the  
9 Iowa law enforcement academy. A county sheriff is  
10 also required to annually complete law enforcement  
11 related in-service training from the Iowa law  
12 enforcement academy.

13 Sec. 2. APPLICABILITY. This Act does not apply to  
14 a person holding the office of county sheriff on the  
15 effective date of this Act."

16 2. Title page, line 2, by striking the words  
17 "filing deadlines" and inserting the following: "for  
18 the Act's applicability".

By BERL E. PRIEBE

S-3051 FILED FEBRUARY 18, 1991

*Placed o/o 4/25/91 (p 1494)*

SENATE FILE 91

S-3052

1 Amend the amendment, S-3012, to Senate File 91, as  
2 follows:

3 1. Page 1, by striking lines 7 through 47, and  
4 inserting the following: "sheriff unless, upon  
5 election, the sheriff successfully completes five  
6 weeks of training from the Iowa law enforcement  
7 academy. A county sheriff is also required to  
8 annually complete law enforcement related in-service  
9 training from the Iowa law enforcement academy."

10 2. By renumbering as necessary.

By BERL E. PRIEBE

S-3052 FILED FEBRUARY 18, 1991

S-3012

1 Amend Senate File 91 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

30524 "Section 1. NEW SECTION. 331.651A QUALIFICATIONS  
5 OF SHERIFF.

6 1. A person is not eligible to serve as a county  
7 sheriff unless the person meets all of the following  
8 qualifications:

9 a. The person is at least twenty-one years of age.

10 b. The person has at least two years' experience  
11 as a full-time peace officer.

12 c. The person has earned a certificate of  
13 graduation as a law enforcement officer recognized by  
14 the Iowa law enforcement academy council or possesses  
15 all of the qualifications required by the Iowa law  
16 enforcement academy council to be certificated as a  
17 law enforcement officer.

18 2. The Iowa law enforcement academy council shall  
19 adopt rules, subject to chapter 17A, establishing  
20 procedures for determining the eligibility of persons  
21 to be candidates for the office or to serve as county  
22 sheriff. A potential candidate for the office of  
23 county sheriff shall submit an application for the  
24 determination of eligibility to the council at least  
25 thirty days before the deadline for the filing of  
26 nomination petitions under chapter 43 or 44. The  
27 application shall be on forms provided by the council  
28 and contain the information required by rule of the  
29 council. The council shall notify the applicant in  
30 writing of its decision on the applicant's eligibility  
31 for the office by certified mail at least ten days  
32 before the deadline for filing for office. However,  
33 in the case of a candidate seeking to fill a ballot  
34 vacancy or vacancy in the office of sheriff, the  
35 council shall make a determination of eligibility as  
36 soon as possible after receipt of the application. An  
37 appointment to fill a ballot vacancy or vacancy in  
38 office is not final until the candidate is certified  
39 as eligible by the council.

40 3. The county commissioner of elections shall not  
41 place the name of a candidate for the office of  
42 sheriff on a primary or general election ballot as  
43 provided under chapter 43, 44, or 45 unless the  
44 nomination petition filed by the candidate or  
45 certification of nomination is accompanied by a  
46 certificate of eligibility issued by the Iowa law  
47 enforcement academy council.

48 Sec. 2. APPLICABILITY. This Act does not apply to  
49 a person holding the office of county sheriff on the  
50 effective date of this Act."

Page 2

1 2. Title page, line 2, by striking the words  
2 "filing deadlines" and inserting the following: "for  
3 the Act's applicability".

By EUGENE FRAISE

4/25/91 (p. 1493)

S-3012 FILED FEBRUARY 4, 1991

SENATE FILE 91

S-3053

- 1 Amend the amendment, S-3012, to Senate File 91, as  
 2 follows:  
 3 1. Page 1, by inserting after line 5, the  
 4 following:  
 5 "1. A person is not eligible to be a candidate for  
 6 the office of county sheriff unless the person is at  
 7 least twenty-one years of age and has either two  
 8 years' experience as a full-time law enforcement  
 9 officer at the federal, state, or local level, or two  
 10 years' experience as a reserve peace officer, or has  
 11 earned an associate arts or baccalaureate degree from  
 12 an accredited college or university."  
 13 2. Page 1, by striking lines 7 through 17, and  
 14 inserting the following: "sheriff unless the person  
 15 has earned a certificate of graduation as a law  
 16 enforcement officer recognized by the Iowa law  
 17 enforcement academy council, or possesses all of the  
 18 qualifications required by the Iowa law enforcement  
 19 academy council to be certificated as a law  
 20 enforcement officer."  
 21 3. Page 1, line 22, by inserting after the word  
 22 "sheriff" the following: "and providing an appeal  
 23 process".  
 24 4. Page 1, line 31, by striking the word "ten"  
 25 and inserting the following: "twenty".  
 26 5. Page 1, by striking lines 35 and 36, and  
 27 inserting the following: "council shall make a  
 28 determination of eligibility within ten days of  
 29 receipt of the application. An".  
 30 6. By renumbering as necessary.

By MARK R. HAGERLA

S-3053 FILED FEBRUARY 19, 1991

SENATE FILE 91

S-3596

- 1 Amend the amendment, S-3577, to Senate File 91 as  
 2 follows:  


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 DIV 3 1. Page 1, line 10, by inserting after the word  
 A 4 "election" the following: "and must, upon election,  
 5 successfully complete five weeks of training from the  
 6 Iowa law enforcement academy. A county sheriff is  
 7 also required to annually complete law enforcement  
 8 related in-service training from the Iowa law  
 9 enforcement academy".  


