

ELECTION LAWS

OF

IOWA

OCTOBER 2001 SUPPLEMENT



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GENERAL ASSEMBLY OF IOWA

Des Moines



INSTRUCTIONS

FOR

Updating Election Laws of Iowa

Pages of *Election Laws of Iowa* to be replaced are listed in the column headed “**Remove Pages**”. Replacement pages are listed in the column headed “**Insert Pages**”. It is important to follow instructions in both columns.

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ELECTION LAWS OF IOWA**

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28E.22	AMENDED	56,§1
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40.1.....	AMENDED	1,Ex,§1,6
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41.2.....	Footnote revised	
43.67.....	AMENDED	158,§7
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47.7.....	Footnote revised	
49.5.....	AMENDED	50,§1,2
49.41.....	AMENDED	158,§10
50.16.....	AMENDED	24,§18
53.37.....	AMENDED and section headnote revised	56,§4
62.17.....	AMENDED	56,§5
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145A.7.....	AMENDED	56,§9
176A.8.....	AMENDED	56,§10

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184.11.....	Editorial correction	
256.11.....	AMENDED and section history revised	56,§11;159,§1-3
256.61.....	STRICKEN..... (effect of amendment is to remove election provision)	158,§14
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306C.10.....	Section history revised	
331.205.....	AMENDED.....	56,§21
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331.424.....	Section history revised	
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422A.1	AMENDED.....	116,§12;153,§15; 176,§80
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422B.9	ADDED and AMENDED	Code 2001;116,§14
422B.12	AMENDED.....	56,§35
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422E.3	AMENDED.....	116,§16
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468.514.....	AMENDED.....	56,§36
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602.8102.....	Section history revised	
721.1.....	AMENDED.....	31,§1
722.7.....	AMENDED.....	56,§38

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EDITOR'S NOTE

This publication contains election laws as they appear in the Iowa Code 2001 as amended by enactments of the 2001 Regular and Extraordinary Sessions of the Seventy-ninth General Assembly effective on or before January 1, 2002.

The Election Law compilation is updated annually by the issuance of replacement pages containing amendments and new enactments.

PREFATORY STATEMENT

“The official printed versions of the Iowa Code, Code Supplement, and session laws published under authority of the state are the only authoritative publications of the statutes of this state. No other publications of the statutes of the state shall be cited in the courts or in the reports or rules of the courts.” [Iowa Code §2B.17(3)]

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a. The council shall give notice and conduct a hearing on the proposal in the manner set forth in section 384.25. However, the notice must be published at least ten days prior to the hearing, and if a petition valid under section 362.4 is filed with the clerk of the city prior to the hearing, asking that the question of issuing the bonds be submitted to the registered voters of the city, the council shall either by resolution declare the proposal abandoned or shall direct the county commissioner of elections to call a special election to vote upon the question of issuing the bonds. Notice of the election and its conduct shall be in the manner provided in section 384.26.

b. If no petition is filed, or if a petition is filed and the proposition of issuing bonds is approved at the election, the council may proceed with the authorization and issuance of the bonds.

An agreement may provide for full or partial payment from transit revenues to the cities for meeting debt service on such bonds.

This subsection shall be construed as granting additional power without limiting the power already existing in cities, and as providing an alternative independent method for the carrying out of any project for the issuance and sale of bonds for the financing of a city's share of a capital expenditures project of a joint transit agency, and no further proceedings with respect to the authorization of the bonds shall be required.

[C75, §28G.1-28G.4; C77, 79, 81, §28E.17]

95 Acts, ch 67, §53

UNIFIED LAW ENFORCEMENT

28E.22 Referendum for tax.

The board of supervisors, or the city councils of a district composed only of cities, may, and upon receipt of a petition signed by eligible electors residing in the district equal in number to at least five percent of the registered voters in the district shall, submit a proposition to the electorate residing in the district at any general election or at a special election held throughout the district. The proposition shall provide for the establishment of a public safety fund and the levy of a tax on taxable property located in the district at rates not exceeding the rates specified in this section for the purpose of providing additional moneys for the operation of the district.

The ballot for the election shall be prepared in substantially the form for submitting special questions at general elections and the form of the proposition shall be substantially as follows:

Shall an annual levy, the amount of which will not exceed a rate of one dollar and fifty cents per thousand dollars of assessed value of the taxable property in the unified law enforcement district be authorized for providing additional moneys needed for unified law enforcement services in the district?

Yes No

If a majority of the registered voters in each city and the unincorporated area of the county voting on the proposition approve the proposition, the county board of supervisors for unincorporated area and city councils for cities are authorized to levy the tax as provided in section 28E.23.

Such moneys collected pursuant to the tax levy shall be expended only for providing additional moneys needed for unified law enforcement services in the district and shall be in addition to the revenues raised in the county and cities in the district from their general funds which are based upon an average of revenues raised for law enforcement purposes by the county or city for the three previous years. The amount of revenues raised for law enforcement purposes by the county for the three previous years shall be computed separately for the unincorporated portion of the district and for each city in the district.

[C77, 79, 81, §28E.22]

83 Acts, ch 79, §1; 95 Acts, ch 67, §53; 2001 Acts, ch 56, §1

28E.25 Expansion of district.

Cities and unincorporated areas may join an established district upon the affirmative vote of the city council or county board of supervisors, whichever is applicable, and a tax may be levied for providing additional moneys for unified law enforcement services only upon the affirmative vote of registered voters of the city or unincorporated area voting in the manner provided in this division. A city or unincorporated area joining a district shall contract with the district for services until the beginning of a fiscal year when the city or unincorporated area may become a member.

[C77, §28E.24; C79, 81, §28E.25]

95 Acts, ch 67, §53

28E.28A Referendum on tax levy — dissolution of district.

1. After five years from the date that a district is established, the public safety commission, upon receipt of a petition signed by eligible electors residing within the district equal in number to at least fifteen percent of the registered voters in the district, shall submit a proposition to the electorate of the district at the next general election to discontinue the annual levy for unified law enforcement services in the district. If a majority of the registered voters in each city and the unincorporated area of the county, as applicable, approve the proposition, the tax levy shall be discontinued.

2. If the discontinuation of the tax levy necessitates the dissolution of the district, the public safety commission shall dispose of any remaining property, the proceeds of which shall be applied first against any outstanding obligations of the district and any balance shall be remitted to the county and each city in the district in the same proportion that each jurisdiction contributed to the district's budget in its final fiscal year. The board of supervisors, on behalf of the unincorporated area of the county and the city councils of the cities included in the dissolved district shall continue to levy taxes and appropriate funds to the public safety fund as provided in section 28E.24 until all outstanding obligations of the dissolved district are paid.

83 Acts, ch 79, §2; 95 Acts, ch 67, §53; 2001 Acts, ch 56, §2

28E.28B Legalization of tax levies.

Each unified law enforcement district tax levy authorized pursuant to section 28E.22 prior to July 1, 1983, which continued to be collected for a period subsequent to July 1, 1983, or continues to be collected notwithstanding the expiration of the five-year period specified by the referendum which authorized the levy, is hereby legalized and deemed valid as if the levy had been authorized subsequent to July 1, 1983.

97 Acts, ch 7, §1

COMMUNITY CLUSTERS — REVENUE SHARING

28E.39 Referendum for ad valorem tax sharing.

An agreement establishing a community cluster shall require the approval of the registered voters residing within the area of the cluster if the agreement provides for the sharing of revenues from ad valorem property taxes. The proposition shall be submitted to the electorate by each governmental unit forming the community cluster to the electors residing within the area of the governmental unit at a general election or at a special election. However, if a county has designated only certain townships as being included within the community cluster, the proposition shall be submitted to the electorate of the county residing only in the townships included in the community cluster.

The ballot for the election shall be prepared in substantially the form for submitting special questions at general elections.

If a majority of the registered voters in the area of each governmental unit within the proposed community cluster voting on the proposition vote in favor of the proposition then the agreement establishing the community cluster shall take effect and the sharing of revenues from ad valorem property taxes is authorized. If the proposition fails in the area of one or more governmental units within the proposed community cluster voting on the proposition then the governmental units in which the proposition passed may establish the community cluster in those areas in which the proposition passed and the sharing of revenues from ad valorem property taxes is authorized.

90 Acts, ch 1200, §5; 95 Acts, ch 67, §53

REGIONAL METROPOLITAN SERVICE AREA

28E.40 Regional metropolitan service area.

Two or more contiguous counties, cities, or cities and counties may establish a regional metropolitan service area to provide for the joint delivery of services by an agreement under this chapter, subject to the limitations and requirements of sections 331.232, 331.260, 331.261, and 331.262, subsection 2.

91 Acts, ch 256, §1

LOCAL GOVERNMENT BOND FINANCING

28E.41 Joint county, city, fire district, and school district buildings.

1. A county, city, fire district, or school district, which has areas within its boundaries which overlap areas within the boundaries of another county, city, fire district, or school district, or whose boundaries are contiguous with another county, city, fire district, or school district, may execute an agreement pursuant to this section for the joint construction or acquisition, furnishing, operation, and maintenance of a public building or buildings for their common use. Noncontiguous cities located within the same county, or cities located in contiguous counties, may also execute an agreement for the joint construction or acquisition, furnishing, operation, and maintenance of a joint public building or buildings for their common use. Such an agreement regarding a joint public building may allow for, but is not limited to, any of the following:

- a. Acquisition of a construction site and construction of a public building for common use.
- b. Purchase of an existing building for joint public use, or conversion of a building previously owned and maintained by a county, city, fire district, or school district for joint public use.
- c. Equipping or furnishing a new or existing building for joint public use.
- d. Operation, maintenance, or improvement of a joint public building.

39.11 More than one office prohibited.

Statewide elected officials and members of the general assembly shall not hold more than one elective office at a time. All other elected officials shall not hold more than one elective office at the same level of government at a time. This section does not apply to the following offices: county agricultural extension council or soil and water conservation district commission.

93 Acts, ch 143, §4; 2001 Acts, ch 158, §5

39.12 Failure to vacate.

An elected official who has been elected to another elective office to which section 39.11 applies shall choose only one office in which to serve. The official shall resign from all but one of the offices to which section 39.11 applies before the beginning of the term of the office to which the person was most recently elected. Failure to submit the required resignation will result in a vacancy in all elective offices to which the person was elected.

93 Acts, ch 143, §5

39.13 Repealed by 59 Acts, ch 319, §1.

39.14 Repealed by 61 Acts, ch 296, §2.

39.15 State senators.

Senators in the general assembly shall be elected at the general election in the respective senatorial districts and shall hold office for the term of four years.

[C51, §239; R60, §471; C73, §588; C97, §1071; S13, §1071; C24, 27, 31, 35, 39, §518; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.15]

39.16 Representatives.

Members of the house of representatives shall be elected at the general election in the respective representative districts and hold office for the term of two years.

[C51, §239; R60, §470; C73, §587; C97, §1070; S13, §1070; C24, 27, 31, 35, 39, §519; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.16]

39.17 County officers.

There shall be elected in each county at the general election to be held in the year 1976 and every four years thereafter, an auditor and a sheriff, each to hold office for a term of four years.

There shall be elected in each county at the general election to be held in 1974 and each four years thereafter, a treasurer, a recorder and a county attorney who shall hold office for a term of four years.

[C51, §96, 239; R60, §224, 472, 473; C73, §589; C97, §1072; S13, §1072; C24, 27, 31, 35, 39, §520; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.17]

83 Acts, ch 186, §10015, 10201

Combining duties of county officers; §331.323

39.18 Board of supervisors.

There shall be elected biennially in counties, members of the board of supervisors to succeed those whose terms of office will expire on the first day of January following the election which is not a Sunday or legal holiday. The term of office of each supervisor shall be four years, except as otherwise provided by section 331.208 or 331.209.

[C51, §239; R60, §475; C73, §295, 591; C97, §411, 1074; S13, §1074; SS15, §411; C24, 27, 31, 35, 39, §521; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §81, §39.18; 81 Acts, ch 117, §1202]

87 Acts, ch 68, §1

39.19 Repealed by 69 Acts, ch 218, §11.

39.20 City officers.

The times at which officers of cities shall be elected and their terms of office shall be as provided by or established pursuant to sections 376.1 and 376.2.

[C75, 77, 79, 81, §39.20]

39.21 Nonpartisan officers.

There shall be elected at each general election, on a nonpartisan basis, the following officers:

1. County public hospital trustees as required by section 347.25.
2. Soil and water conservation district commissioners as required by section 161A.5.
3. County agricultural extension council members as provided in section 176A.6.

[C77, 79, 81, §39.21]

87 Acts, ch 23, §2; 90 Acts, ch 1149, §8; 93 Acts, ch 48, §10; 2001 Acts, ch 158, §6

39.22 Township officers.

The offices of township trustee and township clerk shall be filled by appointment or election as follows:

1. *By appointment.* The county board of supervisors may pass a resolution in favor of filling the offices of trustee and clerk within a township by appointment by the board, and may direct the county commissioner of elections to submit the question to the registered voters of the township at the next general election. In a township which does not include a city, the voters of the entire township are eligible to vote on the question. In a township which includes a city, only those voters who reside outside the corporate limits of a city are eligible to vote on the question. The resolution shall apply to all townships which have not approved a proposition to fill township offices by appointment. If the proposition to fill the township offices by appointment is approved by a majority of those voting on the question, the board shall fill the offices by appointment as the terms of office of the incumbent township officers expire.

The election of the trustees and clerk of a township may be restored after approval of the appointment process under this subsection by a resolution of the board of supervisors submitting the question to the registered voters who are eligible to vote for township officers of the township at the next general election. If the proposition to restore the election process is approved by a majority of those voting on the question, the election of the township officers shall commence with the next primary and general elections. A resolution submitting the question of restoring the election of township officers at the next general election shall be adopted by the board of supervisors upon receipt of a petition signed by eligible electors residing in the township equal in number to at least ten percent of the registered voters of a township. The initial terms of the trustees shall be determined by lot, one for two years, and two for four years. However, if a proposition to change the method of selecting township officers is adopted by the electorate, a resolution to change the method shall not be submitted to the electorate for four years.

2. *By election.* If the county board of supervisors does not have the power provided under subsection 1 to fill the offices of trustee and clerk within a township by appointment, then the offices of township trustee and township clerk shall be filled by election. Township trustees and the township clerk, in townships which do not include a city, shall be elected by the voters of the entire township. In townships which include a city, the officers shall be elected by the voters of the township who reside outside the corporate limits of the city, but a township officer may be a resident of the city.

a. *Township trustees.* Township trustees shall be elected biennially to succeed those whose terms of office expire on the first day of January following the election which is not a Sunday or legal holiday. The term of office of each elected township trustee is four years, except as provided in subsection 1 for initial terms following restoration of the election process.

b. *Township clerk.* At the general election held in the year 1990 and every four years thereafter, in each civil township one township clerk shall be elected who shall hold office for the term of four years.

[C27, 31, 35, §523-b1; C39, §523.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.22]

85 Acts, ch 30, §1; 86 Acts, ch 1117, §1; 87 Acts, ch 68, §2; 88 Acts, ch 1119, §1; 88 Acts, ch 1134, §18, 19; 95 Acts, ch 67, §53; 2001 Acts, ch 56, §3

39.23 Township clerk. Repealed by 87 Acts, ch 68, §3. See §39.22.

39.24 School officers.

Members of boards of directors of community and independent school districts, and boards of directors of merged areas shall be elected at the school election. Their terms of office shall be three years, except as otherwise provided by section 260C.11 or 275.23A.

[C75, 77, 79, 81, §39.24]

83 Acts, ch 77, §1

Directors, §274.7

39.25 Sex no disqualification.

No person shall be disqualified on account of sex from holding any office created by the statutes of this state.

[C24, 27, 31, 35, 39, §526; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.25]

CHAPTER 40
CONGRESSIONAL DISTRICTS

See map on page 21

40.1 Congressional districts.

40.1 Congressional districts.

The state of Iowa is hereby organized and divided into five congressional districts, which shall be composed, respectively, of the following counties:

1. The first district shall consist of the counties of Butler, Bremer, Fayette, Clayton, Black Hawk, Buchanan, Delaware, Dubuque, Jones, Jackson, Clinton, and Scott.

2. The second district shall consist of the counties of Linn, Johnson, Cedar, Washington, Louisa, Muscatine, Wapello, Jefferson, Henry, Des Moines, Wayne, Appanoose, Davis, Van Buren, and Lee.

3. The third district shall consist of the counties of Grundy, Tama, Benton, Polk, Jasper, Poweshiek, Iowa, Marion, Mahaska, Keokuk, Lucas, and Monroe.

4. The fourth district shall consist of the counties of Emmet, Kossuth, Winnebago, Worth, Mitchell, Howard, Winneshiek, Allamakee, Palo Alto, Hancock, Cerro Gordo, Floyd, Chickasaw, Pocahontas, Humboldt, Wright, Franklin, Calhoun, Webster, Hamilton, Hardin, Greene, Boone, Story, Marshall, Dallas, Madison, and Warren.

5. The fifth district shall consist of the counties of Lyon, Osceola, Dickinson, Sioux, O'Brien, Clay, Plymouth, Cherokee, Buena Vista, Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison, Shelby, Audubon, Guthrie, Pottawattamie, Cass, Adair, Mills, Montgomery, Adams, Union, Clarke, Fremont, Page, Taylor, Ringgold, and Decatur.

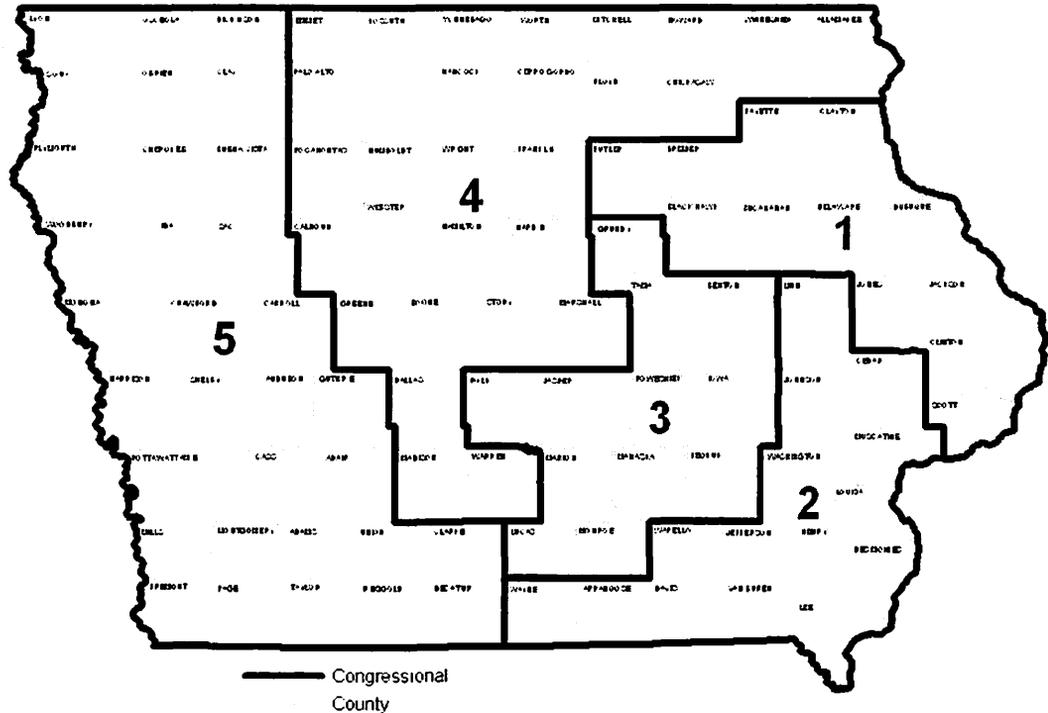
[C27, 31, 35, §526-a1; C39, §526.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §40.1; 81 Acts 2d Ex, ch 1, §1]

91 Acts, ch 223, §1; 2001 Acts, Ex, ch 1, §1, 6

Constitutional provision, (codified) Art. III, §37

IOWA CONGRESSIONAL DISTRICTS

Effective Beginning with the Elections in 2002 for the 108th Congress



BLANK

CHAPTER 41

STATE SENATORIAL AND REPRESENTATIVE DISTRICTS

For assistance in locating a district, see map list and maps printed on pages 72a to 72x

- 41.1 Representative districts.
- 41.2 Senate districts.

