

# Senate Amendment 5251

PAG LIN

1 1 Amend the amendment, S=5240, to House File 2447 as  
1 2 follows:

1 3 #1. Page 1, by striking lines 1 and 2, and  
1 4 inserting the following:

1 5 1 6 follows:>

1 7 #2. Page 1, by inserting after line 4 the  
1 8 following:

1 9 \_\_\_\_\_. Section 10A.601, subsections 1 and 7,  
1 10 Code Supplement 2003, are amended to read as follows:

1 11 1. A full-time employment appeal board is created  
1 12 within the department of inspections and appeals to  
1 13 hear and decide contested cases under chapter 8A,  
1 14 subchapter IV, and chapters 80, 88, ~~89A~~, 91C, 96, and  
1 15 97B.

1 16 7. An application for rehearing before the appeal  
1 17 board shall be filed pursuant to section 17A.16,  
1 18 unless otherwise provided in chapter 8A, subchapter  
1 19 IV, or chapter 80, 88, ~~89A~~, 91C, 96, or 97B. A  
1 20 petition for judicial review of a decision of the  
1 21 appeal board shall be filed pursuant to section  
1 22 17A.19. The appeal board may be represented in any  
1 23 such judicial review by an attorney who is a regular  
1 24 salaried employee of the appeal board or who has been  
1 25 designated by the appeal board for that purpose, or at  
1 26 the appeal board's request, by the attorney general.  
1 27 Notwithstanding the petitioner's residency requirement  
1 28 in section 17A.19, subsection 2, a petition for  
1 29 judicial review may be filed in the district court of  
1 30 the county in which the petitioner was last employed  
1 31 or resides, provided that if the petitioner does not  
1 32 reside in this state, the action shall be brought in  
1 33 the district court of Polk county, Iowa, and any other  
1 34 party to the proceeding before the appeal board shall  
1 35 be named in the petition. Notwithstanding the thirty-  
1 36 day requirement in section 17A.19, subsection 6, the  
1 37 appeal board shall, within sixty days after filing of  
1 38 the petition for judicial review or within a longer  
1 39 period of time allowed by the court, transmit to the  
1 40 reviewing court the original or a certified copy of  
1 41 the entire records of a contested case. The appeal  
1 42 board may also certify to the court, questions of law  
1 43 involved in any decision by the appeal board.  
1 44 Petitions for judicial review and the questions so  
1 45 certified shall be given precedence over all other  
1 46 civil cases except cases arising under the workers'  
1 47 compensation law of this state. No bond shall be  
1 48 required for entering an appeal from any final order,  
1 49 judgment, or decree of the district court to the  
1 50 supreme court.>

2 1 #3. Page 1, line 41, by inserting before the word  
2 2 the following: <1.>

2 3 #4. Page 2, by inserting after line 3 the  
2 4 following:

2 5 <2. This section is repealed effective July 1,  
2 6 2012.>

2 7 #5. By striking page 3, line 50 through page 4,  
2 8 line 1.

2 9 #6. Page 8, line 37, by inserting before the word  
2 10 the following: <1.>

2 11 #7. Page 9, by inserting after line 2 the  
2 12 following:

2 13 <2. This section is repealed effective July 1,  
2 14 2012.>

2 15 #8. Page 9, by striking lines 3 and 4.

2 16 #9. By renumbering as necessary.

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2 24 BOB BRUNKHORST

2 25 HF 2447.505 80