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 DIV 10 2. Page 1, line 13, by inserting after the word  
 B 11 "officer" the following: "at the federal, state, or  
 12 local level, or two years experience as a reserve  
 13 peace officer, or have earned an associate arts or  
 14 baccalaureate degree from an accredited college or  
 15 university".  
 16 3. Page 1, line 13, by striking the word "and"  
 17 and inserting the following: "or".

By MARK R. HAGERLA

S-3596 FILED APRIL 25, 1991

DIVISION A - WITHDRAWN, DIVISION B - LOST (493)

S-3577

1 Amend Senate File 91 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting in lieu thereof the following:  
4 following:

5 "Section 1. Section 331.651, subsection 2, Code  
6 1991, is amended by striking the subsection and  
7 inserting in lieu thereof the following:

8 2. A person elected to the office of county  
9 sheriff must have attained the age of 21 prior to the  
10 date of the election. A person appointed to fill a  
11 vacancy in the office of county sheriff must have  
12 attained the age of 21, must have at least two years  
13 experience as a full-time peace officer, and must have  
14 earned a certificate of graduation as a law  
15 enforcement officer recognized by the Iowa law  
16 enforcement academy council or possess all of the  
17 qualifications required by the Iowa law enforcement  
18 academy council to be certified as a law enforcement  
19 officer prior to assuming the duties of the office of  
20 sheriff.

21 A person elected or appointed to the office of  
22 sheriff shall qualify by taking the oath of office as  
23 provided in section 63.10 and give bond as provided in  
24 section 64.8."

By EUGENE PRAISE  
MICHAEL E. GRONSTAL  
EMIL J. HUSAK  
DONALD E. GETTINGS

LEONARD L. BOSWELL  
ALVIN V. MILLER  
DONALD V. DOYLE

S-3577 FILED APRIL 24, 1991

*Adopted 4/25/91 (p. 1493)*

SENATE FILE 91  
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 44)

(AS AMENDED AND PASSED BY THE SENATE APRIL 25, 1991)

ALL New Language by the Senate

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

A BILL FOR

1 An Act relating to minimum qualifications for the office of  
2 county sheriff and providing filing deadlines.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 91

1 Section 1. Section 331.651, subsection 2, Code 1991, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 2. A person elected to the office of county sheriff must  
5 have attained the age of 21 prior to the date of the election.  
6 A person appointed to fill a vacancy in the office of county  
7 sheriff must have attained the age of 21, must have at least  
8 two years experience as a full-time peace officer, and must  
9 have earned a certificate of graduation as a law enforcement  
10 officer recognized by the Iowa law enforcement academy council  
11 or possess all of the qualifications required by the Iowa law  
12 enforcement academy council to be certified as a law  
13 enforcement officer prior to assuming the duties of the office  
14 of sheriff.

15 A person elected or appointed to the office of sheriff  
16 shall qualify by taking the oath of office as provided in  
17 section 63.10 and give bond as provided in section 64.8.

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FRAISE, CH.

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SSB 44

LOCAL GOVERNMENT

SENATE FILE 91

BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL  
BY CHAIRPERSON MILLER)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to minimum qualifications for the office of  
2 county sheriff and providing filing deadlines.

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

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1 Section 1. Section 331.651, subsections 2 and 3, Code  
2 1991, are amended by striking the subsections and inserting in  
3 lieu thereof the following:

4 2. A person elected or appointed to the office of sheriff  
5 must be an eligible elector of the county who has earned a  
6 certificate of graduation as a law enforcement officer from a  
7 school approved by the Iowa law enforcement academy council  
8 pursuant to chapter 80B and has a minimum of four years  
9 experience as a full-time peace officer, or who has earned an  
10 associate arts or baccalaureate degree from an accredited  
11 college or university and has a minimum of two years  
12 experience as a full-time peace officer.

13 3. a. The county commissioner of elections shall not  
14 place the name of a candidate for the office of sheriff on a  
15 primary or general election ballot unless the candidate has  
16 filed with the county commissioner of elections documentation  
17 of proof of eligibility not later than five p.m. on the fifty-  
18 fifth day before the primary election or not later than five  
19 p.m. on the sixty-seventh day before the general election.

20 b. Documentation of proof of eligibility must include a  
21 notarized letter from an employer stating the candidate's  
22 number of years of service as a full-time peace officer and a  
23 copy of the candidate's certificate of graduation from a  
24 school approved by the Iowa law enforcement academy council or  
25 a copy of the candidate's associate arts or baccalaureate  
26 degree, whichever is applicable.

27 Sec. 2. This Act does not apply to a person holding the  
28 office of county sheriff on the effective date of this Act.

29 EXPLANATION

30 This bill requires that candidates for the office of county  
31 sheriff meet certain minimum qualifications. A candidate for  
32 the office of sheriff must either be a graduate of a school  
33 recognized by the Iowa law enforcement academy council and  
34 have a minimum of four years experience as a full-time peace  
35 officer or possess an associate arts or baccalaureate degree

1 from an accredited college or university and have a minimum of  
2 two years experience as a full-time peace officer.

3 Candidates for the office of sheriff are required to file  
4 documentation of proof of eligibility with the county  
5 commissioner of elections not later than five p.m. on the  
6 fifty-fifth day before the primary election or not later than  
7 five p.m. on the sixty-seventh day before the general  
8 election. The county commissioner of elections shall not  
9 place on the ballot the name of any candidate for sheriff who  
10 has not filed documentation of proof of eligibility.  
11 Documentation of proof of eligibility shall include a  
12 notarized letter from an employer attesting to the number of  
13 years the candidate has served as a full-time peace officer  
14 and a copy of either a certificate of graduation from a school  
15 approved by the Iowa law enforcement academy council or an  
16 associate arts or baccalaureate degree.

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