41.1 Representative districts.

The state of Iowa is hereby divided into one hundred representative districts as follows:

1. The first representative district in Woodbury county shall consist of that portion of the city of Sioux City bounded by a line commencing at the point the boundary of the state of Iowa intersects the north boundary of Woodbury county, then proceeding east along the boundary of Woodbury county until it intersects Hamilton boulevard, then proceeding southwesterly along Hamilton boulevard until it intersects Buckwalter drive, then proceeding easterly, then southerly, along Buckwalter drive until it intersects Outer Drive North, then proceeding west along Outer Drive North until it intersects Cheyenne boulevard, then proceeding south along Cheyenne boulevard until it intersects Thirty-seventh street, then proceeding west and then north along Thirty-seventh street until it intersects Thirty-eighth street, then proceeding west along Thirty-eighth street until it intersects Jones street, then proceeding south along Jones street until it intersects Twenty-ninth street, then proceeding east along Twenty-ninth street until it intersects Court street, then proceeding south along Court street until it intersects Twenty-eighth street, then proceeding east along Twenty-eighth street until it intersects Court street, then proceeding south along Court street until it intersects Twenty-sixth street, then proceeding west along Twenty-sixth street until it intersects Jones street, then proceeding south along Jones street until it intersects Twenty-fourth street, then proceeding west along Twenty-fourth street until it intersects Pierce street, then proceeding south along Pierce street until it intersects Twenty-third street, then proceeding east along Twenty-third street until it intersects Nebraska street, then proceeding south along Nebraska street until it intersects Twenty-second street, then proceeding west along Twenty-second street until it intersects Pierce street, then proceeding south along Pierce street until it intersects Sixteenth street, then proceeding west along Sixteenth street until it intersects Summit street, then proceeding southerly along Summit street until it intersects Bluff street, then proceeding southwesterly along Bluff street until it intersects West Eighth street, then proceeding southeast along West Eighth street until it intersects Perry street, then proceeding southwest along Perry street until it intersects West Sixth street, then proceeding northwest along West Sixth street until it intersects Hamilton boulevard,

then proceeding southwest along Hamilton boulevard until it intersects the Dakota and Iowa Railroad tracks, then proceeding westerly along the Dakota and Iowa Railroad tracks until it intersects the South Leonard street extension to the Missouri river, then proceeding south along the South Leonard street extension to the boundary of the state of Iowa, then proceeding first west, then in a clockwise manner along the boundary of the state of Iowa to the point of origin.

2. The second representative district in Woodbury county shall consist of that portion of the city of Sioux City bounded by a line commencing at the point the north boundary of Woodbury county intersects Hamilton boulevard, then proceeding east along the boundary of Woodbury county until it intersects the east corporate limit of the city of Sioux City, then proceeding southerly along the corporate limits of the city of Sioux City until it intersects Correctionville road, then proceeding west along Correctionville road until it intersects South Westcott street, then proceeding south along South Westcott street until it intersects Gordon drive, then proceeding west along Gordon drive until it intersects South Court street, then proceeding south along South Court street and its extension to the Missouri river until it intersects the boundary of the state of Iowa, then proceeding westerly along the boundary of the state of Iowa until it intersects the South Leonard street extension to the Missouri river, then proceeding north along the South Leonard street extension until it intersects the Dakota and Iowa Railroad tracks, then proceeding easterly along the Dakota and Iowa Railroad tracks until it intersects Hamilton boulevard, then proceeding northeast along Hamilton boulevard until it intersects West Sixth street, then proceeding southeast along West Sixth street until it intersects Perry street, then proceeding northeast along Perry street until it intersects West Eighth street, then proceeding northwest along West Eighth street until it intersects Bluff street, then proceeding northeasterly along Bluff street until it intersects Summit street, then proceeding northerly along Summit street until it intersects Sixteenth street, then proceeding east along Sixteenth street until it intersects Pierce street, then proceeding north along Pierce street until it intersects Twenty-second street, then proceeding east along Twenty-second street until it intersects Nebraska street, then proceeding north along Nebraska street until it intersects Twenty-third street, then proceeding west along Twenty-third street until it intersects Pierce street, then proceeding north along Pierce street until it intersects Twenty-fourth street, then proceeding east along Twenty-fourth street until it intersects Jones street, then proceeding north along Jones street until it intersects Twenty-sixth street, then proceeding east along Twenty-sixth street until it intersects Court street, then proceeding north along Court street until it intersects Twenty-eighth street, then proceeding west along Twenty-eighth street until it intersects Court street, then proceeding north along Court street until it intersects Twenty-ninth street, then proceeding west along Twenty-ninth street until it intersects Jones street, then proceeding north along Jones street until it intersects Thirty-eighth street, then proceeding east along

Thirty-eighth street until it intersects Thirty-seventh street, then proceeding south, and then east, along Thirty-seventh street until it intersects Cheyenne boulevard, then proceeding north along Cheyenne boulevard until it intersects Outer Drive North, then proceeding east along Outer Drive North until it intersects Buckwalter drive, then proceeding northerly, then westerly, along Buckwalter drive until it intersects Hamilton boulevard, then proceeding northeasterly along Hamilton boulevard to the point of origin.

3. The third representative district shall consist of:

a. In Sioux county:

(1) The city of Orange City.

(2) Buncombe, Logan, Nassau, Reading, Sherman, and Washington townships.

b. In Plymouth county, Elgin, Grant, Hancock, Johnson, Liberty, Perry, Plymouth, Portland, Preston, Sioux, Stanton, Washington, Westfield, and America townships.

4. The fourth representative district shall consist of:

a. Lyon county.

b. In Sioux county, Capel, Eagle, Garfield, Lincoln, Settlers, Sheridan, Sioux, Welcome, West Branch, Center, Plato, and Rock townships, and that portion of Holland township lying outside the corporate limits of the city of Orange City.

5. The fifth representative district shall consist of:

a. Osceola county.

b. O'Brien county.

c. In Sioux county, East Orange, Floyd, Grant, and Lynn townships.

d. In Clay county, Clay, Douglas, Garfield, Herdland, Lincoln, Logan, Lone Tree, Peterson, Riverton, Summit, Waterford, and Gillett Grove townships.

6. The sixth representative district shall consist of:

a. Dickinson county.

b. In Clay county:

(1) The city of Spencer.

(2) Freeman, Lake, Meadow, and Sioux townships.

7. The seventh representative district shall consist of:

a. Emmet county.

b. Palo Alto county.

c. In Kossuth county:

(1) The cities of Wesley and West Bend.

(2) Buffalo, Burt, Eagle, German, Grant, Greenwood, Harrison, Hebron, Lincoln, Lotts Creek, Portland, Ramsey, Seneca, Springfield, Swea, Wesley, Fenton, Ledyard, and Plum Creek townships.

(3) That portion of Union township bounded by a line commencing at the point the east boundary of Union township intersects the north corporate limit of the city of Algona, then proceeding first north, and then in a counterclockwise manner along the boundary of Union township until it intersects the west corporate limit of the city of Algona and the east boundary

of Cresco township, then proceeding first north, and then in a clockwise manner along the corporate limits of the city of Algona to the point of origin.

8. The eighth representative district shall consist of:

- a. Humboldt county.
- b. Pocahontas county.
- c. In Kossuth county:

(1) The city of Algona.

(2) Irvington, Luverne, Riverdale, Sherman, Whittemore, and Cresco townships, that portion of Garfield township lying outside the corporate limits of the city of West Bend, that portion of Prairie township lying outside the corporate limits of the city of Wesley, and that portion of Union township not contained in the seventh representative district.

d. In Webster county, Deer Creek, Jackson, and Johnson townships.

9. The ninth representative district shall consist of:

- a. The city of Dows.
- b. Wright county.
- c. In Hamilton county:

(1) The city of Webster City.

(2) Blairsburg, Cass, Clear Lake, Freedom, Fremont, Hamilton, Independence, Marion, Webster, and Williams townships.

d. In Webster county, Hardin, Pleasant Valley, Sumner, Webster, and Yell townships, and that portion of Washington township lying outside the corporate limits of the city of Duncombe.

10. The tenth representative district shall consist of:

a. In Story county:

(1) The city of Kelley.

(2) Collins, Howard, Indian Creek, Lafayette, Lincoln, Milford, Nevada, New Albany, Palestine, Richland, Sherman, Union, and Warren townships, and that portion of Grant township not contained in the forty-fifth representative district.

b. In Hamilton county, Ellsworth, Lincoln, Lyon, Rose Grove, Scott, and Liberty townships.

11. The eleventh representative district shall consist of:

a. Winnebago county.

b. Worth county.

c. In Hancock county:

(1) The city of Garner.

(2) Bingham, Boone, Britt, Concord, Crystal, Ellington, Erin, Garfield, Madison, Magor, and Orthel townships.

12. The twelfth representative district shall consist of:

a. In Cerro Gordo county:

(1) The city of Clear Lake.

(2) Bath, Clear Lake, Dougherty, Falls, Geneseo, Grant, Grimes, Lake, Lime Creek, Lincoln, Mount Vernon, Pleasant Valley, and Union townships.

b. In Franklin county:

(1) The cities of Hampton and Sheffield.

(2) Geneva, Grant, Hamilton, Ingham, Lee, Marion, Mott, Oakland, Reeve, Richland, Ross, Scott, West Fork, and Wisner townships, that portion of Morgan township lying outside the corporate limits of the city of Dows, and that portion of Osceola township not contained in the forty-fourth representative district.

c. In Hancock county, Amsterdam, Avery, Liberty, and Twin Lake townships, and that portion of Ell township lying outside the corporate limits of the city of Garner.

13. The thirteenth representative district in Cerro Gordo county shall consist of:

a. The city of Mason City.

b. That portion of Mason township lying north of the corporate limits of the city of Mason City.

14. The fourteenth representative district shall consist of:

a. The city of Riceville.

b. Floyd county.

c. Mitchell county.

d. In Cerro Gordo county, Owen and Portland townships, and that portion of Mason township not contained in the thirteenth representative district.

15. The fifteenth representative district shall consist of:

a. Chickasaw county.

b. That portion of Howard county lying outside the corporate limits of the city of Riceville.

c. In Winneshiek county, Calmar, Fremont, Jackson, Lincoln, Madison, Military, Orleans, Sumner, and Washington townships.

16. The sixteenth representative district shall consist of:

a. Allamakee county.

b. In Winneshiek county, Bloomfield, Bluffton, Burr Oak, Canoe, Decorah, Frankville, Glenwood, Hesper, Highland, Pleasant, and Springfield townships.

17. The seventeenth representative district shall consist of:

a. Butler county.

b. In Bremer county:

(1) The city of Waverly.

(2) Douglas, Lafayette, Polk, Warren, and Washington townships, that portion of Jackson township lying outside the corporate limits of the city of Janesville, and that portion of Jefferson township lying outside the corporate limits of the city of Denver.

18. The eighteenth representative district shall consist of:

a. The cities of Sumner and Janesville.

b. In Black Hawk county, Bennington, Mt. Vernon, and Washington townships, and that portion of Lester township lying outside the corporate limits of the city of Dunkerton.

c. In Bremer county:

(1) The city of Denver.

(2) Franklin, Frederika, Fremont, Le Roy, Maxfield, Dayton, and Sumner townships.

d. In Fayette county:

(1) The city of West Union.

(2) Auburn, Banks, Bethel, Center, Clermont, Dover, Eden, Fremont, Harlan, Jefferson, Windsor, and Union townships, and that portion of Oran township lying outside the corporate limits of the city of Fairbank.

19. The nineteenth representative district in Black Hawk county shall consist of:

a. Union township and that portion of Cedar Falls township lying outside the corporate limits of the city of Cedar Falls.

b. That portion of the city of Cedar Falls bounded by a line commencing at the point the east corporate limit of the city of Cedar Falls intersects Greenhill drive and its extension to the corporate limits, then proceeding west along Greenhill drive and its extension until it intersects Hillside drive, then proceeding north along Hillside drive until it intersects Valley High drive, then proceeding west along Valley High drive until it intersects Clearview drive, then proceeding north along Clearview drive until it intersects Primrose drive, then proceeding west along Primrose drive until it intersects Rownd street, then proceeding north along Rownd street until it intersects Orchard drive, then proceeding west along Orchard drive until it intersects McClain drive, then proceeding north along McClain drive until it intersects Maplewood drive, then proceeding westerly along Maplewood drive until it intersects Boulder drive, then proceeding north along Boulder drive until it intersects University avenue, then proceeding west along University avenue until it intersects Grove street, then proceeding north along Grove street until it intersects East Seerley boulevard, then proceeding west along East Seerley boulevard until it intersects West Seerley boulevard, then proceeding west along West Seerley boulevard until it intersects College street, then proceeding south along College street until it intersects University avenue, then proceeding southwest along University avenue until it intersects the corporate limits of the city of Cedar Falls, then proceeding first west, and then in a clockwise manner along the corporate limits of the city of Cedar Falls to the point of origin.

20. The twentieth representative district in Black Hawk county shall consist of:

a. Lincoln and Black Hawk townships.

b. That portion of the city of Waterloo bounded by a line commencing at the point Hawkeye road intersects the south corporate limit of the city of Waterloo, then proceeding north along Hawkeye road until it intersects East San Marnan drive, then proceeding west along East San Marnan drive until it intersects Kimball avenue, then proceeding north along Kimball avenue until it intersects West Ridgeway avenue, then proceeding west along West Ridgeway avenue until it intersects Sheridan road, then proceeding north along Sheridan road until it intersects Berkshire road, then proceeding first west, and then northwest, along Berkshire road until it intersects Hampshire

road, then proceeding north along Hampshire road until it intersects West Fourth street, then proceeding northeast along West Fourth street until it intersects Campbell avenue, then proceeding west along Campbell avenue until it intersects Fletcher avenue, then proceeding north along Fletcher avenue until it intersects Black Hawk creek, then proceeding northeasterly along Black Hawk creek until it intersects Westfield avenue, then proceeding northwesterly along Westfield avenue until it intersects Ansborough avenue, then proceeding southwesterly along Ansborough avenue until it intersects Maynard avenue, then proceeding west along Maynard avenue until it intersects Rainbow drive, then proceeding northwest along Rainbow drive until it intersects the corporate limits of the city of Waterloo, then proceeding first south, and then in a counterclockwise manner along the corporate limits of the city of Waterloo to the point of origin.

c. That portion of the city of Cedar Falls bounded by a line commencing at the point the east corporate limit of the city of Cedar Falls intersects Greenhill drive and its extension to the corporate limits, then proceeding west along Greenhill drive and its extension until it intersects Hillside drive, then proceeding north along Hillside drive until it intersects Valley High drive, then proceeding west along Valley High drive until it intersects Clearview drive, then proceeding north along Clearview drive until it intersects Primrose drive, then proceeding west along Primrose drive until it intersects Rownd street, then proceeding north along Rownd street until it intersects Orchard drive, then proceeding west along Orchard drive until it intersects McClain drive, then proceeding north along McClain drive until it intersects Maplewood drive, then proceeding westerly along Maplewood drive until it intersects Boulder drive, then proceeding north along Boulder drive until it intersects University avenue, then proceeding west along University avenue until it intersects Grove street, then proceeding north along Grove street until it intersects East Seerley boulevard, then proceeding west along East Seerley boulevard until it intersects West Seerley boulevard, then proceeding west along West Seerley boulevard until it intersects College street, then proceeding south along College street until it intersects University avenue, then proceeding southwest along University avenue until it intersects the corporate limits of the city of Cedar Falls, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Cedar Falls to the point of origin.

21. The twenty-first representative district in Black Hawk county shall consist of:

a. Orange and Eagle townships.

b. That portion of the city of Waterloo bounded by a line commencing at the point Hawkeye road intersects the south corporate limit of the city of Waterloo, then proceeding north along Hawkeye road until it intersects East San Marnan drive, then proceeding west along East San Marnan drive until it intersects Kimball avenue, then proceeding north along Kimball avenue until it intersects West Ridgeway avenue, then proceeding west along West Ridgeway avenue until it intersects Sheridan road, then proceeding north

along Sheridan road until it intersects Berkshire road, then proceeding first west, and then northwest, along Berkshire road until it intersects Hampshire road, then proceeding north along Hampshire road until it intersects West Fourth street, then proceeding northeast along West Fourth street until it intersects Campbell avenue, then proceeding west along Campbell avenue until it intersects Fletcher avenue, then proceeding north along Fletcher avenue until it intersects Black Hawk creek, then proceeding northeasterly along Black Hawk creek until it intersects Westfield avenue, then proceeding northwesterly along Westfield avenue until it intersects West Conger street, then proceeding northeast along West Conger street until it intersects the middle channel of the Cedar river, then proceeding southeasterly along the Cedar river until it intersects the corporate limits of the city of Waterloo, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Waterloo to the point of origin.

22. The twenty-second representative district in Black Hawk county shall consist of:

- a. The cities of Elk Run Heights and Evansdale.
- b. East Waterloo township and that portion of Poyner township not contained in the twenty-third representative district.
- c. That portion of the city of Waterloo bounded by a line commencing at the point Leverage road intersects the north corporate limit of the city of Waterloo, then proceeding first east, and then in a clockwise manner along the corporate limits of the city of Waterloo until it intersects the Cedar river, then proceeding northwesterly along the Cedar river until it intersects West Conger street, then proceeding southwesterly along West Conger street until it intersects Ansborough avenue, then proceeding southwesterly along Ansborough avenue until it intersects Maynard avenue, then proceeding west along Maynard avenue until it intersects Rainbow drive, then proceeding northwest along Rainbow drive until it intersects the corporate limits of the city of Waterloo, then proceeding first north, and then in a clockwise manner along the corporate limits of the city of Waterloo to the point of origin.

23. The twenty-third representative district shall consist of:

- a. The city of Fairbank.
- b. Buchanan county.
- c. In Black Hawk county:
 - (1) The city of Dunkerton.
 - (2) Barclay, Big Creek, Cedar, Fox, and Spring Creek townships.
 - (3) That portion of Poyner township bounded by a line commencing at the point Indian Creek road intersects the east boundary of Poyner township, then proceeding first south, and then in a clockwise manner along the boundary of Poyner township until it intersects Gilbertville road, then proceeding southeasterly along Gilbertville road until it intersects Indian Creek road, then proceeding southeasterly, then east, along Indian Creek road to the point of origin.

24. The twenty-fourth representative district shall consist of:

- a. Clayton county.

b. In Delaware county:

- (1) The city of Delaware.
- (2) Coffins Grove, Elk, Honey Creek, Oneida, and Richland townships, and that portion of Delaware township lying outside the corporate limits of the city of Manchester.

c. In Fayette county:

- (1) The city of Fayette.
- (2) Fairfield, Illyria, Pleasant Valley, Putnam, Scott, Smithfield, and Westfield townships.

25. The twenty-fifth representative district shall consist of:

a. Jackson county.

b. In Dubuque county:

- (1) Mosalem and Washington townships.
- (2) That portion of Table Mound township bounded by a line commencing at the point the boundary of Table Mound township intersects the boundaries of Vernon, Prairie Creek, and Washington townships, then proceeding northerly, then easterly, along the boundary of Table Mound township until it intersects the west boundary of Mosalem township, then proceeding southerly, then westerly, along the boundary of Table Mound township to the point of origin.

c. In Clinton county, Bloomfield, Brookfield, Deep Creek, Elk River, and Waterford townships.

26. The twenty-sixth representative district in Clinton county shall consist of:

a. The city of Clinton.

b. Center and Hampshire townships, and that portion of Camanche township not contained in the eighty-third representative district.

