

House Amendment 1083

PAG LIN

1 1 Amend House File 712 as follows:
1 2 #1. Page 1, by inserting after line 4, the
1 3 following:
1 4 <Sec. _____. Section 69.14A, subsection 2, paragraph
1 5 b, unnumbered paragraph 1, Code 2005, is amended to
1 6 read as follows:
1 7 By special election held to fill the office for the
1 8 remaining balance of the unexpired term. The board of
1 9 supervisors may, on its own motion, or shall, upon
1 10 receipt of a petition as provided in paragraph "a" or
1 11 "c", or as provided in subsection 2A, call for a
1 12 special election to fill the vacancy in lieu of
1 13 appointment. The supervisors shall order the special
1 14 election at the earliest practicable date, but giving
1 15 at least thirty-two days' notice of the election. A
1 16 special election called under this section shall be
1 17 held on a Tuesday and shall not be held on the same
1 18 day as a school election within the county.>
1 19 #2. Page 1, line 20, by inserting after the word
1 20 <county> the following: <but that the electors of the
1 21 county have the right to file a petition requiring
1 22 that the vacancy be filled by special election>.
1 23 #3. Page 1, by inserting after line 26, the
1 24 following:
1 25 <However, if within fourteen days after publication
1 26 of the notice or within fourteen days after the
1 27 appointment is made, a petition is filed with the
1 28 county auditor requesting a special election to fill
1 29 the vacancy, the appointment is temporary and a
1 30 special election shall be called as provided in
1 31 paragraph "b". The petition shall meet the
1 32 requirements of section 331.306.>
1 33 #4. Page 1, by inserting before line 27, the
1 34 following:
1 35 <Sec. _____. Section 69.14A, Code 2005, is amended
1 36 by adding the following new subsection:
1 37 NEW SUBSECTION. 2A. In addition to the procedures
1 38 in subsection 2, in the event of a vacancy in the
1 39 office of auditor, recorder, or treasurer, the board
1 40 of supervisors may appoint one of the remaining two
1 41 named officers to fill the vacancy. However, the
1 42 vacancy shall not be filled in this manner unless the
1 43 officer appointed to fill the vacancy agrees in
1 44 writing with the board of supervisors to assume the
1 45 duties of the vacant office. The appointment shall be
1 46 for the period until the next pending election as
1 47 defined in section 69.12, and shall be made within
1 48 forty days after the vacancy occurs. If the board of
1 49 supervisors chooses to proceed under this subsection
1 50 and after reaching agreement with the officer chosen
2 1 to fill the vacancy, the board shall publish notice in
2 2 the manner prescribed by section 331.305 stating that
2 3 the board intends to fill the vacancy by appointment
2 4 but that the electors of the county have the right to
2 5 file a petition requiring that the vacancy be filled
2 6 by special election. The board may publish notice in
2 7 advance if an elected official submits a resignation
2 8 to take effect at a future date. The board may make
2 9 the appointment to fill the vacancy, as agreed to
2 10 under this subsection, after the notice is published
2 11 or after the vacancy occurs, whichever is later.
2 12 However, if within fourteen days after publication
2 13 of the notice or within fourteen days after the
2 14 appointment is made, a petition is filed with the
2 15 county auditor requesting a special election to fill
2 16 the vacancy, the appointment is temporary and a
2 17 special election shall be called as provided in
2 18 subsection 2, paragraph "b". The petition shall meet
2 19 the requirements of section 331.306.
2 20 Sec. _____. Section 69.14A, subsections 3 and 4,
2 21 Code 2005, are amended to read as follows:
2 22 3. Notwithstanding ~~subsection~~ subsections 2 and
2 23 2A, in the event of a vacancy for which no eligible
2 24 candidate residing in the county comes forward for

2 25 appointment, a county board of supervisors may employ
2 26 a person to perform the duties of the office for at
2 27 least sixty days but no more than ninety days. After
2 28 ninety days, the board shall proceed under subsection
2 29 ~~2 or 2A~~.
2 30 4. Notwithstanding subsections ~~1, and 2, and 2A~~
2 31 if a nomination has been made at the primary election
2 32 for an office in which a vacancy has been filled by
2 33 appointment, the office shall be filled at the next
2 34 general election, and not at any special election in
2 35 the same political subdivision.>
2 36 #5. Title page, line 1, by inserting after the
2 37 word <Act> the following: <relating to vacancies in
2 38 certain county offices by>.
2 39 #6. Title page, line 2, by inserting after the
2 40 word <officers> the following: <and by allowing
2 41 certain county officers to assume the duties of
2 42 certain vacant county offices>.
2 43 #7. By renumbering as necessary.
2 44
2 45
2 46
2 47 GASKILL of Wapello
2 48 HF 712.701 81
2 49 sc/gg/258