27. The twenty-seventh representative district in Dubuque county shall consist of those portions of Dubuque township and the city of Dubuque bounded by a line commencing at the point the western boundary of Dubuque township intersects Derby Grange road, then proceeding easterly along Derby Grange road until it intersects John F. Kennedy road, then proceeding southeasterly along John F. Kennedy road until it intersects the corporate limits of the city of Dubuque, then proceeding first southeast, and then in a clockwise manner along the corporate limits of the city of Dubuque until it intersects the south boundary of Peru township, then proceeding first northeast, and then in a counterclockwise manner along the boundary of Peru township until it intersects the boundary of the state of Iowa, then proceeding southerly along the boundary of the state of Iowa until it intersects the Peosta channel of the Mississippi river, then proceeding southwesterly along the Peosta channel until it intersects East Sixteenth street, then proceeding southwesterly along East Sixteenth street until it intersects Kerper boulevard, then proceeding northerly along Kerper boulevard until it intersects Fengler street, then proceeding northwest along Fengler street until it intersects the I & M Rail Link tracks, then proceeding southwest along the I & M Rail Link tracks until it intersects the extension of

Stafford street, then proceeding westerly along the extension of Stafford street until it intersects Garfield avenue, then proceeding southwest along Garfield avenue until it intersects East Twentieth street, then proceeding southwesterly along East Twentieth street until it intersects Central avenue, then proceeding northwest along Central avenue until it intersects West Twenty-third street, then proceeding southwesterly along West Twenty-third street until it intersects Valeria street, then proceeding northwesterly along Valeria street until it intersects Kaufmann avenue, then proceeding southeast along Kaufmann avenue until it intersects Hempstead street, then proceeding southwest along Hempstead street until it intersects Montcrest street, then proceeding westerly along Montcrest street until it intersects Portland street, then proceeding southwest along Portland street until it intersects Abbott street, then proceeding south along Abbott street until it intersects Lowell street, then proceeding east along Lowell street until it intersects Harold street, then proceeding south along Harold street until it intersects Clarke drive, then proceeding easterly along Clarke drive until it intersects Foye street, then proceeding southerly along Foye street until it intersects West Locust street, then proceeding west along West Locust street until it intersects Kirkwood street, then proceeding southwest along Kirkwood street until it intersects Cox street, then proceeding southeast along Cox street until it intersects Loras boulevard, then proceeding southwest along Loras boulevard until it intersects Wood street, then proceeding southeast along Wood street until it intersects University avenue, then proceeding east along University avenue until it intersects Delhi street, then proceeding southwest along Delhi street until it intersects West Fifth street, then proceeding southeast along West Fifth street until it intersects College street, then proceeding southerly along College street until it intersects West Third street, then proceeding southwest along West Third street until it intersects North Grandview avenue, then proceeding south along North Grandview avenue until it intersects Hale street, then proceeding west along Hale street until it intersects North Algona street, then proceeding north along North Algona street until it intersects Bennett street, then proceeding west along Bennett street until it intersects McCormick street, then proceeding northerly along McCormick street until it intersects Mineral street, then proceeding west along Mineral street until it intersects O'Hagen street, then proceeding north along O'Hagen street until it intersects Pearl street, then proceeding west along Pearl street until it intersects Finley street, then proceeding northwest along Finley street until it intersects University avenue, then proceeding northeast along University avenue until it intersects Asbury road, then proceeding northwesterly along Asbury road until it intersects Wilbricht lane, then proceeding west along Wilbricht lane until it intersects Flora Park road, then proceeding southwesterly along Flora Park road until it intersects Pennsylvania avenue, then proceeding west along Pennsylvania avenue until it intersects Churchill drive, then proceeding north along Churchill drive until it intersects St. Anne drive, then proceeding west along St. Anne drive until it intersects Carter

road, then proceeding north along Carter road until it intersects Hillcrest road, then proceeding west along Hillcrest road until it intersects John F. Kennedy road, then proceeding north along John F. Kennedy road until it intersects Hillcrest road, then proceeding west along Hillcrest road until it intersects Key Largo drive, then proceeding south along Key Largo drive until it intersects Keymeer drive, then proceeding east along Keymeer drive until it intersects Key Way drive, then proceeding south along Key Way drive until it intersects the north fork of Catfish creek, then proceeding west along the north fork of Catfish creek until it intersects the extension of Winne court, then proceeding north along Winne court and its extension until it intersects Hillcrest road, then proceeding east along Hillcrest road until it intersects the north branch of the north fork of Catfish creek, then proceeding northwesterly along the north branch of the north fork of Catfish creek until it intersects the northwest branch of the north fork of Catfish creek, then proceeding northwest along the northwest branch of the north fork of Catfish creek until it intersects Asbury road, then proceeding west along Asbury road until it intersects the corporate limits of the city of Asbury, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Asbury until it intersects the west boundary of Dubuque township, then proceeding north along the boundary of Dubuque township to the point of origin.

28. The twenty-eighth representative district in Dubuque county shall consist of those portions of Dubuque and Table Mound townships and the city of Dubuque bounded by a line commencing at the point Asbury road intersects the east corporate limit of the city of Asbury, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Asbury until it intersects the west boundary of Dubuque township, then proceeding south along the west boundary of Dubuque township until it intersects the corporate limits of the city of Dubuque, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Dubuque until it intersects the south boundary of Dubuque township, then proceeding east along the south boundary of Dubuque township until it intersects the corporate limits of the city of Dubuque, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Dubuque until it intersects the east boundary of Table Mound township, then proceeding north along the boundary of Table Mound township until it intersects the corporate limits of the city of Dubuque, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Dubuque until it intersects the Peosta channel of the Mississippi river, then proceeding southwesterly along the Peosta channel until it intersects East Sixteenth street, then proceeding southwesterly along East Sixteenth street until it intersects Kerper boulevard, then proceeding northerly along Kerper boulevard until it intersects Fengler street, then proceeding northwest along Fengler street until it intersects the I & M Rail Link tracks, then proceeding southwest along the I & M Rail Link tracks until it intersects the extension of Stafford

street, then proceeding westerly along the extension of Stafford street until it intersects Garfield avenue, then proceeding southwest along Garfield avenue until it intersects East Twentieth street, then proceeding southwesterly along East Twentieth street until it intersects Central avenue, then proceeding northwest along Central avenue until it intersects West Twenty-third street, then proceeding southwesterly along West Twenty-third street until it intersects Valeria street, then proceeding northwesterly along Valeria street until it intersects Kaufmann avenue, then proceeding southeast along Kaufmann avenue until it intersects Hempstead street, then proceeding southwest along Hempstead street until it intersects Montcrest street, then proceeding westerly along Montcrest street until it intersects Portland street, then proceeding southwest along Portland street until it intersects Abbott street, then proceeding south along Abbott street until it intersects Lowell street, then proceeding east along Lowell street until it intersects Harold street, then proceeding south along Harold street until it intersects Clarke drive, then proceeding easterly along Clarke drive until it intersects Foye street, then proceeding southerly along Foye street until it intersects West Locust street, then proceeding west along West Locust street until it intersects Kirkwood street, then proceeding southwest along Kirkwood street until it intersects Cox street, then proceeding southeast along Cox street until it intersects Loras boulevard, then proceeding southwest along Loras boulevard until it intersects Wood street, then proceeding southeast along Wood street until it intersects University avenue, then proceeding east along University avenue until it intersects Delhi street, then proceeding southwest along Delhi street until it intersects West Fifth street, then proceeding southeast along West Fifth street until it intersects College street, then proceeding southerly along College street until it intersects West Third street, then proceeding southwest along West Third street until it intersects North Grandview avenue, then proceeding south along North Grandview avenue until it intersects Hale street, then proceeding west along Hale street until it intersects North Algona street, then proceeding north along North Algona street until it intersects Bennett street, then proceeding west along Bennett street until it intersects McCormick street, then proceeding northerly along McCormick street until it intersects Mineral street, then proceeding west along Mineral street until it intersects O'Hagen street, then proceeding north along O'Hagen street until it intersects Pearl street, then proceeding west along Pearl street until it intersects Finley street, then proceeding northwest along Finley street until it intersects University avenue, then proceeding northeast along University avenue until it intersects Asbury road, then proceeding northwesterly along Asbury road until it intersects Wilbricht lane, then proceeding west along Wilbricht lane until it intersects Flora Park road, then proceeding southwesterly along Flora Park road until it intersects Pennsylvania avenue, then proceeding west along Pennsylvania avenue until it intersects Churchill drive, then proceeding north along Churchill drive until it intersects St. Anne drive, then proceeding west along St. Anne drive until it intersects Carter road, then proceeding

north along Carter road until it intersects Hillcrest road, then proceeding west along Hillcrest road until it intersects John F. Kennedy road, then proceeding north along John F. Kennedy road until it intersects Hillcrest road, then proceeding west along Hillcrest road until it intersects Key Largo drive, then proceeding south along Key Largo drive until it intersects Keymeer drive, then proceeding east along Keymeer drive until it intersects Key Way drive, then proceeding south along Key Way drive until it intersects the north fork of Catfish creek, then proceeding west along the north fork of Catfish creek until it intersects the extension of Winne court, then proceeding north along Winne court and its extension until it intersects Hillcrest road, then proceeding east along Hillcrest road until it intersects the north branch of the north fork of Catfish creek, then proceeding northwesterly along the north branch of the north fork of Catfish creek until it intersects the northwest branch of the north fork of Catfish creek, then proceeding northwest along the northwest branch of the north fork of Catfish creek until it intersects Asbury road, then proceeding west along Asbury road to the point of origin.

29. The twenty-ninth representative district shall consist of:

a. In Johnson county, Big Grove, Cedar, Graham, Hardin, Jefferson, Monroe, Newport, and Oxford townships, that portion of Madison township lying outside the corporate limits of the city of North Liberty, and that portion of Clear Creek township not contained in the thirtieth representative district.

b. In Linn county:

(1) Brown, Buffalo, Franklin, Linn, and Putnam townships.

(2) That portion of College township bounded by a line commencing at the point where the boundary between Fairfax and College townships intersects the boundary of Linn county, then proceeding northerly along the boundary of College township until the point at which it intersects the corporate limits of the city of Cedar Rapids, then proceeding easterly along the corporate limits of the city of Cedar Rapids until it intersects the boundary between College township and Putnam township, then proceeding southerly along the boundary of College township until it intersects the boundary of Linn county, then westerly along the boundary of Linn county to the point of origin.

(3) That portion of Bertram township bounded by a line commencing at the point where the boundary of Bertram township intersects the boundary of Franklin and Putnam townships, then proceeding northerly, then westerly, along the boundary of Bertram township until it intersects the corporate limits of the city of Cedar Rapids, then proceeding southerly along the corporate limits of the city of Cedar Rapids until it intersects the boundary of Bertram township, then proceeding southeasterly along the boundary of Bertram township to the point of origin.

(4) That portion of Marion and Clinton townships bounded by a line commencing at the point the south boundary of Marion township intersects the corporate limits of the city of Cedar Rapids, then proceeding first northeast, and then in a clockwise manner along the boundary of Marion

township until it intersects the boundary of Clinton township at the corporate limits of the city of Cedar Rapids, then proceeding first west, and then in clockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the corporate limits of the city of Marion, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Marion until it intersects U.S. highway 151, then proceeding south along U.S. highway 151 until it intersects the south boundary of Marion township, then proceeding west along the south boundary of Marion township to the point of origin.

30. The thirtieth representative district in Johnson county shall consist of:

a. The cities of Coralville, North Liberty, and Tiffin.

b. Penn township, and that portion of Clear Creek township bounded by a line commencing at the point Kansas avenue northeast intersects the north boundary of Clear Creek township, then proceeding east along the boundary of Clear Creek township until it intersects the corporate limits of the city of North Liberty, then proceeding first south, and then in a counterclockwise manner along the corporate limits of the city of North Liberty to the point of origin.

c. That portion of the city of Iowa City bounded by a line commencing at the point Clear Creek township intersects the corporate limits of the city of Coralville and the west corporate limit of the city of Iowa City, then proceeding first south, and then in a counterclockwise manner along the corporate limits of the city of Iowa City until it intersects state highway 1, then proceeding northeast along state highway 1 until it intersects Mormon Trek boulevard, then proceeding northwesterly, then northerly, along Mormon Trek boulevard until it intersects the corporate limits of the city of Coralville, then proceeding first northwest, and then in a clockwise manner along the corporate limits of the city of Coralville to the point of origin.

31. The thirty-first representative district shall consist of:

a. Jones county.

b. In Dubuque county, Cascade, Prairie Creek, Taylor, and Whitewater townships, that portion of Dodge township lying outside the corporate limits of the city of Dyersville, and that portion of Vernon township lying outside the corporate limits of the city of Centralia.

32. The thirty-second representative district shall consist of:

a. The city of Dyersville.

b. In Delaware county:

(1) The city of Manchester.

(2) Adams, Bremen, Colony, Hazel Green, Milo, North Fork, Prairie, South Fork, and Union townships, and that portion of Delhi township lying outside the corporate limits of the city of Delaware.

c. In Dubuque county:

(1) The city of Centralia.

(2) Center, Concord, Iowa, Jefferson, Liberty, New Wine, and Peru townships.

(3) That portion of Dubuque township bounded by a line commencing at the point the north corporate limit of the city of Asbury intersects the boundary between Center and Dubuque townships, then proceeding in a clockwise manner along the corporate limits of the city of Asbury until it intersects the boundary between Center and Dubuque townships along Seippel road, then proceeding northerly along the boundary of Dubuque township to the point of origin.

(4) That portion of Dubuque township bounded by a line commencing at the point the western boundary of Dubuque township intersects Derby Grange road, then proceeding easterly along Derby Grange road until it intersects John F. Kennedy road, then proceeding southeasterly along John F. Kennedy road until it intersects the corporate limits of the city of Dubuque, then proceeding in a clockwise manner along the corporate limits of the city of Dubuque until it intersects the north boundary of Dubuque township, then proceeding westerly, then southerly, along the boundary of Dubuque township to the point of origin.

33. The thirty-third representative district in Linn county shall consist of those portions of College, Clinton, and Fairfax townships and the city of Cedar Rapids bounded by a line commencing at the point Sixteenth avenue southwest intersects the west corporate limit of the city of Cedar Rapids, then first proceeding south, and then in a counterclockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the north boundary of Fairfax township, then proceeding west along the north boundary of Fairfax township until it intersects the corporate limits of the city of Cedar Rapids, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Cedar Rapids until it intersects Dean road southwest, then proceeding west along Dean road southwest until it intersects the corporate limits of the city of Cedar Rapids, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the south boundary of Clinton township, then proceeding east along the south boundary of Clinton township until it intersects the corporate limits of the city of Cedar Rapids, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the middle channel of the Red Cedar river, then proceeding westerly along the middle channel of the Red Cedar river until it intersects the Nineteenth street extension to the Red Cedar river, then proceeding north along the Nineteenth street extension until it intersects Fifteenth avenue southeast, then proceeding west along Fifteenth avenue southeast until it intersects Twelfth avenue southeast, then proceeding southwest along Twelfth avenue southeast until it intersects the Iowa Northern Railway tracks, then proceeding northwest along the Iowa Northern Railway tracks until it intersects Ninth avenue southeast, then proceeding northeast along Ninth avenue southeast until it intersects Fourteenth street southeast, then proceeding north along Fourteenth street southeast until it intersects Fifth avenue southeast, then proceeding west

along Fifth avenue southeast until it intersects Fourteenth street southeast, then proceeding north along Fourteenth street southeast and its extension until it intersects Third avenue southeast, then proceeding northeast along Third avenue southeast until it intersects Fourteenth street southeast, then proceeding northwest along Fourteenth street southeast until it intersects Fourteenth street northeast, then proceeding northwest along Fourteenth street northeast until it intersects C avenue northeast, then proceeding southwest along C avenue northeast until it intersects Center Point road northeast, then proceeding northwest along Center Point road northeast until it intersects Oakland road northeast, then proceeding northerly along Oakland road northeast until it intersects F avenue northeast, then proceeding southwest along F avenue northeast until it intersects Interstate 380, then proceeding southerly along Interstate 380 until it intersects the Union Pacific Railroad tracks, then proceeding northwesterly along the Union Pacific Railroad tracks until it intersects the Chicago Central and Pacific Railroad tracks, then proceeding westerly along the Chicago Central and Pacific Railroad tracks until it intersects the Union Pacific Railroad tracks, then proceeding southerly along the Union Pacific Railroad tracks until it intersects Second avenue southwest, then proceeding northeasterly along Second avenue southwest until it intersects Eighth street southwest, then proceeding southeasterly along Eighth street southwest until it intersects Third avenue southwest, then proceeding northeast along Third avenue southwest until it intersects Seventh street southwest, then proceeding southeasterly along Seventh street southwest until it intersects Fifth avenue southwest, then proceeding west along Fifth avenue southwest until it intersects Eighth street southwest, then proceeding south along Eighth street southwest until it intersects Seventh avenue southwest, then proceeding east along Seventh avenue southwest until it intersects Seventh street southwest, then proceeding south along Seventh street southwest until it intersects Eighth avenue southwest, then proceeding east along Eighth avenue southwest until it intersects Sixth street southwest, then proceeding south along Sixth street southwest until it intersects Tenth avenue southwest, then proceeding west along Tenth avenue southwest until it intersects Sixth street southwest, then proceeding south along Sixth street southwest until it intersects Nineteenth avenue southwest, then proceeding west along Nineteenth avenue southwest until it intersects Fourteenth street southwest and its extension, then proceeding north along the extension of Fourteenth street southwest until it intersects the Union Pacific Railroad tracks, then proceeding southwest along the Union Pacific Railroad tracks until it intersects the Cedar Rapids and Iowa City Railway tracks, then proceeding northeasterly along the Cedar Rapids and Iowa City Railway tracks until it intersects Sixteenth avenue southwest, then proceeding west along Sixteenth avenue southwest until it intersects Eighteenth street southwest, then proceeding north along Eighteenth street southwest until it intersects Eighteenth street northwest, then proceeding north along Eighteenth street northwest until it intersects Johnson avenue northwest,

then proceeding west along Johnson avenue northwest until it intersects Edgewood road northwest, then proceeding south along Edgewood road northwest until it intersects Edgewood road southwest, then proceeding south along Edgewood road southwest until it intersects Sixteenth avenue southwest, then proceeding west along Sixteenth avenue southwest to the point of origin.

34. The thirty-fourth representative district in Linn county shall consist of those portions of the city of Cedar Rapids and Clinton township bounded by a line commencing at the point Sixteenth avenue southwest intersects the west corporate limit of the city of Cedar Rapids, then first proceeding west, and then in a clockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the middle channel of the Red Cedar river, then proceeding easterly along the middle channel of the Red Cedar river until it intersects J avenue and its extension to the middle channel of the Red Cedar river, then proceeding first northerly, then easterly, along J avenue and its extension until it intersects J avenue northeast, then proceeding southwesterly along the extension of J avenue northeast until it intersects the Union Pacific Railroad tracks, then proceeding southeasterly along the Union Pacific Railroad tracks until it intersects the Iowa Northern Railway tracks, then proceeding southerly along the Iowa Northern Railway tracks until it intersects the Chicago Central and Pacific Railroad tracks, then proceeding westerly along the Chicago Central and Pacific Railroad tracks until it intersects the Union Pacific Railroad tracks, then proceeding southerly along the Union Pacific Railroad tracks until it intersects Second avenue southwest, then proceeding northeasterly along Second avenue southwest until it intersects Eighth street southwest, then proceeding southeasterly along Eighth street southwest until it intersects Third avenue southwest, then proceeding northeast along Third avenue southwest until it intersects Seventh street southwest, then proceeding southeasterly along Seventh street southwest until it intersects Fifth avenue southwest, then proceeding west along Fifth avenue southwest until it intersects Eighth street southwest, then proceeding south along Eighth street southwest until it intersects Seventh avenue southwest, then proceeding east along Seventh avenue southwest until it intersects Seventh street southwest, then proceeding south along Seventh street southwest until it intersects Eighth avenue southwest, then proceeding east along Eighth avenue southwest until it intersects Sixth street southwest, then proceeding south along Sixth street southwest until it intersects Tenth avenue southwest, then proceeding west along Tenth avenue southwest until it intersects Sixth street southwest, then proceeding south along Sixth street southwest until it intersects Nineteenth avenue southwest, then proceeding west along Nineteenth avenue southwest until it intersects Fourteenth street southwest and its extension, then proceeding north along the extension of Fourteenth street southwest until it intersects the Union Pacific Railroad tracks, then proceeding southwest along the Union Pacific Railroad tracks until it intersects the Cedar Rapids and Iowa City Railway tracks, then proceeding northeasterly along the Cedar

Rapids and Iowa City Railway tracks until it intersects Sixteenth avenue southwest, then proceeding west along Sixteenth avenue southwest until it intersects Eighteenth street southwest, then proceeding north along Eighteenth street southwest until it intersects Eighteenth street northwest, then proceeding north along Eighteenth street northwest until it intersects Johnson avenue northwest, then proceeding west along Johnson avenue northwest until it intersects Edgewood road northwest, then proceeding south along Edgewood road northwest until it intersects Edgewood road southwest, then proceeding south along Edgewood road southwest until it intersects Sixteenth avenue southwest, then proceeding west along Sixteenth avenue southwest to the point of origin.

35. The thirty-fifth representative district in Linn county shall consist of:

a. The city of Robins.

b. That portion of Marion township bounded by a line commencing at the point Shannon drive and South Mentzer road intersect the boundary of the corporate limits of the city of Robins, then proceeding northerly, then easterly, along the boundary of the corporate limits of the city of Robins until it intersects the corporate limits of the city of Cedar Rapids, then proceeding westerly, then southerly, then westerly, along the corporate limits of the city of Cedar Rapids until it intersects the boundary between Marion and Monroe townships, then proceeding northerly along the boundary of Marion township until it intersects the corporate limits of the city of Robins, then proceeding northerly along the corporate limits of the city of Robins to the point of origin.

c. That portion of the city of Cedar Rapids bounded by a line commencing at the point the south corporate limit of the city of Hiawatha and the corporate limits of the city of Cedar Rapids intersect Interstate 380, then proceeding southeast along Interstate 380 until it intersects Collins road, then proceeding west along Collins road until it intersects Wenig road northeast and its extension, then proceeding south along Wenig road northeast and its extension until it intersects Forty-second street northeast, then proceeding west along Forty-second street northeast until it intersects the west boundary of Monroe township and the corporate limits of the city of Cedar Rapids, then proceeding first west, and then in a clockwise manner along the corporate limits of the city of Cedar Rapids to the point of origin.

d. Boulder, Fayette, Grant, Jackson, Otter Creek, Spring Grove, and Washington townships, that portion of Clinton township not contained in the thirty-third, thirty-fourth, or thirty-eighth representative district, that portion of Fairfax township not contained in the thirty-third representative district, and that portion of Monroe township not contained in the thirty-seventh representative district.

e. That portion of the city of Central City and Maine township bounded by a line commencing at the point the east corporate limit of the city of Central City intersects the boundary of Maine township, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Central City to the point of origin.

36. The thirty-sixth representative district in Linn county shall consist of:

- a. The city of Marion.
- b. That portion of Maine township not contained in the thirty-fifth representative district.
- c. That portion of Marion township not contained in the twenty-ninth or thirty-fifth representative district.

37. The thirty-seventh representative district in Linn county shall consist of those portions of Monroe, Marion, and Bertram townships, and the city of Cedar Rapids bounded by a line commencing at the point Thirty-fifth street drive southeast intersects the east corporate limit of the city of Cedar Rapids, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Cedar Rapids until it intersects Interstate 380, then proceeding southeast along Interstate 380 until it intersects Collins road, then proceeding west along Collins road until it intersects Wenig road northeast and its extension, then proceeding south along Wenig road northeast and its extension until it intersects Forty-second street northeast, then proceeding west along Forty-second street northeast until it intersects the west corporate limit of the city of Cedar Rapids, then proceeding first south, and then in a counterclockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the east boundary of Clinton township and the middle channel of the Red Cedar river, then proceeding easterly along the middle channel of the Red Cedar river until it intersects J avenue and its extension to the middle channel of the Red Cedar river, then proceeding first northerly, then easterly, along J avenue and its extension until it intersects J avenue northeast, then proceeding southeasterly along J avenue northeast until it intersects Sierra drive northeast, then proceeding northwest along Sierra drive northeast until it intersects Linmar drive northeast, then proceeding northerly along Linmar drive northeast until it intersects Coldstream avenue northeast, then proceeding east along Coldstream avenue northeast until it intersects Twenty-ninth street northeast, then proceeding east along Twenty-ninth street northeast until it intersects Oakland road northeast, then proceeding south along Oakland road northeast until it intersects Elmhurst drive northeast, then proceeding east along Elmhurst drive northeast until it intersects Robinwood lane northeast, then proceeding easterly along Robinwood lane northeast until it intersects Prairie drive northeast, then proceeding south along Prairie drive northeast until it intersects Twenty-seventh street northeast, then proceeding easterly along Twenty-seventh street northeast until it intersects First avenue east, then proceeding north along First avenue east until it intersects Thirty-fifth street drive southeast, then proceeding east along Thirty-fifth street drive southeast to the point of origin.

38. The thirty-eighth representative district in Linn county shall consist of those portions of Bertram, Clinton, and Marion townships, and the city of Cedar Rapids bounded by a line commencing at the point Interstate 380 intersects the Union Pacific Railroad tracks, then proceeding northwesterly along the Union Pacific Railroad tracks until it intersects the Iowa Northern Railway tracks, then proceeding northerly along the Iowa Northern Railway

tracks until it intersects the Union Pacific Railroad tracks, then proceeding northwesterly along the Union Pacific Railroad tracks until it intersects J avenue northeast and its extension to the railroad tracks, then proceeding first northeast, then southeast, along J avenue northeast and its extension until it intersects Sierra drive northeast, then proceeding northwest along Sierra drive northeast until it intersects Linmar drive northeast, then proceeding northerly along Linmar drive northeast until it intersects Coldstream avenue northeast, then proceeding east along Coldstream avenue northeast until it intersects Twenty-ninth street northeast, then proceeding east along Twenty-ninth street northeast until it intersects Oakland road northeast, then proceeding south along Oakland road northeast until it intersects Elmhurst drive northeast, then proceeding east along Elmhurst drive northeast until it intersects Robinwood lane northeast, then proceeding easterly along Robinwood lane northeast until it intersects Prairie drive northeast, then proceeding south along Prairie drive northeast until it intersects Twenty-seventh street northeast, then proceeding easterly along Twenty-seventh street northeast until it intersects First avenue east, then proceeding north along First avenue east until it intersects Thirty-fifth street drive southeast, then proceeding east along Thirty-fifth street drive southeast until it intersects the corporate limits of the city of Cedar Rapids, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the south boundary of Bertram township and the north boundary of Marion township north of Ellwinn lane southeast, then proceeding west along the south boundary of Bertram township until it intersects the corporate limits of the city of Cedar Rapids, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Cedar Rapids until it intersects the middle channel of the Red Cedar river and the west boundary of Putnam township, then proceeding westerly along the middle channel of the Red Cedar river until it intersects the Nineteenth street extension to the Red Cedar river, then proceeding north along the Nineteenth street extension until it intersects Fifteenth avenue southeast, then proceeding west along Fifteenth avenue southeast until it intersects Twelfth avenue southeast, then proceeding southwest along Twelfth avenue southeast until it intersects the Iowa Northern Railway tracks, then proceeding northwest along the Iowa Northern Railway tracks until it intersects Ninth avenue southeast, then proceeding northeast along Ninth avenue southeast until it intersects Fourteenth street southeast, then proceeding north along Fourteenth street southeast until it intersects Fifth avenue southeast, then proceeding west along Fifth avenue southeast until it intersects Fourteenth street southeast, then proceeding north along Fourteenth street southeast and its extension until it intersects Third avenue southeast, then proceeding northeast along Third avenue southeast until it intersects Fourteenth street southeast, then proceeding northwest along Fourteenth street southeast until it intersects Fourteenth street northeast, then proceeding northwest along Fourteenth street northeast until it intersects C avenue northeast, then proceeding

southwest along C avenue northeast until it intersects Center Point road northeast, then proceeding northwest along Center Point road northeast until it intersects Oakland road northeast, then proceeding northerly along Oakland road northeast until it intersects F avenue northeast, then proceeding southwest along F avenue northeast until it intersects Interstate 380, then proceeding southerly along Interstate 380 to the point of origin.

39. The thirty-ninth representative district shall consist of:

a. Benton county.

b. In Iowa county, Honey Creek, Marengo, and Washington townships.

40. The fortieth representative district shall consist of:

a. Grundy county.

b. In Tama county, Buckingham, Carlton, Carroll, Clark, Crystal, Geneseo, Grant, Highland, Howard, Indian Village, Lincoln, Oneida, Otter Creek, Perry, Spring Creek, Tama, Toledo, and York townships.

41. The forty-first representative district in Jasper county shall consist of Buena Vista, Clear Creek, Elk Creek, Hickory Grove, Independence, Kellogg, Lynn Grove, Malaka, Mariposa, Newton, Palo Alto, Poweshiek, Richland, Rock Creek, and Sherman townships.

42. The forty-second representative district shall consist of:

a. In Jasper county, Des Moines, Mound Prairie, and Washington townships.

b. In Polk county:

(1) The city of Bondurant.

(2) Beaver and Camp townships, that portion of Clay township lying outside the corporate limits of the city of Pleasant Hill, and that portion of Delaware township lying outside the corporate limits of the city of Ankeny and the city of Des Moines and not contained in the sixty-seventh representative district.

(3) That portion of Four Mile township bounded by a line commencing at the point the east corporate limit of the city of Pleasant Hill intersects the north boundary of Four Mile township, then proceeding first east, and then in a clockwise manner along the boundary of Four Mile township until it intersects the corporate limits of the city of Pleasant Hill, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Pleasant Hill to the point of origin.

43. The forty-third representative district in Marshall county shall consist of:

a. The city of Marshalltown.

b. Iowa, Liscomb, Marion, Taylor, and Vienna townships.

44. The forty-fourth representative district shall consist of:

a. Hardin county.

b. In Franklin county, that portion of the city of Ackley and Osceola township bounded by a line commencing at the point the north corporate limit of the city of Ackley intersects the east boundary of Franklin county, then proceeding first south, and then west along the boundary of Franklin county until it intersects the west corporate limit of the city of Ackley, then

proceeding first north, and then in a clockwise manner along the corporate limits of the city of Ackley to the point of origin.

c. In Marshall county, Bangor, Eden, Greencastle, Jefferson, Liberty, Logan, Minerva, State Center, and Washington townships, and those portions of Le Grand, Marietta, and Timber Creek townships lying outside the corporate limits of the city of Marshalltown.

45. The forty-fifth representative district in Story county shall consist of:

a. That portion of Washington township lying outside the corporate limits of the city of Kelley.

b. Those portions of the city of Ames and Grant township bounded by a line commencing at the point the north corporate limit of the city of Ames intersects East Thirteenth street, then proceeding west along East Thirteenth street until it intersects Glendale avenue, then proceeding north along Glendale avenue until it intersects East Sixteenth street, then proceeding west along East Sixteenth street until it intersects Duff avenue, then proceeding south along Duff avenue until it intersects Seventh street, then proceeding west along Seventh street until it intersects Grand avenue, then proceeding south along Grand avenue until it intersects the Union Pacific Railroad tracks, then proceeding westerly, then northerly, along the Union Pacific Railroad tracks until it intersects Thirteenth street, then proceeding west along Thirteenth street until it intersects Squaw creek, then proceeding westerly along Squaw creek until it intersects Clear creek, then proceeding southwesterly along Clear creek until it intersects North Hyland avenue, then proceeding south along North Hyland avenue until it intersects Oakland street, then proceeding west along Oakland street until it intersects North Franklin avenue, then proceeding south along North Franklin avenue until it intersects West street, then proceeding east along West street until it intersects Colorado avenue, then proceeding south along Colorado avenue until it intersects Lincoln way, then proceeding west along Lincoln way until it intersects the corporate limits of the city of Ames, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Ames until it intersects the west boundary of Grant township, then proceeding north along the west boundary of Grant township until it intersects the corporate limits of the city of Ames south of Southeast Sixteenth street, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Ames until it intersects the north boundary of Grant township, then proceeding west along the north boundary of Grant township until it intersects the corporate limits of the city of Ames, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Ames to the point of origin.

46. The forty-sixth representative district shall consist of:

a. In Boone county:

- (1) The cities of Luther and Madrid.
- (2) Colfax, Garden, and Jackson townships.

b. In Story county:

- (1) Franklin township.

(2) That portion of the city of Ames bounded by a line commencing at the point the north corporate limit of the city of Ames intersects East Thirteenth street, then proceeding west along East Thirteenth street until it intersects Glendale avenue, then proceeding north along Glendale avenue until it intersects East Sixteenth street, then proceeding west along East Sixteenth street until it intersects Duff avenue, then proceeding south along Duff avenue until it intersects Seventh street, then proceeding west along Seventh street until it intersects Grand avenue, then proceeding south along Grand avenue until it intersects the Union Pacific Railroad tracks, then proceeding westerly, then northerly, along the Union Pacific Railroad tracks until it intersects Thirteenth street, then proceeding west along Thirteenth street until it intersects Squaw creek, then proceeding westerly along Squaw creek until it intersects Clear creek, then proceeding southwesterly along Clear creek until it intersects North Hyland avenue, then proceeding south along North Hyland avenue until it intersects Oakland street, then proceeding west along Oakland street until it intersects North Franklin avenue, then proceeding south along North Franklin avenue until it intersects West street, then proceeding east along West street until it intersects Colorado avenue, then proceeding south along Colorado avenue until it intersects Lincoln way, then proceeding west along Lincoln way until it intersects the corporate limits of the city of Ames, then proceeding first north, and then in a clockwise manner along the corporate limits of the city of Ames to the point of origin.

47. The forty-seventh representative district shall consist of:

a. In Dallas county, Adel, Boone, Colfax, Dallas, Des Moines, Grant, Lincoln, Linn, Sugar Grove, Walnut, and Washington townships, and that portion of Van Meter township lying outside the corporate limits of the city of De Soto.

b. In Boone county, Cass township and that portion of Douglas township lying outside the corporate limits of the city of Madrid.

48. The forty-eighth representative district shall consist of:

a. In Dallas county, Beaver and Spring Valley townships.

b. In Boone county, Amaqua, Beaver, Des Moines, Dodge, Grant, Harrison, Marcy, Peoples, Pilot Mound, Union, and Yell townships, and that portion of Worth township lying outside the corporate limits of the city of Luther.

49. The forty-ninth representative district in Webster county shall consist of:

a. The cities of Duncombe and Fort Dodge.

b. Badger, Colfax, Cooper, Douglas, and Newark townships.

50. The fiftieth representative district shall consist of:

a. Calhoun county.

b. Greene county.

c. In Webster county, Burnside, Clay, Dayton, Elkhorn, Fulton, Gowrie, Lost Grove, Otho, and Roland townships.

51. The fifty-first representative district shall consist of:

a. Carroll county.

b. In Crawford county, Goodrich, Iowa, Milford, Nishnabotny, Stockholm, Hayes, Jackson, and West Side townships, that portion of East Boyer township lying outside the corporate limits of the city of Denison, and that portion of Otter Creek township lying outside the corporate limits of the city of Schleswig.

c. In Sac county, Sac, Wall Lake, and Coon Valley townships, and that portion of Viola township lying outside the corporate limits of the city of Wall Lake.

52. The fifty-second representative district shall consist of:

a. Buena Vista county.

b. In Sac county:

(1) The city of Wall Lake.

(2) Boyer Valley, Cedar, Clinton, Cook, Delaware, Douglas, Eden, Eureka, Jackson, Levey, Richland, and Wheeler townships.

53. The fifty-third representative district shall consist of:

a. Cherokee county.

b. In Plymouth county, Elkhorn, Fredonia, Garfield, Henry, Hungerford, Lincoln, Marion, Meadow, Remsen, and Union townships.

c. In Woodbury county:

(1) The city of Correctionville.

(2) Arlington, Banner, Concord, Floyd, Merville, Rutland, Union, and Wolf Creek townships, and that portion of Woodbury township not contained in the fifty-fourth representative district.

54. The fifty-fourth representative district in Woodbury county shall consist of:

a. Those portions of the city of Sioux City and Woodbury township bounded by a line commencing at the point Correctionville road intersects the east corporate limit of the city of Sioux City, then proceeding first south, and then in a clockwise manner, along the corporate limits of the city of Sioux City until it intersects the corporate limits of the city of Sergeant Bluff, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Sergeant Bluff until it intersects the north boundary of Liberty township, then proceeding westerly along the north boundary of Liberty township until it intersects the boundary of the state of Iowa, then proceeding northerly along the boundary of the state of Iowa until it intersects South Court street and its extension to the Missouri river, then proceeding north along South Court street and its extension until it intersects Gordon drive, then proceeding east along Gordon drive until it intersects South Westcott street, then proceeding north on South Westcott street until it intersects Correctionville road, then proceeding east along Correctionville road to the point of origin.

b. The city of Sergeant Bluff.

55. The fifty-fifth representative district shall consist of:

a. Ida county.

b. In Crawford county:

(1) The cities of Denison and Schleswig.

(2) Boyer, Charter Oak, Denison, Hanover, Morgan, Paradise, Soldier, Washington, Willow, and Union townships.

c. In Woodbury county, Grange, Grant, Lakeport, Liston, Little Sioux, Miller, Morgan, Oto, Sloan, West Fork, and Willow townships, those portions of Rock and Kedron townships lying outside the corporate limits of the city of Correctionville, and that portion of Liberty township lying outside the corporate limits of the city of Sergeant Bluff.

d. In Monona county, Cooper, Maple, and St. Clair townships.

56. The fifty-sixth representative district shall consist of:

a. Harrison county.

b. In Monona county:

(1) The city of Onawa.

(2) Ashton, Belvidere, Center, Fairview, Franklin, Grant, Jordan, Kennebec, Lake, Sherman, Sioux, Soldier, Spring Valley, West Fork, Willow, and Lincoln townships.

c. In Pottawattamie county:

(1) The city of Neola.

(2) Boomer, Crescent, Hazel Dell, Neola, Norwalk, and Rockford townships.

57. The fifty-seventh representative district shall consist of:

a. The city of Shelby.

b. Shelby county.

c. In Pottawattamie county, Knox, Layton, Lincoln, Valley, Waveland, and Wright townships, and that portion of Center township lying outside the corporate limits of the city of Oakland.

d. In Cass county, Bear Grove, Brighton, Cass, Edna, Grove, Noble, Pleasant, Pymosa, Union, and Washington townships.

58. The fifty-eighth representative district shall consist of:

a. Adair county.

b. Audubon county.

c. Guthrie county.

d. In Cass county, Benton, Franklin, Grant, Lincoln, Massena, and Victoria townships.

59. The fifty-ninth representative district in Polk county shall consist of that portion of Polk county bounded by a line commencing at the point the north corporate limit of the city of Clive intersects the west boundary of Polk county, then proceeding east along the corporate limits of the city of Clive until the east corporate limit of the city of Clive intersects Hickman road, then proceeding east along Hickman road until it intersects Sixty-third street, then proceeding south along Sixty-third street until it intersects the south corporate limit of the city of Windsor Heights, then proceeding west along the corporate limits of the city of Windsor Heights until it intersects Interstate 235 and the east corporate limit of the city of West Des Moines, then proceeding west along Interstate 235 until it intersects Seventeenth street, then proceeding south along Seventeenth street until it intersects Pleasant street, then proceeding east along Pleasant street until it intersects

Sixteenth street, then proceeding southerly along Sixteenth street until it intersects Ashworth road, then proceeding east along Ashworth road until it intersects Sixteenth street, then proceeding south along Sixteenth street until it intersects Grand avenue, then proceeding southwest along Grand avenue until it intersects Vine street, then proceeding west, then northwest, along Vine street until it intersects Thirty-second street, then proceeding southwest along Thirty-second street until it intersects Meadow lane, then proceeding easterly along Meadow lane until it intersects Twenty-eighth street, then proceeding south along Twenty-eighth street until it intersects Giles street, then proceeding west along Giles street until it intersects Thirty-third street, then proceeding southerly along Thirty-third street until it intersects Maple street, then proceeding west along Maple street until it intersects Thirty-fifth court, then proceeding south along Thirty-fifth court and its extension until it intersects the Union Pacific Railroad tracks, then proceeding westerly along the Union Pacific Railroad tracks until it intersects Thirty-ninth street, then proceeding north along Thirty-ninth street until it intersects Western Hills drive, then proceeding westerly along Western Hills drive until it intersects Cody drive, then proceeding west along Cody drive until it intersects Fiftieth street, then proceeding south along Fiftieth street until it intersects E.P. True parkway, then proceeding northwesterly along E.P. True parkway until it intersects Interstate 35, then proceeding north along Interstate 35 until it intersects the corporate limits of the city of Clive, then proceeding west along the corporate limits of the city of Clive until it intersects the west boundary of Polk county at One Hundred Forty-second street, then proceeding north along the boundary of Polk county to the point of origin.

60. The sixtieth representative district in Polk county shall consist of that portion of Polk county bounded by a line commencing at the point the east corporate limit of the city of West Des Moines intersects Interstate 235, then proceeding west along Interstate 235 until it intersects Seventeenth street, then proceeding south along Seventeenth street until it intersects Pleasant street, then proceeding east along Pleasant street until it intersects Sixteenth street, then proceeding southerly along Sixteenth street until it intersects Ashworth road, then proceeding east along Ashworth road until it intersects Sixteenth street, then proceeding south along Sixteenth street until it intersects Grand avenue, then proceeding southwest along Grand avenue until it intersects Vine street, then proceeding west, then northwest, along Vine street until it intersects Thirty-second street, then proceeding southwest along Thirty-second street until it intersects Meadow lane, then proceeding easterly along Meadow lane until it intersects Twenty-eighth street, then proceeding south along Twenty-eighth street until it intersects Giles street, then proceeding west along Giles street until it intersects Thirty-third street, then proceeding southerly along Thirty-third street until it intersects Maple street, then proceeding west along Maple street until it intersects Thirty-fifth court, then proceeding south along Thirty-fifth court and its extension until it intersects the Union Pacific Railroad tracks, then proceeding westerly along

the Union Pacific Railroad tracks until it intersects Thirty-ninth street, then proceeding north along Thirty-ninth street until it intersects Western Hills drive, then proceeding westerly along Western Hills drive until it intersects Cody drive, then proceeding west along Cody drive until it intersects Fiftieth street, then proceeding south along Fiftieth street until it intersects E.P. True parkway, then proceeding northwesterly along E.P. True parkway until it intersects Interstate 35, then proceeding north along Interstate 35 until it intersects the corporate limits of the city of Clive, then proceeding west along the corporate limits of the city of Clive until it intersects the west boundary of Polk county at Fifty-ninth street, then proceeding first south, and then in a counterclockwise manner along the boundary of Polk county until it intersects the east corporate limit of the city of West Des Moines, then proceeding northerly along the corporate limits of the city of West Des Moines to the point of origin.

61. The sixty-first representative district in Polk county shall consist of that portion of the city of Des Moines bounded by a line commencing at the point the west corporate limit of the city of Des Moines intersects the south boundary of Polk county, then proceeding northerly along the corporate limits of the city of Des Moines until it intersects University avenue, then proceeding east along University avenue until it intersects Forty-second street, then proceeding south along Forty-second street until it intersects Cottage Grove avenue, then proceeding east along Cottage Grove avenue until it intersects Thirty-first street, then proceeding north along Thirty-first street until it intersects University avenue, then proceeding east along University avenue until it intersects Twenty-fifth street, then proceeding south along Twenty-fifth street until it intersects School street, then proceeding west along School street until it intersects Twenty-eighth street, then proceeding south along Twenty-eighth street until it intersects Rollins avenue, then proceeding east along Rollins avenue until it intersects Twenty-sixth street, then proceeding north along Twenty-sixth street until it intersects Rollins avenue, then proceeding east along Rollins avenue until it intersects Twenty-fourth street, then proceeding south along Twenty-fourth street until it intersects Ingersoll avenue, then proceeding east along Ingersoll avenue until it intersects Seventeenth street, then proceeding southeast along Seventeenth street until it intersects Grand avenue, then proceeding west along Grand avenue until it intersects Eighteenth street, then proceeding southerly along Eighteenth street until it intersects Fleur drive, then proceeding southerly along Fleur drive until it intersects Leland avenue, then proceeding east along Leland avenue until it intersects Southwest Eighteenth street, then proceeding south along Southwest Eighteenth street until it intersects Army Post road, then proceeding east along Army Post road until it intersects Southwest Seventeenth street, then proceeding south along Southwest Seventeenth street until it intersects Amos avenue, then proceeding east along Amos avenue until it intersects Southwest Ninth street, then proceeding south along Southwest Ninth street

until it intersects the Polk county boundary, then proceeding west along the Polk county boundary to the point of origin.

62. The sixty-second representative district in Polk county shall consist of those portions of the city of Des Moines and Bloomfield township bounded by a line commencing at the point the south boundary of Polk county intersects U.S. highway 69, then proceeding northwesterly along U.S. highway 69 until it intersects Southeast Fourteenth street, then proceeding northerly along Southeast Fourteenth street until it intersects East Bell avenue, then proceeding west along East Bell avenue until it intersects Southeast Fifth street, then proceeding south along Southeast Fifth street until it intersects East Broad street, then proceeding west along East Broad street until it intersects South Union street, then proceeding north along South Union street until it intersects Olinda avenue, then proceeding west along Olinda avenue until it intersects Southwest Ninth street, then proceeding southerly along Southwest Ninth street until it intersects Park avenue, then proceeding west along Park avenue until it intersects Fleur drive, then proceeding south along Fleur drive until it intersects Leland avenue, then proceeding east along Leland avenue until it intersects Southwest Eighteenth street, then proceeding south along Southwest Eighteenth street until it intersects Army Post road, then proceeding east along Army Post road until it intersects Southwest Seventeenth street, then proceeding south along Southwest Seventeenth street until it intersects Amos avenue, then proceeding east along Amos avenue until it intersects Southwest Ninth street, then proceeding south along Southwest Ninth street until it intersects the Polk county boundary, then proceeding east along the Polk county boundary to the point of origin.

63. The sixty-third representative district shall consist of:

a. That portion of the city of Urbandale in Polk county.

b. That portion of Polk county bounded by a line commencing at the point the east corporate limit of the city of Urbandale intersects the north corporate limit of the city of Des Moines, then proceeding first east, and then in a clockwise manner along the corporate limits of the city of Des Moines until it intersects the middle channel of the Des Moines river, then proceeding northwesterly along the middle channel of the Des Moines river until it intersects the corporate limits of the city of Johnston, then proceeding westerly along the corporate limits of the city of Johnston until it intersects the corporate limits of the city of Urbandale, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Urbandale to the point of origin.

64. The sixty-fourth representative district in Polk county shall consist of that portion of the city of Des Moines bounded by a line commencing at the point the west corporate limit of the city of Des Moines intersects University avenue, then proceeding east along University avenue until it intersects Forty-first street, then proceeding north along Forty-first street until it intersects Beaver avenue, then proceeding north along Beaver avenue until it intersects Franklin avenue, then proceeding east along Franklin avenue until

it intersects Thirty-sixth street, then proceeding south along Thirty-sixth street until it intersects Jefferson avenue, then proceeding east along Jefferson avenue until it intersects Thirtieth street, then proceeding north along Thirtieth street until it intersects Euclid avenue, then proceeding northwest along Euclid avenue until it intersects Douglas avenue, then proceeding east along Douglas avenue until it intersects Thirtieth street, then proceeding north along Thirtieth street until it intersects Fleming avenue, then proceeding west along Fleming avenue until it intersects Lawnwoods drive, then proceeding north along Lawnwoods drive until it intersects Madison avenue, then proceeding west along Madison avenue until it intersects Lower Beaver road, then proceeding northwest along Lower Beaver road until it intersects the south boundary of Webster township, then proceeding east along the boundary of Webster township until it intersects the north corporate limit of the city of Des Moines, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Des Moines to the point of origin.

65. The sixty-fifth representative district in Polk county shall consist of that portion of the city of Des Moines bounded by a line commencing at the point Lower Beaver road intersects the south boundary of Webster township, then proceeding east along the boundary of Webster township until it intersects the north corporate limit of the city of Des Moines, then proceeding easterly along the corporate limits of the city of Des Moines until it intersects North Union street, then proceeding south along North Union street until it intersects East Euclid avenue, then proceeding east along East Euclid avenue until it intersects East Fourteenth street, then proceeding south along East Fourteenth street until it intersects Arthur avenue, then proceeding west along Arthur avenue until it intersects York street, then proceeding south along York street until it intersects Thompson avenue, then proceeding west along Thompson avenue until it intersects East Ninth street, then proceeding south along East Ninth street until it intersects East Jefferson avenue, then proceeding east along East Jefferson avenue until it intersects East Twelfth street, then proceeding south along East Twelfth street until it intersects East Washington avenue, then proceeding west along East Washington avenue until it intersects Pennsylvania avenue, then proceeding south along Pennsylvania avenue until it intersects East Washington avenue, then proceeding west along East Washington avenue and its extension until it intersects the Des Moines river, then northwesterly along the Des Moines river until it intersects Sixth avenue, then proceeding southerly along Sixth avenue until it intersects Jefferson avenue, then proceeding west along Jefferson avenue until it intersects Thirteenth street, then proceeding north along Thirteenth street until it intersects Jefferson avenue, then proceeding west along Jefferson avenue until it intersects Martin Luther King Jr. parkway, then proceeding southerly along Martin Luther King Jr. parkway until it intersects Forest avenue, then proceeding west along Forest avenue until it intersects Twenty-fifth street, then proceeding south along Twenty-fifth street until it intersects University avenue, then proceeding west along

University avenue until it intersects Thirty-first street, then proceeding south along Thirty-first street until it intersects Cottage Grove avenue, then proceeding west along Cottage Grove avenue until it intersects Forty-second street, then proceeding north along Forty-second street until it intersects University avenue, then proceeding east along University avenue until it intersects Forty-first street, then proceeding north along Forty-first street until it intersects Beaver avenue, then proceeding north along Beaver avenue until it intersects Franklin avenue, then proceeding east along Franklin avenue until it intersects Thirty-sixth street, then proceeding south along Thirty-sixth street until it intersects Jefferson avenue, then proceeding east along Jefferson avenue until it intersects Thirtieth street, then proceeding north along Thirtieth street until it intersects Euclid avenue, then proceeding northwest along Euclid avenue until it intersects Douglas avenue, then proceeding east along Douglas avenue until it intersects Thirtieth street, then proceeding north along Thirtieth street until it intersects Fleming avenue, then proceeding west along Fleming avenue until it intersects Lawnwoods drive, then proceeding north along Lawnwoods drive until it intersects Madison avenue, then proceeding west along Madison avenue until it intersects Lower Beaver road, then proceeding northwest along Lower Beaver road to the point of origin.

66. The sixty-sixth representative district in Polk county shall consist of that portion of the city of Des Moines bounded by a line commencing at the point Forest avenue intersects Twenty-fifth street, then proceeding south along Twenty-fifth street until it intersects School street, then proceeding west along School street until it intersects Twenty-eighth street, then proceeding south along Twenty-eighth street until it intersects Rollins avenue, then proceeding east along Rollins avenue until it intersects Twenty-sixth street, then proceeding north along Twenty-sixth street until it intersects Rollins avenue, then proceeding east along Rollins avenue until it intersects Twenty-fourth street, then proceeding south along Twenty-fourth street until it intersects Ingersoll avenue, then proceeding east along Ingersoll avenue until it intersects Seventeenth street, then proceeding southeast along Seventeenth street until it intersects Grand avenue, then proceeding west along Grand avenue until it intersects Eighteenth street, then proceeding southerly along Eighteenth street until it intersects Fleur drive, then proceeding southerly along Fleur drive until it intersects Park avenue, then proceeding east along Park avenue until it intersects Southwest Ninth street, then proceeding northerly along Southwest Ninth street until it intersects Olinda avenue, then proceeding east along Olinda avenue until it intersects South Union street, then proceeding south along South Union street until it intersects East Broad street, then proceeding east along East Broad street until it intersects Southeast Fifth street, then proceeding north along Southeast Fifth street until it intersects East Bell avenue, then proceeding east along East Bell avenue until it intersects Southeast Fourteenth street, then proceeding northerly along Southeast Fourteenth street until it intersects the Des Moines river, then proceeding northwesterly

along the Des Moines river until it intersects Court avenue, then proceeding easterly along Court avenue until it intersects East Court avenue, then proceeding easterly along East Court avenue until it intersects the Union Pacific Railroad tracks, then proceeding southeast along the Union Pacific Railroad tracks until it intersects the Iowa Interstate Railroad tracks, then proceeding east along the Iowa Interstate Railroad tracks until it intersects Southeast Fourteenth street, then proceeding south along Southeast Fourteenth street until it intersects the Union Pacific Railroad tracks, then proceeding east along the Union Pacific Railroad tracks until it intersects the Iowa Interstate Railroad tracks, then proceeding northeast along the Iowa Interstate Railroad tracks until it intersects Southeast Eighteenth street, then proceeding north along Southeast Eighteenth street until it intersects East Eighteenth street, then proceeding north along East Eighteenth street until it intersects Dean avenue, then proceeding west along Dean avenue until it intersects East Seventeenth street, then proceeding northerly along East Seventeenth street until it intersects Lyon street, then proceeding westerly along Lyon street until it intersects East Fifteenth street, then proceeding northwest along East Fifteenth street until it intersects Maple street, then proceeding easterly along Maple street until it intersects East Sixteenth street, then proceeding northwest along East Sixteenth street until it intersects East University avenue, then proceeding west along East University avenue until it intersects East Sixteenth street, then proceeding north along East Sixteenth street until it intersects Cleveland avenue, then proceeding west along Cleveland avenue until it intersects East Twelfth street, then proceeding north along East Twelfth street until it intersects East Washington avenue, then proceeding west along East Washington avenue until it intersects Pennsylvania avenue, then proceeding south along Pennsylvania avenue until it intersects East Washington avenue, then proceeding west along East Washington avenue and its extension until it intersects the Des Moines river, then proceeding northwesterly along the Des Moines river until it intersects Sixth avenue, then proceeding southerly along Sixth avenue until it intersects Jefferson avenue, then proceeding west along Jefferson avenue until it intersects Thirteenth street, then proceeding north along Thirteenth street until it intersects Jefferson avenue, then proceeding west along Jefferson avenue until it intersects Martin Luther King Jr. parkway, then proceeding southerly along Martin Luther King Jr. parkway until it intersects Forest avenue, then proceeding west along Forest avenue to the point of origin.

67. The sixty-seventh representative district in Polk county shall consist of:

- a. Allen township.
- b. That portion of Polk county bounded by a line commencing at the point Easton boulevard intersects the east corporate limit of the city of Des Moines, then proceeding southerly along the corporate limits of the city of Des Moines until it intersects the north corporate limit of the city of Pleasant Hill, then proceeding first east, then in a clockwise manner along the corporate limits of

the city of Pleasant Hill until it intersects the west boundary of Clay township, then proceeding south along the boundary of Clay township until it intersects the north corporate limit of the city of Pleasant Hill, then proceeding first northeast, then in a clockwise manner along the corporate limits of the city of Pleasant Hill until it intersects Northeast Twelfth avenue, then proceeding east along Northeast Twelfth avenue until it intersects the north corporate limit of the city of Pleasant Hill, then proceeding first east, then in a clockwise manner along the corporate limits of the city of Pleasant Hill until it intersects the east corporate limit of the city of Des Moines, then proceeding first south, and then in a clockwise manner along the corporate limits of the city of Des Moines until it intersects U.S. highway 69, then proceeding northwesterly along U.S. highway 69 until it intersects Southeast Fourteenth street, then proceeding northerly along Southeast Fourteenth street until it intersects the Des Moines river, then proceeding northwesterly along the Des Moines river until it intersects Court avenue, then proceeding easterly along Court avenue until it intersects East Court avenue, then proceeding easterly along East Court avenue until it intersects the Union Pacific Railroad tracks, then proceeding southeast along the Union Pacific Railroad tracks until it intersects the Iowa Interstate Railroad tracks, then proceeding east along the Iowa Interstate Railroad tracks until it intersects Southeast Fourteenth street, then proceeding south along Southeast Fourteenth street until it intersects the Union Pacific Railroad tracks, then proceeding east along the Union Pacific Railroad tracks until it intersects the Iowa Interstate Railroad tracks, then proceeding northeast along the Iowa Interstate Railroad tracks until it intersects Southeast Eighteenth street, then proceeding north along Southeast Eighteenth street until it intersects East Eighteenth street, then proceeding north along East Eighteenth street until it intersects Dean avenue, then proceeding west along Dean avenue until it intersects East Seventeenth street, then proceeding northerly along East Seventeenth street until it intersects Lyon street, then proceeding westerly along Lyon street until it intersects East Fifteenth street, then proceeding northerly along East Fifteenth street until it intersects Interstate 235, then proceeding northeasterly along the eastbound lanes of Interstate 235 until it intersects East University avenue, then proceeding east along East University avenue until it intersects East Thirty-fourth street, then proceeding north along East Thirty-fourth street until it intersects Dubuque avenue, then proceeding west along Dubuque avenue until it intersects East Thirty-third street, then proceeding north along East Thirty-third street until it intersects Easton boulevard, then proceeding easterly along Easton boulevard to the point of origin.

68. The sixty-eighth representative district in Polk county shall consist of that portion of the city of Des Moines bounded by a line commencing at the point Easton boulevard intersects the east corporate limit of the city of Des Moines, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Des Moines until it intersects North

Union street, then proceeding south along North Union street until it intersects East Euclid avenue, then proceeding east along East Euclid avenue until it intersects East Fourteenth street, then proceeding south along East Fourteenth street until it intersects Arthur avenue, then proceeding west along Arthur avenue until it intersects York street, then proceeding south along York street until it intersects Thompson avenue, then proceeding west along Thompson avenue until it intersects East Ninth street, then proceeding south along East Ninth street until it intersects East Jefferson avenue, then proceeding east along East Jefferson avenue until it intersects East Twelfth street, then proceeding south along East Twelfth street until it intersects Cleveland avenue, then proceeding east along Cleveland avenue until it intersects East Sixteenth street, then proceeding south along East Sixteenth street until it intersects East University avenue, then proceeding east along East University avenue until it intersects East Sixteenth street, then proceeding southeast along East Sixteenth street until it intersects Maple street, then proceeding westerly along Maple street until it intersects East Fifteenth street, then proceeding southeast along East Fifteenth street until it intersects Interstate 235, then proceeding northeasterly along the eastbound lanes of Interstate 235 until it intersects East University avenue, then proceeding east along East University avenue until it intersects East Thirty-fourth street, then proceeding north along East Thirty-fourth street until it intersects Dubuque avenue, then proceeding west along Dubuque avenue until it intersects East Thirty-third street, then proceeding north along East Thirty-third street until it intersects Easton boulevard, then proceeding easterly along Easton boulevard to the point of origin.

69. The sixty-ninth representative district in Polk county shall consist of:

a. Elkhart, Lincoln, and Washington townships, that portion of Franklin township lying outside the corporate limits of the city of Bondurant, and that portion of Douglas township lying outside the corporate limits of the city of Bondurant and not contained in the seventieth representative district.

b. That portion of Polk county bounded by a line commencing at the point the north corporate limit of the city of Urbandale intersects the west boundary of Polk county, then proceeding first north, and then east, along the boundary of Polk county until it intersects the west boundary of Lincoln township, then proceeding first south, and then east, along the boundary of Lincoln township until it intersects the west boundary of Douglas township, then proceeding south along the west boundary of Douglas township until it intersects the corporate limits of the city of Ankeny at Northeast One Hundred Tenth avenue, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Ankeny until it intersects the north boundary of Saylor township at Northeast Seventieth avenue, then proceeding west along the north boundary of Saylor township until it intersects Northwest Second street, then proceeding south along Northwest Second street until it intersects Interstate 35/80, then proceeding east along Interstate 35/80 until it intersects the west boundary of Delaware township, then proceeding south along the boundary of Delaware

township until it intersects the north corporate limit of the city of Des Moines, then proceeding westerly along the corporate limits of the city of Des Moines until it intersects the middle channel of the Des Moines river, then proceeding northwesterly along the middle channel of the Des Moines river until it intersects the corporate limits of the city of Johnston, then proceeding westerly along the corporate limits of the city of Johnston until it intersects the corporate limits of the city of Urbandale, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Urbandale to the point of origin.

70. The seventieth representative district in Polk county shall consist of those portions of Crocker, Douglas, and Saylor townships, and the city of Ankeny, bounded by a line commencing at the point the corporate limits of the city of Ankeny intersect the boundary of Douglas township at Northeast One Hundred Tenth avenue, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Ankeny until it intersects the north boundary of Saylor township at Northeast Seventieth avenue, then proceeding west along the north boundary of Saylor township until it intersects Northwest Second street, then proceeding south along Northwest Second street until it intersects Interstate 35/80, then proceeding east along Interstate 35/80 until it intersects the west boundary of Delaware township, then proceeding north, and then east, along the boundary of Delaware township until it intersects the corporate limits of the city of Ankeny, then proceeding first south, and then in a counterclockwise manner along the corporate limits of the city of Ankeny until it intersects the west boundary of Douglas township, then proceeding north along the boundary of Douglas township until it intersects the corporate limits of the city of Ankeny, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Ankeny until it intersects the west boundary of Douglas township, then proceeding north along the boundary of Douglas township until it intersects the corporate limits of the city of Ankeny, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Ankeny to the point of origin.

71. The seventy-first representative district shall consist of:

- a. In Jasper county, Fairview township.
- b. In Marion county, Franklin, Pleasant Grove, Red Rock, Summit, Union, Knoxville, and Lake Prairie townships.

72. The seventy-second representative district shall consist of:

- a. Lucas county.
- b. Monroe county.
- c. In Marion county, Dallas, Indiana, Liberty, Washington, and Clay townships.
- d. In Mahaska county:
 - (1) Black Oak, East Des Moines, Garfield, Harrison, Jefferson, Madison, Prairie, Richland, Scott, and West Des Moines townships.
 - (2) That portion of Lincoln township bounded by a line commencing at the point the west corporate limit of the city of Oskaloosa intersects the boundary

of Garfield township and Lincoln township, then proceeding first north, and then in a clockwise manner along the boundary of Lincoln township until it intersects the north corporate limit of the city of Oskaloosa, then proceeding first west, and then in a counterclockwise manner along the corporate limits of the city of Oskaloosa to the point of origin.

73. The seventy-third representative district shall consist of:

a. Madison county.

b. In Dallas county:

(1) The city of De Soto.

(2) Adams and Union townships.

c. In Warren county, Belmont, Jackson, Jefferson, Liberty, Otter, Palmyra, Richland, Squaw, Union, Virginia, White Breast, and White Oak townships, and that portion of Linn township lying outside the corporate limits of the city of Norwalk.

74. The seventy-fourth representative district in Warren county shall consist of:

a. The cities of Indianola and Norwalk.

b. Allen, Greenfield, and Lincoln townships.

75. The seventy-fifth representative district shall consist of:

a. In Mahaska county:

(1) The city of Oskaloosa.

(2) Adams, Cedar, Monroe, Pleasant Grove, Spring Creek, Union, and White Oak townships, and that portion of Lincoln township not contained in the seventy-second representative district.

b. In Poweshiek county:

(1) The city of Grinnell.

(2) Chester, Pleasant, Scott, Sugar Creek, Union, Washington, Grant, and Jackson townships.

76. The seventy-sixth representative district shall consist of:

a. Keokuk county.

b. In Iowa county, Dayton, Fillmore, Greene, Hilton, Iowa, Lenox, Lincoln, Pilot, Sumner, Troy, York, English, and Hartford townships.

c. In Poweshiek county, Bear Creek, Deep River, Jefferson, Lincoln, Madison, Malcom, Sheridan, and Warren townships.

d. In Tama county, Columbia, Richland, and Salt Creek townships.

77. The seventy-seventh representative district in Johnson county shall consist of:

a. The city of University Heights.

b. That portion of the city of Iowa City bounded by a line commencing at the point the corporate limits of the city of Iowa City intersect state highway 1, then proceeding northeast along state highway 1 until it intersects Mormon Trek boulevard, then proceeding northwesterly, then northerly, along Mormon Trek boulevard until it intersects the corporate limits of the city of Iowa City, then proceeding first northeast, and then in a clockwise manner along the corporate limits of the city of Iowa City until it intersects County Road W66, then proceeding southeast along County Road W66 until

it intersects North Dubuque street, then proceeding southerly along North Dubuque street until it intersects Kimball road, then proceeding southeast along Kimball road until it intersects North Gilbert street, then proceeding southerly along North Gilbert street until it intersects Brown street, then proceeding east along Brown street until it intersects Pleasant street, then proceeding south along Pleasant street until it intersects North Governor street, then proceeding south along North Governor street until it intersects South Governor street, then proceeding south along South Governor street until it intersects Bowery street, then proceeding west along Bowery street until it intersects South Lucas street, then proceeding south along South Lucas street and its extension until it intersects the Iowa Interstate Railroad tracks, then proceeding east along the Iowa Interstate Railroad tracks until it intersects South Riverside drive, then proceeding south along South Riverside drive until it intersects West Benton street, then proceeding west along West Benton street until it intersects Miller avenue, then proceeding south along Miller avenue until it intersects Highway 1 west, then proceeding east along Highway 1 west until it intersects U.S. highway 6, then proceeding east along U.S. highway 6 until it intersects the Iowa river, then proceeding southerly along the Iowa river until it intersects the corporate limits of the city of Iowa City, then proceeding first southwest, and then in a clockwise manner along the corporate limits of the city of Iowa City to the point of origin.

78. The seventy-eighth representative district in Johnson county shall consist of:

a. East Lucas township.

b. That portion of the city of Iowa City bounded by a line commencing at the point the corporate limits of the city of Iowa City intersect County Road W66, then proceeding southeast along County Road W66 until it intersects North Dubuque street, then proceeding southerly along North Dubuque street until it intersects Kimball road, then proceeding southeast along Kimball road until it intersects North Gilbert street, then proceeding southerly along North Gilbert street until it intersects Brown street, then proceeding east along Brown street until it intersects Pleasant street, then proceeding south along Pleasant street until it intersects North Governor street, then proceeding south along North Governor street until it intersects South Governor street, then proceeding south along South Governor street until it intersects Bowery street, then proceeding west along Bowery street until it intersects South Lucas street, then proceeding south along South Lucas street and its extension until it intersects the Iowa Interstate Railroad tracks, then proceeding east along the Iowa Interstate Railroad tracks until it intersects South Riverside drive, then proceeding south along South Riverside drive until it intersects West Benton street, then proceeding west along West Benton street until it intersects Miller avenue, then proceeding south along Miller avenue until it intersects Highway 1 west, then proceeding east along Highway 1 west until it intersects U.S. highway 6, then proceeding east along U.S. highway 6 until it intersects the Iowa river, then

proceeding southerly along the Iowa river until it intersects the corporate limits of the city of Iowa City, then proceeding first east, and then in a counterclockwise manner along the corporate limits of the city of Iowa City to the point of origin.

79. The seventy-ninth representative district shall consist of:

a. Cedar county.

b. In Johnson county, Lincoln and Scott townships.

c. In Muscatine county, Goshen, Moscow, Wapsinonoc, and Wilton townships.

80. The eightieth representative district in Muscatine county shall consist of:

a. The city of Muscatine.

b. Bloomington, Fulton, Lake, Sweetland, and Montpelier townships.

81. The eighty-first representative district in Scott county shall consist of:

a. That portion of the city of Bettendorf bounded by a line commencing at the point the corporate limits of the city of Bettendorf intersect Spruce Hills drive, then proceeding easterly along Spruce Hills drive until it intersects Eighteenth street, then proceeding southwest along Eighteenth street until it intersects Middle road, then proceeding southwesterly along Middle road until it intersects the corporate limits of the city of Bettendorf, then proceeding first north, and then in a clockwise manner along the corporate limits of the city of Bettendorf to the point of origin.

b. That portion of the city of Davenport bounded by a line commencing at the point the boundary of the state of Iowa and the corporate limits of the city of Davenport intersect the extension of Carey street to the Mississippi river, then proceeding northwest along Carey street and its extension until it intersects East River drive, then proceeding easterly along East River drive until it intersects Carey avenue, then proceeding north along Carey avenue until it intersects East Sixth street, then proceeding westerly along East Sixth street until it intersects Grand avenue, then proceeding north along Grand avenue until it intersects East Seventh street, then proceeding west along East Seventh street until it intersects Farnam street, then proceeding north along Farnam street until it intersects East Eighth street, then proceeding west along East Eighth street until it intersects Iowa street, then proceeding south along Iowa street until it intersects East Seventh street, then proceeding west along East Seventh street until it intersects North Perry street, then proceeding north along North Perry street until it intersects East Twelfth street, then proceeding east along East Twelfth street until it intersects Iowa street, then proceeding north on Iowa street until it intersects East Locust street, then proceeding east along East Locust street until it intersects Carey avenue, then proceeding north along Carey avenue until it intersects East Rusholme street, then proceeding west along East Rusholme street until it intersects Tremont avenue, then proceeding north along Tremont avenue until it intersects East Central Park avenue, then proceeding west along East Central Park avenue until it intersects Farnam street, then proceeding north along Farnam street until it intersects East

Central Park avenue, then proceeding west along East Central Park avenue until it intersects West Central Park avenue, then proceeding west along West Central Park avenue until it intersects North Main street, then proceeding north along North Main street until it intersects West Columbia avenue, then proceeding east along West Columbia avenue until it intersects Sheridan street, then proceeding north on Sheridan street until it intersects West Thirtieth street, then proceeding east along West Thirtieth street until it intersects East Thirtieth street, then proceeding east along East Thirtieth street until it intersects Dubuque street, then proceeding north along Dubuque street until it intersects East Thirtieth street, then proceeding east along East Thirtieth street until it intersects Brady street, then proceeding northerly along Brady street until it intersects North Brady street, then proceeding northerly along North Brady street until it intersects East Thirty-seventh street, then proceeding west along East Thirty-seventh street until it intersects Fair avenue, then proceeding north along Fair avenue until it intersects East Kimberly road, then proceeding east along East Kimberly road until it intersects North Brady street, then proceeding north along North Brady street until it intersects East Fifty-third street, then proceeding west along East Fifty-third street until it intersects Welcome way, then proceeding north along Welcome way until it intersects East Sixty-first street, then proceeding west along East Sixty-first street until it intersects West Sixty-first street, then proceeding west along West Sixty-first street until it intersects North Ripley street, then proceeding north along North Ripley street until it intersects West Sixty-fifth street, then proceeding east along West Sixty-fifth street until it intersects East Sixty-fifth street, then proceeding east along East Sixty-fifth street until it intersects North Brady street, then proceeding north along North Brady street until it intersects U.S. highway 61, then proceeding north along U.S. highway 61 until it intersects the corporate limits of the city of Davenport, then proceeding first southeast, and then in a clockwise manner along the corporate limits of the city of Davenport to the point of origin.

82. The eighty-second representative district in Scott county shall consist of:

a. The cities of Panorama Park and Riverdale.

b. That portion of the city of Bettendorf bounded by a line commencing at the point the east corporate limit of the city of Bettendorf intersects the boundary of the state of Iowa, then proceeding first north, and then in a counterclockwise manner along the corporate limits of the city of Bettendorf until it intersects Spruce Hills drive, then proceeding easterly along Spruce Hills drive until it intersects Eighteenth street, then proceeding southwest along Eighteenth street until it intersects Middle road, then proceeding southwesterly along Middle road until it intersects the corporate limits of the city of Bettendorf, then proceeding first south, and then in a counterclockwise manner along the corporate limits of the city of Bettendorf to the point of origin.

83. The eighty-third representative district shall consist of:

a. In Clinton county:

(1) The city of Camanche.

(2) Eden, Grant, Liberty, Olive, Orange, Sharon, Spring Rock, Washington, Welton, and De Witt townships.

(3) That portion of Camanche township commencing at the point Scott county, Clinton county, and the boundary of the state of Iowa intersect, then proceeding northerly along the boundary of Camanche township until it intersects the corporate limits of the city of Camanche, then proceeding westerly along the corporate limits of the city of Camanche until it intersects the corporate limits of the city of Clinton, then proceeding westerly, then southerly, then easterly, along the boundary of Camanche township to the point of origin.

b. In Scott county, Butler, Princeton, and Le Claire townships, that portion of Winfield township lying outside the corporate limits of the city of Long Grove, that portion of Allens Grove township lying outside the corporate limits of the city of Dixon, and that portion of Pleasant Valley township not contained in the eighty-first or eighty-second representative district.

84. The eighty-fourth representative district in Scott county shall consist of:

a. That portion of the city of Davenport bounded by a line commencing at the point the north corporate limit of the city of Davenport intersects North Division street, then proceeding south along North Division street until it intersects Ridgeview drive, then proceeding southwest along Ridgeview drive until it intersects Northwest boulevard, then proceeding northwest along Northwest boulevard until it intersects West Seventy-sixth street, then proceeding westerly along West Seventy-sixth street and its extension until it intersects Silver creek, then proceeding southeasterly along Silver creek until it intersects West Sixtieth street, then proceeding east along West Sixtieth street until it intersects Hillandale road, then proceeding south along Hillandale road until it intersects West Fifty-ninth street, then proceeding east along West Fifty-ninth street until it intersects North Linwood avenue, then proceeding south along North Linwood avenue until it intersects West Fifty-eighth street, then proceeding east along West Fifty-eighth street until it intersects North Pine street, then proceeding south along North Pine street until it intersects West Forty-ninth street, then proceeding west along West Forty-ninth street until it intersects North Fairmount street, then proceeding south along North Fairmount street and its extension until it intersects the Iowa Interstate Railroad tracks, then proceeding southeast along the Iowa Interstate Railroad tracks until it intersects Duck creek, then proceeding westerly along Duck creek until it intersects the extension of North Fairmount street, then proceeding south along North Fairmount street and its extension until it intersects West Central Park avenue, then proceeding east along West Central Park avenue until it intersects North Michigan avenue, then proceeding south along North Michigan avenue until it intersects West Lombard street, then proceeding east along West Lombard street until it intersects North Clark street, then proceeding southerly along

North Clark street until it intersects Waverly road, then proceeding southeasterly along Waverly road until it intersects Telegraph road, then proceeding southwest along Telegraph road until it intersects South Clark street, then proceeding south along South Clark street until it intersects Indian road, then proceeding southwest along Indian road until it intersects Diehn avenue, then proceeding south along Diehn avenue until it intersects Blackhawk creek, then proceeding southerly along Blackhawk creek until it intersects South Concord street, then proceeding southeasterly along South Concord street until it intersects the I & M Rail Link tracks, then proceeding northeast along the I & M Rail Link tracks until it intersects West River drive, then proceeding easterly along West River drive until it intersects Blackhawk creek and its extension, then proceeding southeasterly along Blackhawk creek and its extension to the center line of the main channel of Davenport harbor, then proceeding southwest along the main channel of Davenport harbor to the boundary of the state of Iowa and the corporate limits of the city of Davenport, then proceeding first southwesterly, and then in a clockwise manner along the corporate limits of the city of Davenport to the point of origin.

b. Blue Grass, Buffalo, Cleona, Hickory Grove, Liberty, Lincoln, and Sheridan townships.

c. The cities of Dixon and Long Grove.

85. The eighty-fifth representative district in Scott county shall consist of that portion of the city of Davenport bounded by a line commencing at the point the north corporate limit of the city of Davenport intersects North Division street, then proceeding south along North Division street until it intersects Ridgeview drive, then proceeding southwesterly along Ridgeview drive until it intersects Northwest boulevard, then proceeding northwest along Northwest boulevard until it intersects West Seventy-sixth street, then proceeding westerly along West Seventy-sixth street and its extension until it intersects Silver creek, then proceeding southeasterly along Silver creek until it intersects West Sixtieth street, then proceeding east along West Sixtieth street until it intersects Hillandale road, then proceeding south along Hillandale road until it intersects West Fifty-ninth street, then proceeding east along West Fifty-ninth street until it intersects North Linwood avenue, then proceeding south along North Linwood avenue until it intersects West Fifty-eighth street, then proceeding east along West Fifty-eighth street until it intersects North Pine street, then proceeding south along North Pine street until it intersects West Forty-ninth street, then proceeding west along West Forty-ninth street until it intersects North Fairmount street, then proceeding south along North Fairmount street and its extension until it intersects the Iowa Interstate Railroad tracks, then proceeding southeast along the Iowa Interstate Railroad tracks until it intersects Duck creek, then proceeding westerly along Duck creek until it intersects the extension of North Fairmount street, then proceeding south along North Fairmount street and its extension until it intersects West Central Park avenue, then proceeding east along West Central Park avenue until it intersects North Michigan

avenue, then proceeding south along North Michigan avenue until it intersects West Lombard street, then proceeding east along West Lombard street until it intersects North Clark street, then proceeding southerly along North Clark street until it intersects West Thirteenth street, then proceeding east along West Thirteenth street until it intersects North Lincoln avenue, then proceeding south along North Lincoln avenue until it intersects West Eleventh street, then proceeding east along West Eleventh street until it intersects North Pine street, then proceeding south along North Pine street until it intersects Glaspell street, then proceeding northeasterly along Glaspell street until it intersects Belmont avenue, then proceeding southeasterly along Belmont avenue until it intersects Telegraph road, then proceeding northeasterly along Telegraph road until it intersects the Iowa Interstate Railroad tracks, then proceeding northerly along the Iowa Interstate Railroad tracks until it intersects the extension of West Pleasant street, then proceeding east along West Pleasant street and its extension until it intersects Frisco drive, then proceeding northerly along Frisco drive until it intersects Hickory Grove road, then proceeding northwest along Hickory Grove road until it intersects West Lombard street, then proceeding easterly along West Lombard street until it intersects North Marquette street, then proceeding north along North Marquette street until it intersects Duck creek, then proceeding westerly along Duck creek until it intersects North Division street, then proceeding north along North Division street until it intersects West Thirty-seventh street, then proceeding east along West Thirty-seventh street until it intersects North Marquette street, then proceeding north along North Marquette street until it intersects West Kimberly road, then proceeding east along West Kimberly road until it intersects Northwest boulevard, then proceeding south along Northwest boulevard until it intersects North Harrison street, then proceeding south along North Harrison street until it intersects West Thirty-fifth street, then proceeding east along West Thirty-fifth street until it intersects Fair avenue, then proceeding north along Fair avenue until it intersects East Thirty-seventh street, then proceeding east along East Thirty-seventh street until it intersects Fair avenue, then proceeding north along Fair avenue until it intersects East Kimberly road, then proceeding east along East Kimberly road until it intersects North Brady street, then proceeding north along North Brady street until it intersects East Fifty-third street, then proceeding west along East Fifty-third street until it intersects Welcome way, then proceeding north along Welcome way until it intersects East Sixty-first street, then proceeding west along East Sixty-first street until it intersects West Sixty-first street, then proceeding west along West Sixty-first street until it intersects North Ripley street, then proceeding north along North Ripley street until it intersects West Sixty-fifth street, then proceeding east along West Sixty-fifth street until it intersects East Sixty-fifth street, then proceeding east along East Sixty-fifth street until it intersects North Brady street, then proceeding north along North Brady street until it intersects U.S. highway 61, then proceeding north along U.S. highway 61 until it intersects

the corporate limits of the city of Davenport, then proceeding first northwest, and then in a counterclockwise manner along the corporate limits of the city of Davenport to the point of origin.

86. The eighty-sixth representative district in Scott county shall consist of that portion of the city of Davenport bounded by a line commencing at the point the boundary of the state of Iowa intersects the extension of Carey street to the Mississippi river, then proceeding northwest along Carey street and its extension until it intersects East River drive, then proceeding easterly along East River drive until it intersects Carey avenue, then proceeding north along Carey avenue until it intersects East Sixth street, then proceeding westerly along East Sixth street until it intersects Grand avenue, then proceeding north along Grand avenue until it intersects East Seventh street, then proceeding west along East Seventh street until it intersects Farnam street, then proceeding north along Farnam street until it intersects East Eighth street, then proceeding west along East Eighth street until it intersects Iowa street, then proceeding south along Iowa street until it intersects East Seventh street, then proceeding west along East Seventh street until it intersects North Perry street, then proceeding north along North Perry street until it intersects East Twelfth street, then proceeding east along East Twelfth street until it intersects Iowa street, then proceeding north on Iowa street until it intersects East Locust street, then proceeding east along East Locust street until it intersects Carey avenue, then proceeding north along Carey avenue until it intersects East Rusholme street, then proceeding west along East Rusholme street until it intersects Tremont avenue, then proceeding north along Tremont avenue until it intersects East Central Park avenue, then proceeding west along East Central Park avenue until it intersects Farnam street, then proceeding north along Farnam street until it intersects East Central Park avenue, then proceeding west along East Central Park avenue until it intersects West Central Park avenue, then proceeding west along West Central Park avenue until it intersects North Main street, then proceeding north along North Main street until it intersects West Columbia avenue, then proceeding east along West Columbia avenue until it intersects Sheridan street, then proceeding north on Sheridan street until it intersects West Thirtieth street, then proceeding east along West Thirtieth street until it intersects East Thirtieth street, then proceeding east along East Thirtieth street until it intersects Dubuque street, then proceeding north along Dubuque street until it intersects East Thirtieth street, then proceeding east along East Thirtieth street until it intersects Brady street, then proceeding northerly along Brady street until it intersects North Brady street, then proceeding northerly along North Brady street until it intersects East Thirty-seventh street, then proceeding west along East Thirty-seventh street until it intersects Fair avenue, then proceeding south along Fair avenue until it intersects West Thirty-fifth street, then proceeding west along West Thirty-fifth street until it intersects North Harrison street, then proceeding north along North Harrison street until it intersects Northwest boulevard, then proceeding

north along Northwest boulevard until it intersects West Kimberly road, then proceeding west along West Kimberly road until it intersects North Marquette street, then proceeding south along North Marquette street until it intersects West Thirty-seventh street, then proceeding west along West Thirty-seventh street until it intersects North Division street, then proceeding south along North Division street until it intersects Duck creek, then proceeding easterly along Duck creek until it intersects North Marquette street, then proceeding south along North Marquette street until it intersects West Lombard street, then proceeding west along West Lombard street until it intersects Hickory Grove road, then proceeding southeast along Hickory Grove road until it intersects Frisco drive, then proceeding southerly along Frisco drive until it intersects West Pleasant street, then proceeding west along West Pleasant street and its extension until it intersects the Iowa Interstate Railroad tracks, then proceeding southerly along the Iowa Interstate Railroad tracks until it intersects Telegraph road, then proceeding southwesterly along Telegraph road until it intersects Belmont avenue, then proceeding northwesterly along Belmont avenue until it intersects Glaspell street, then proceeding southwesterly along Glaspell street until it intersects North Pine street, then proceeding north along North Pine street until it intersects West Eleventh street, then proceeding west along West Eleventh street until it intersects North Lincoln avenue, then proceeding north along North Lincoln avenue until it intersects West Thirteenth street, then proceeding west along West Thirteenth street until it intersects North Clark street, then proceeding southwesterly along North Clark street until it intersects Waverly road, then proceeding southeasterly along Waverly road until it intersects Telegraph road, then proceeding southwest along Telegraph road until it intersects South Clark street, then proceeding south along South Clark street until it intersects Indian road, then proceeding southwest along Indian road until it intersects Diehn avenue, then proceeding south along Diehn avenue until it intersects Blackhawk creek, then proceeding southerly along Blackhawk creek until it intersects South Concord street, then proceeding southeasterly along South Concord street until it intersects the I & M Rail Link tracks, then proceeding northeast along the I & M Rail Link tracks until it intersects West River drive, then proceeding easterly along West River drive until it intersects Blackhawk creek and its extension, then proceeding southeasterly along Blackhawk creek and its extension to the center line of the main channel of Davenport harbor, then proceeding southwest along the main channel of Davenport harbor to the boundary of the state of Iowa, then proceeding northeasterly along the boundary of the state of Iowa to the point of origin.

87. The eighty-seventh representative district shall consist of:

- a. In Muscatine county, Cedar, Orono, and Pike townships, and those portions of Seventy-Six and Fruitland townships lying outside the corporate limits of the city of Muscatine.
- b. Louisa county.
- c. In Des Moines county:

(1) Concordia, Danville, Flint River, Franklin, Pleasant Grove, Union, Washington, and Yellow Springs townships.

(2) The cities of Danville, Mediapolis, Middletown, and West Burlington.

88. The eighty-eighth representative district in Des Moines county shall consist of:

a. The city of Burlington.

b. Benton, Huron, Jackson, and Tama townships.

89. The eighty-ninth representative district shall consist of:

a. Washington county.

b. In Johnson county, Fremont, Liberty, Pleasant Valley, Sharon, Union, and Washington townships, and that portion of West Lucas township lying outside the corporate limits of the cities of Coralville and University Heights.

c. In Jefferson county, Buchanan, Penn, and Walnut townships.

90. The ninetieth representative district shall consist of:

a. Van Buren county.

b. In Jefferson county:

(1) The city of Fairfield.

(2) Black Hawk, Cedar, Center, Des Moines, Liberty, Lockridge, Locust Grove, Polk, and Round Prairie townships.

c. In Wapello county, Agency, Columbia, Competine, Highland, Keokuk, Pleasant, and Washington townships, and those portions of Dahlonga and Richland townships lying outside the corporate limits of the city of Ottumwa.

91. The ninety-first representative district shall consist of:

a. Henry county.

b. In Lee county:

(1) The city of Donnellson.

(2) Cedar, Denmark, Franklin, Green Bay, Harrison, Marion, Pleasant Ridge, and West Point townships, and that portion of Washington township not contained in the ninety-second representative district.

92. The ninety-second representative district in Lee county shall consist of:

a. Des Moines, Jefferson, Madison, Montrose, Van Buren, and Jackson townships, and that portion of Charleston township lying outside the corporate limits of the city of Donnellson.

b. Those portions of the city of Fort Madison and Washington township bounded by a line commencing at the point the boundary of the state of Iowa intersects the north corporate limit of the city of Fort Madison, then proceeding first southwest, and then in a clockwise manner along the corporate limits of the city of Fort Madison to the point of origin.

93. The ninety-third representative district in Wapello county shall consist of:

a. The city of Ottumwa.

b. Adams, Cass, Center, Green, and Polk townships.

94. The ninety-fourth representative district shall consist of:

a. Wayne county.

b. Appanoose county.

c. Davis county.

95. The ninety-fifth representative district shall consist of:

a. Clarke county.

b. Decatur county.

c. In Union county:

(1) The city of Creston.

(2) Dodge, Douglas, Highland, Jones, Lincoln, New Hope, Pleasant, Spaulding, and Union townships.

96. The ninety-sixth representative district shall consist of:

a. Montgomery county.

b. Adams county.

c. Taylor county.

d. Ringgold county.

e. In Union county, Grant, Platte, and Sand Creek townships.

97. The ninety-seventh representative district shall consist of:

a. Fremont county.

b. Page county.

c. In Mills county:

(1) The city of Malvern.

(2) Anderson, Deer Creek, Rawles, Silver Creek, White Cloud, and Indian Creek townships, and that portion of Center township lying outside the corporate limits of the city of Glenwood.

98. The ninety-eighth representative district shall consist of:

a. In Mills county:

(1) The city of Glenwood.

(2) Glenwood, Ingraham, Lyons, Plattville, Saint Marys, and Oak townships.

b. In Pottawattamie county:

(1) The city of Oakland.

(2) Belknap, Carson, Garner, Grove, Hardin, James, Keg Creek, Macedonia, Silver Creek, Washington, and York townships, that portion of Minden township lying outside the corporate limits of the city of Neola, that portion of Pleasant township lying outside the corporate limits of the city of Shelby, and those portions of Garner, Lake, and Lewis townships lying outside the corporate limits of the city of Council Bluffs.

(3) That portion of the city of Council Bluffs bounded by a line commencing at the point McPherson avenue intersects the east corporate limit of the city of Council Bluffs, then proceeding first east, and then in a clockwise manner along the corporate limits of the city of Council Bluffs until it intersects Valley View drive, then proceeding northerly along Valley View drive until it intersects Madison avenue, then proceeding westerly along Madison avenue until it intersects Bennett avenue, then proceeding northeasterly along Bennett avenue until it intersects Franklin avenue, then proceeding northwesterly along Franklin avenue until it intersects Lincoln avenue, then proceeding northwesterly along Lincoln avenue until it intersects Park lane, then proceeding east along Park lane until it intersects

Morningside avenue, then proceeding south along Morningside avenue until it intersects Gleason avenue, then proceeding easterly along Gleason avenue until it intersects McPherson avenue, then proceeding easterly along McPherson avenue to the point of origin.

99. The ninety-ninth representative district in Pottawattamie county shall consist of that portion of the city of Council Bluffs bounded by a line commencing at the point the corporate limits of the city of Council Bluffs intersect the boundary of the state of Iowa and the south boundary of Lake township, then proceeding first east, and then in a clockwise manner along the corporate limits of the city of Council Bluffs until it intersects McPherson avenue, then proceeding westerly along McPherson avenue until it intersects Gleason avenue, then proceeding westerly along Gleason avenue until it intersects Morningside avenue, then proceeding north along Morningside avenue until it intersects Park lane, then proceeding west along Park lane until it intersects Lincoln avenue, then proceeding southeasterly along Lincoln avenue until it intersects Franklin avenue, then proceeding westerly along Franklin avenue until it intersects Hazel street, then proceeding south along Hazel street until it intersects East Palmer avenue, then proceeding west along East Palmer avenue until it intersects West Palmer avenue, then proceeding west along West Palmer avenue until it intersects Madison avenue, then proceeding northwesterly along Madison avenue until it intersects Graham avenue east, then proceeding southerly along Graham avenue east until it intersects Graham avenue west, then proceeding southwestly along Graham avenue west until it intersects Tostevin street, then proceeding south along Tostevin street until it intersects Highway 375, then proceeding northwest along Highway 375 until it intersects Sixteenth avenue, then proceeding west along Sixteenth avenue until it intersects South Seventh street, then proceeding south along South Seventh street until it intersects Twentieth avenue, then proceeding west along Twentieth avenue until it intersects South Eleventh street, then proceeding south along South Eleventh street until it intersects Twenty-first avenue, then proceeding west along Twenty-first avenue until it intersects South Thirteenth street, then proceeding south along South Thirteenth street until it intersects Twenty-third avenue, then proceeding west along Twenty-third avenue until it intersects Indian creek, then proceeding north along Indian creek until it intersects Sixteenth avenue, then proceeding west along Sixteenth avenue until it intersects South Seventeenth street, then proceeding north along South Seventeenth street until it intersects Ninth avenue, then proceeding west along Ninth avenue until it intersects South Twenty-first street, then proceeding north along South Twenty-first street until it intersects Third avenue, then proceeding west along Third avenue until it intersects South Twenty-third street, then proceeding north along South Twenty-third street until it intersects West Broadway, then proceeding west along West Broadway until it intersects North Twenty-fifth street, then proceeding north along North Twenty-fifth street until it intersects Avenue I, then proceeding west along Avenue I until it intersects North Twenty-sixth street, then

proceeding north along North Twenty-sixth street until it intersects Avenue N, then proceeding east along Avenue N until it intersects North Twenty-fifth street, then proceeding north along North Twenty-fifth street until it intersects the Chicago Central and Pacific Railroad tracks, then proceeding northwesterly along the Chicago Central and Pacific Railroad tracks until it intersects the boundary of the state of Iowa, then proceeding northeasterly along the boundary of the state of Iowa to the point of origin.

100. The one hundredth representative district in Pottawattamie county shall consist of:

a. That portion of the city of Council Bluffs bounded by a line commencing at the point the Chicago Central and Pacific Railroad track intersects the boundary of the state of Iowa, then proceeding first southwesterly, and then in a counterclockwise manner along the corporate limits of the city of Council Bluffs until it intersects Fawn Park drive and Valley View drive, then proceeding northerly along Valley View drive until it intersects Madison avenue, then proceeding westerly along Madison avenue until it intersects Bennett avenue, then proceeding northeasterly along Bennett avenue until it intersects Franklin avenue, then proceeding northwesterly along Franklin avenue until it intersects Hazel street, then proceeding south along Hazel street until it intersects East Palmer avenue, then proceeding west along East Palmer avenue until it intersects West Palmer avenue, then proceeding west along West Palmer avenue until it intersects Madison avenue, then proceeding northwesterly along Madison avenue until it intersects Graham avenue east, then proceeding southerly along Graham avenue east until it intersects Graham avenue west, then proceeding southwesterly along Graham avenue west until it intersects Tostevin street, then proceeding south along Tostevin street until it intersects Highway 375, then proceeding northwest along Highway 375 until it intersects Sixteenth avenue, then proceeding west along Sixteenth avenue until it intersects South Seventh street, then proceeding south along South Seventh street until it intersects Twentieth avenue, then proceeding west along Twentieth avenue until it intersects South Eleventh street, then proceeding south along South Eleventh street until it intersects Twenty-first avenue, then proceeding west along Twenty-first avenue until it intersects South Thirteenth street, then proceeding south along South Thirteenth street until it intersects Twenty-third avenue, then proceeding west along Twenty-third avenue until it intersects Indian creek, then proceeding north along Indian creek until it intersects Sixteenth avenue, then proceeding west along Sixteenth avenue until it intersects South Seventeenth street, then proceeding north along South Seventeenth street until it intersects Ninth avenue, then proceeding west along Ninth avenue until it intersects South Twenty-first street, then proceeding north along South Twenty-first street until it intersects Third avenue, then proceeding west along Third avenue until it intersects South Twenty-third street, then proceeding north along South Twenty-third street until it intersects West Broadway, then proceeding west along West Broadway until it intersects North Twenty-fifth street, then proceeding north

along North Twenty-fifth street until it intersects Avenue I, then proceeding west along Avenue I until it intersects North Twenty-sixth street, then proceeding north along North Twenty-sixth street until it intersects Avenue N, then proceeding east along Avenue N until it intersects North Twenty-fifth street, then proceeding north along North Twenty-fifth street until it intersects the Chicago Central and Pacific Railroad tracks, then proceeding northwesterly along the Chicago Central and Pacific Railroad tracks to the point of origin.

b. The city of Carter Lake.

[C27, 31, 35, §526-b1, -b2; C39, §526.3, 526.4; C46, 50, 54, 58, 62, §42.1, 42.2; C66, §41.3; C71, §41.4; C73, 75, 77, 79, 81, §41.1; 81 Acts 2d Ex, ch 1, §2]

86 Acts, ch 1238, §3; 91 Acts, ch 223, §2; 92 Acts, ch 1163, §10, 11; 2001 Acts, Ex, ch 1, §2, 6

References based on January 1, 2000, boundaries and official census maps and Redistricting Census 2000 TIGER/Line files; 2001 Acts, Ex, ch 1, §5

Membership beginning in 2003; see 2001 Acts, Ex, ch 1, §3

41.2 Senate districts.

The state of Iowa is hereby divided into fifty senatorial districts, each composed of two of the representative districts established by section 41.1, as follows:

1. The first senatorial district shall consist of the first and second representative districts.

2. The second senatorial district shall consist of the third and fourth representative districts.

3. The third senatorial district shall consist of the fifth and sixth representative districts.

4. The fourth senatorial district shall consist of the seventh and eighth representative districts.

5. The fifth senatorial district shall consist of the ninth and tenth representative districts.

6. The sixth senatorial district shall consist of the eleventh and twelfth representative districts.

7. The seventh senatorial district shall consist of the thirteenth and fourteenth representative districts.

8. The eighth senatorial district shall consist of the fifteenth and sixteenth representative districts.

9. The ninth senatorial district shall consist of the seventeenth and eighteenth representative districts.

10. The tenth senatorial district shall consist of the nineteenth and twentieth representative districts.

11. The eleventh senatorial district shall consist of the twenty-first and twenty-second representative districts.

12. The twelfth senatorial district shall consist of the twenty-third and twenty-fourth representative districts.

13. The thirteenth senatorial district shall consist of the twenty-fifth and twenty-sixth representative districts.

14. The fourteenth senatorial district shall consist of the twenty-seventh and twenty-eighth representative districts.

15. The fifteenth senatorial district shall consist of the twenty-ninth and thirtieth representative districts.

16. The sixteenth senatorial district shall consist of the thirty-first and thirty-second representative districts.

17. The seventeenth senatorial district shall consist of the thirty-third and thirty-fourth representative districts.

18. The eighteenth senatorial district shall consist of the thirty-fifth and thirty-sixth representative districts.

19. The nineteenth senatorial district shall consist of the thirty-seventh and thirty-eighth representative districts.

20. The twentieth senatorial district shall consist of the thirty-ninth and fortieth representative districts.

21. The twenty-first senatorial district shall consist of the forty-first and forty-second representative districts.

22. The twenty-second senatorial district shall consist of the forty-third and forty-fourth representative districts.

23. The twenty-third senatorial district shall consist of the forty-fifth and forty-sixth representative districts.

24. The twenty-fourth senatorial district shall consist of the forty-seventh and forty-eighth representative districts.

25. The twenty-fifth senatorial district shall consist of the forty-ninth and fiftieth representative districts.

26. The twentieth-sixth senatorial district shall consist of the fifty-first and fifty-second representative districts.

27. The twenty-seventh senatorial district shall consist of the fifty-third and fifty-fourth representative districts.

28. The twenty-eighth senatorial district shall consist of the fifty-fifth and fifty-sixth representative districts.

29. The twenty-ninth senatorial district shall consist of the fifty-seventh and fifty-eighth representative districts.

30. The thirtieth senatorial district shall consist of the fifty-ninth and sixtieth representative districts.

31. The thirty-first senatorial district shall consist of the sixty-first and sixty-second representative districts.

32. The thirty-second senatorial district shall consist of the sixty-third and sixty-fourth representative districts.

33. The thirty-third senatorial district shall consist of the sixty-fifth and sixty-sixth representative districts.

34. The thirty-fourth senatorial district shall consist of the sixty-seventh and sixty-eighth representative districts.

35. The thirty-fifth senatorial district shall consist of the sixty-ninth and seventieth representative districts.

36. The thirty-sixth senatorial district shall consist of the seventy-first and seventy-second representative districts.

37. The thirty-seventh senatorial district shall consist of the seventy-third and seventy-fourth representative districts.

38. The thirty-eighth senatorial district shall consist of the seventy-fifth and seventy-sixth representative districts.

39. The thirty-ninth senatorial district shall consist of the seventy-seventh and seventy-eighth representative districts.

40. The fortieth senatorial district shall consist of the seventy-ninth and eightieth representative districts.

41. The forty-first senatorial district shall consist of the eighty-first and eighty-second representative districts.

42. The forty-second senatorial district shall consist of the eighty-third and eighty-fourth representative districts.

43. The forty-third senatorial district shall consist of the eighty-fifth and eighty-sixth representative districts.

44. The forty-fourth senatorial district shall consist of the eighty-seventh and eighty-eighth representative districts.

45. The forty-fifth senatorial district shall consist of the eighty-ninth and ninetieth representative districts.

46. The forty-sixth senatorial district shall consist of the ninety-first and ninety-second representative districts.

47. The forty-seventh senatorial district shall consist of the ninety-third and ninety-fourth representative districts.

48. The forty-eighth senatorial district shall consist of the ninety-fifth and ninety-sixth representative districts.

49. The forty-ninth senatorial district shall consist of the ninety-seventh and ninety-eighth representative districts.

50. The fiftieth senatorial district shall consist of the ninety-ninth and one hundredth representative districts.

[C27, 31, 35, §526-a2; C39, §526.2; C46, 50, 54, 58, 62, §41.1; C66, §41.2; C71, §41.5; C73, 75, 77, 79, 81, §41.2]

Membership beginning in 2003 and effect on incumbent senators; see 2001 Acts, Ex. ch 1, §3

October 2001

MAPS OF LEGISLATIVE DISTRICTS

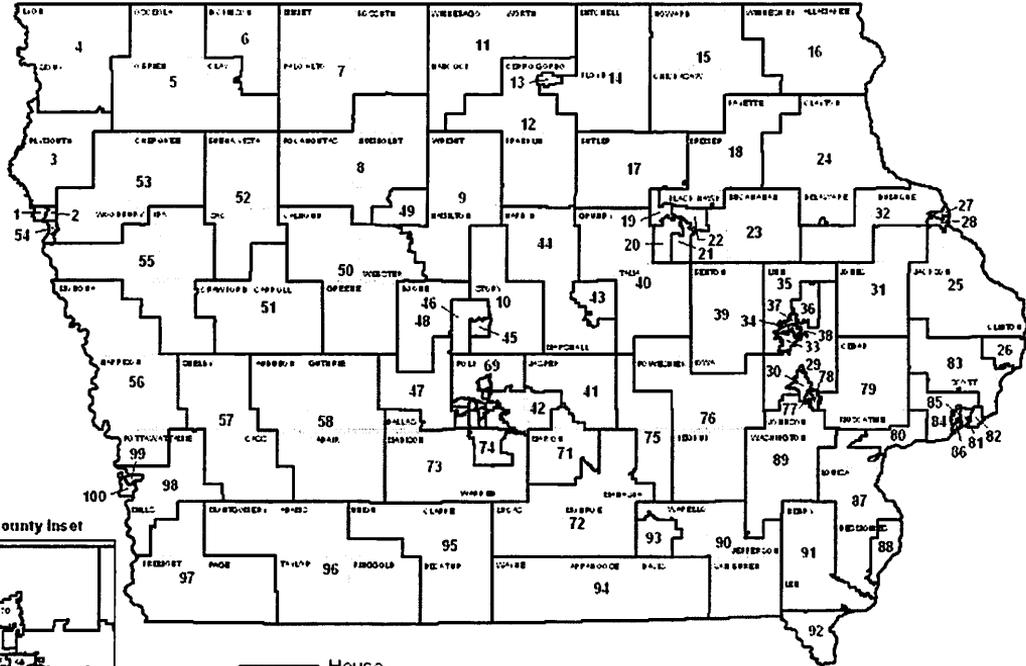
[For verbal descriptions of the boundaries of the districts shown on these maps, see §41.1 and §41.2 printed on pages 23 to 72 herein]

Area of Map	Page
Iowa House Districts.....	72c
Iowa Senate Districts.....	72d
Ames/Story County House Districts.....	72e
Ames/Story County Senate Districts.....	72f
Cedar Rapids/Linn County House Districts	72g
Cedar Rapids/Linn County Senate Districts	72h
Council Bluffs/Pottawattamie County House Districts.....	72i
Council Bluffs/Pottawattamie County Senate Districts.....	72j
Davenport/Bettendorf/Scott County House Districts	72k
Davenport/Bettendorf/Scott County Senate Districts	72l
Des Moines/Polk County House Districts	72m
Des Moines/Polk County Senate Districts	72n
Dubuque/Dubuque County House Districts	72o
Dubuque/Dubuque County Senate Districts	72p
Iowa City/Coralville/Johnson County House Districts.....	72q
Iowa City/Coralville/Johnson County Senate Districts.....	72r
Polk County House Districts	72s
Polk County Senate Districts	72t
Sioux City/Woodbury County House Districts.....	72u
Sioux City/Woodbury County Senate Districts.....	72v
Waterloo/Cedar Falls/Black Hawk County House Districts	72w
Waterloo/Cedar Falls/Black Hawk County Senate Districts	72x

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IOWA HOUSE DISTRICTS

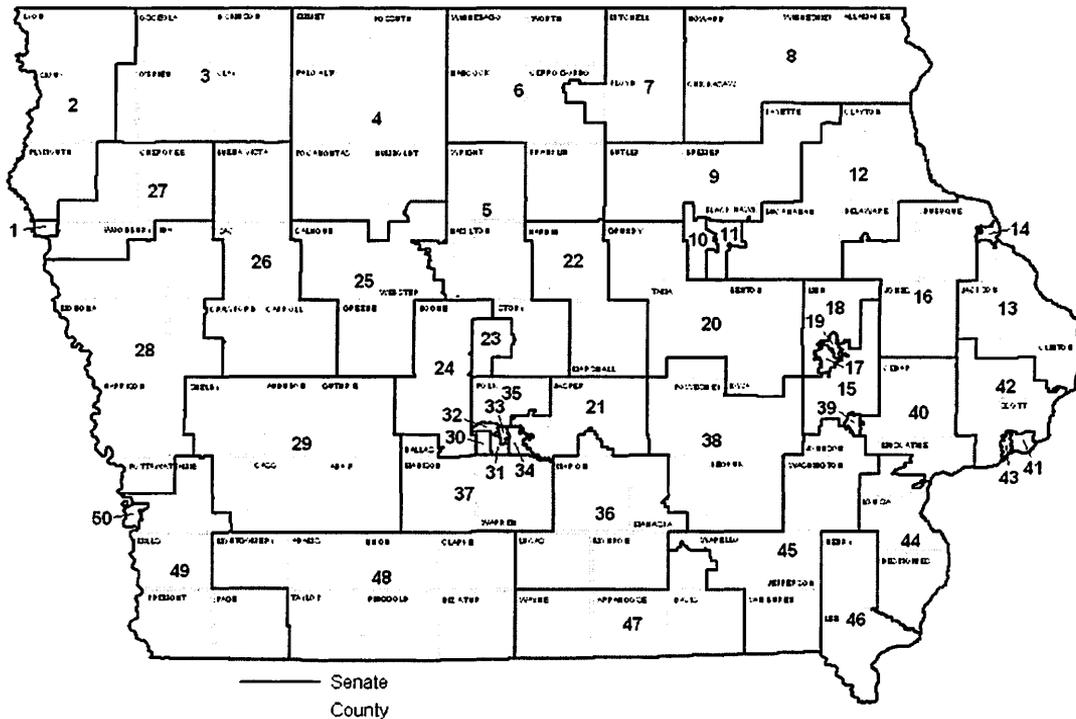
Effective Beginning with the Elections in 2002 for the 80th General Assembly

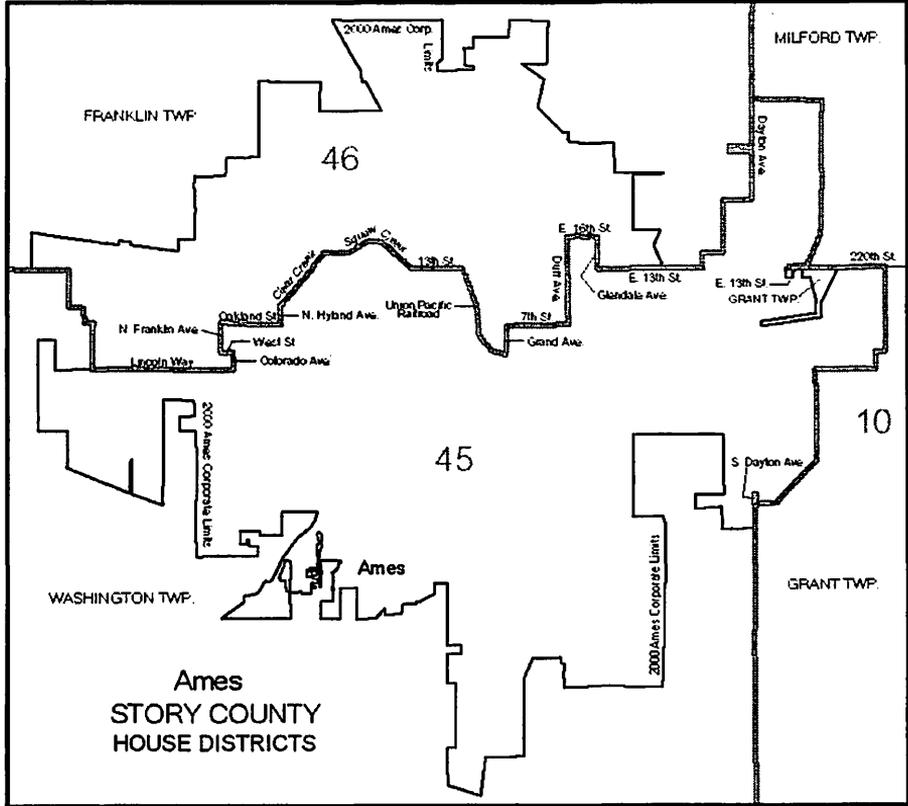


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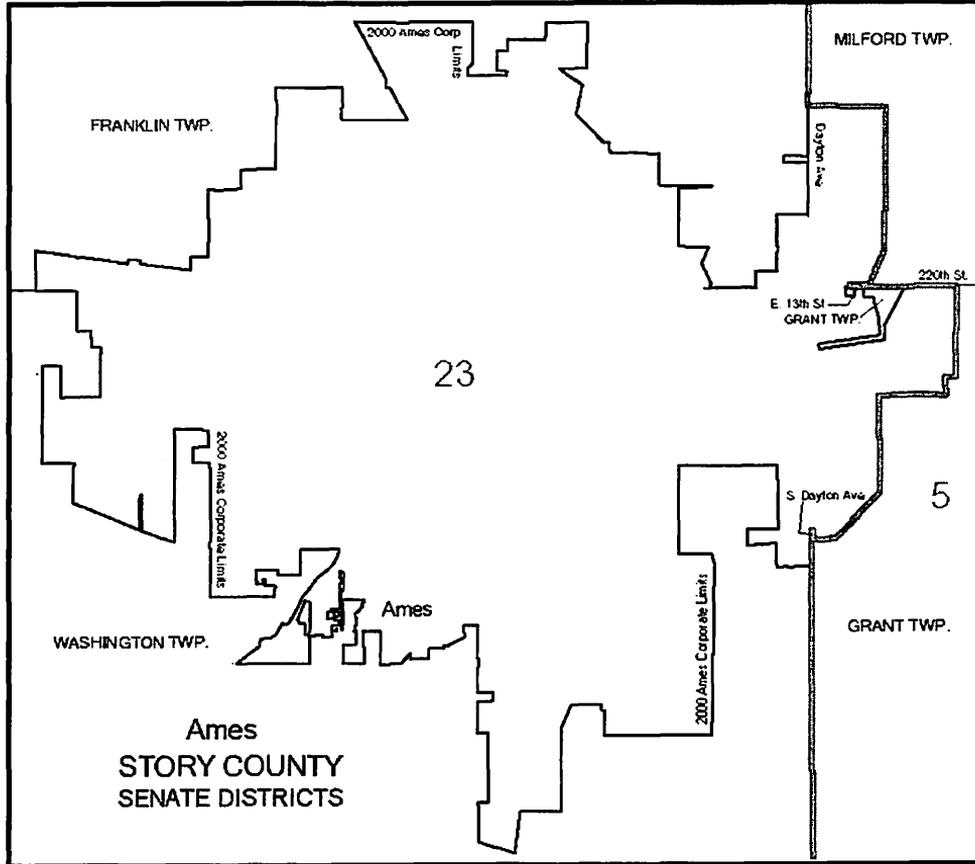
IOWA SENATE DISTRICTS

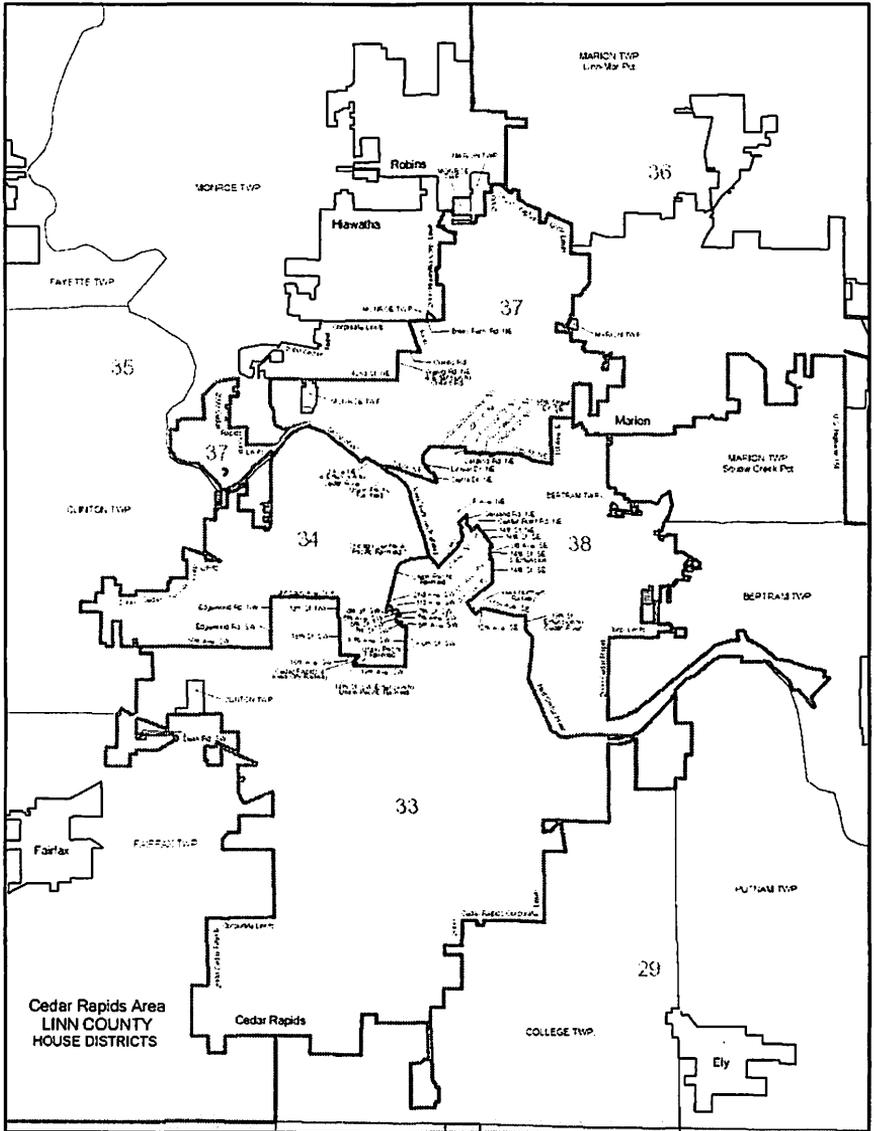
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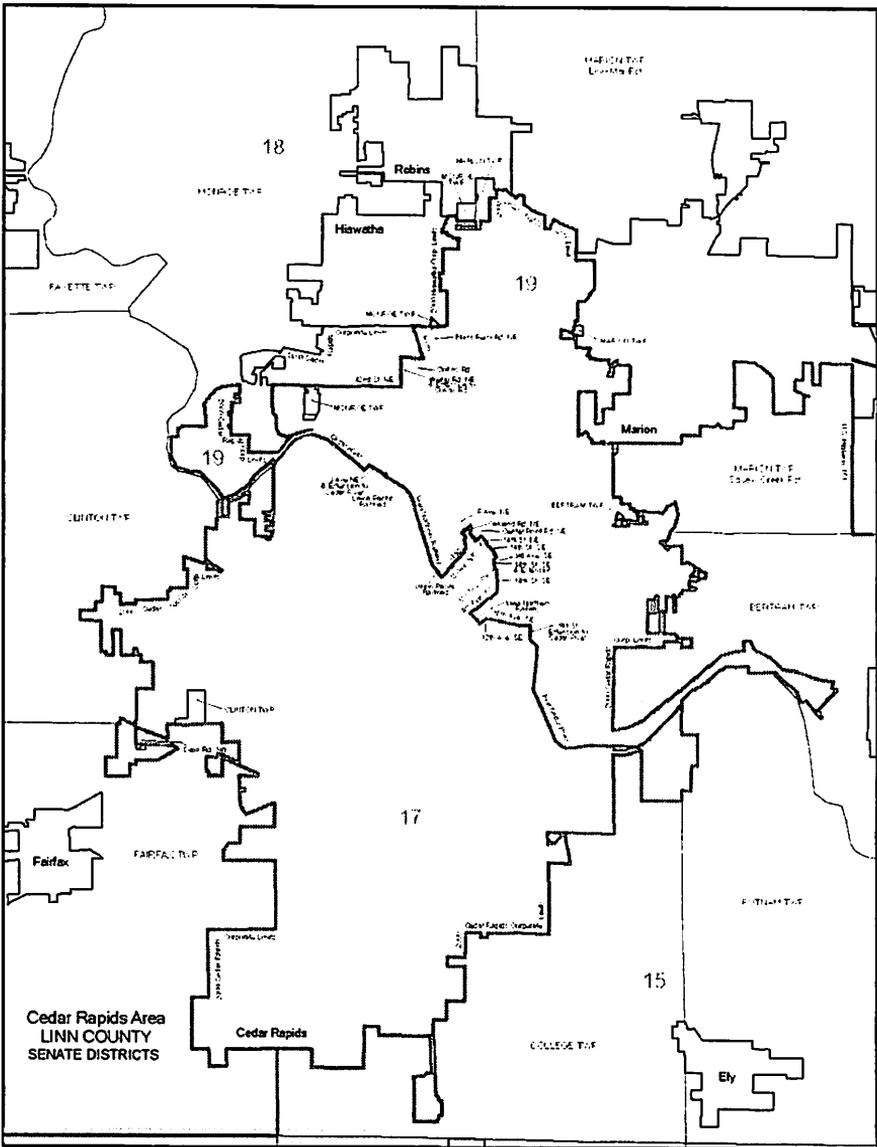


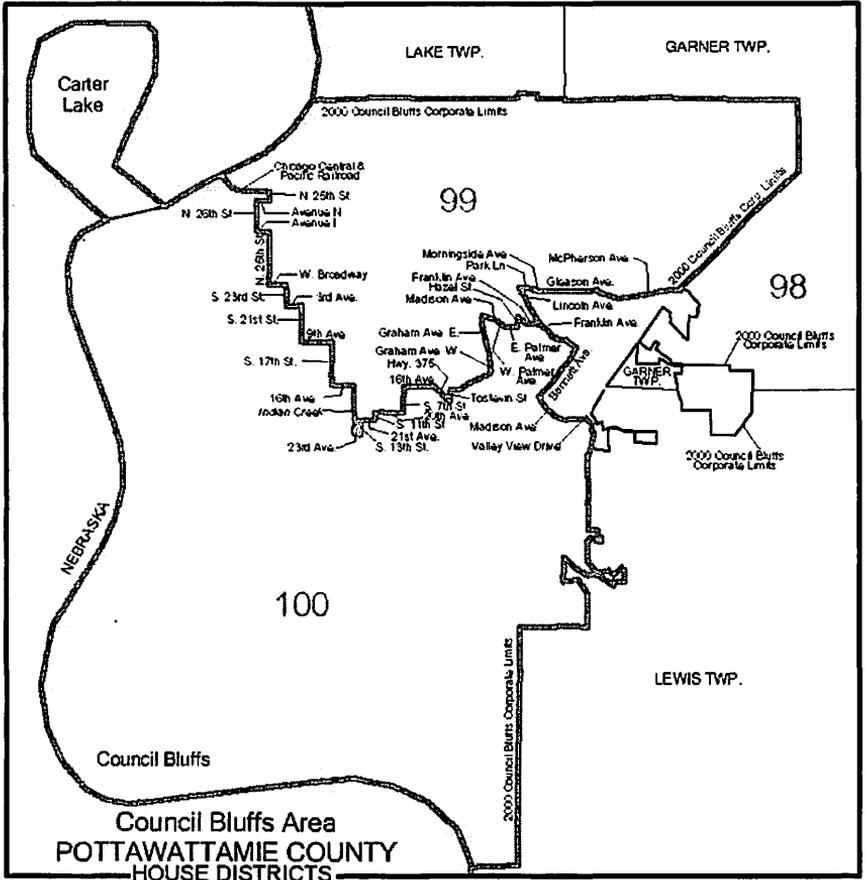


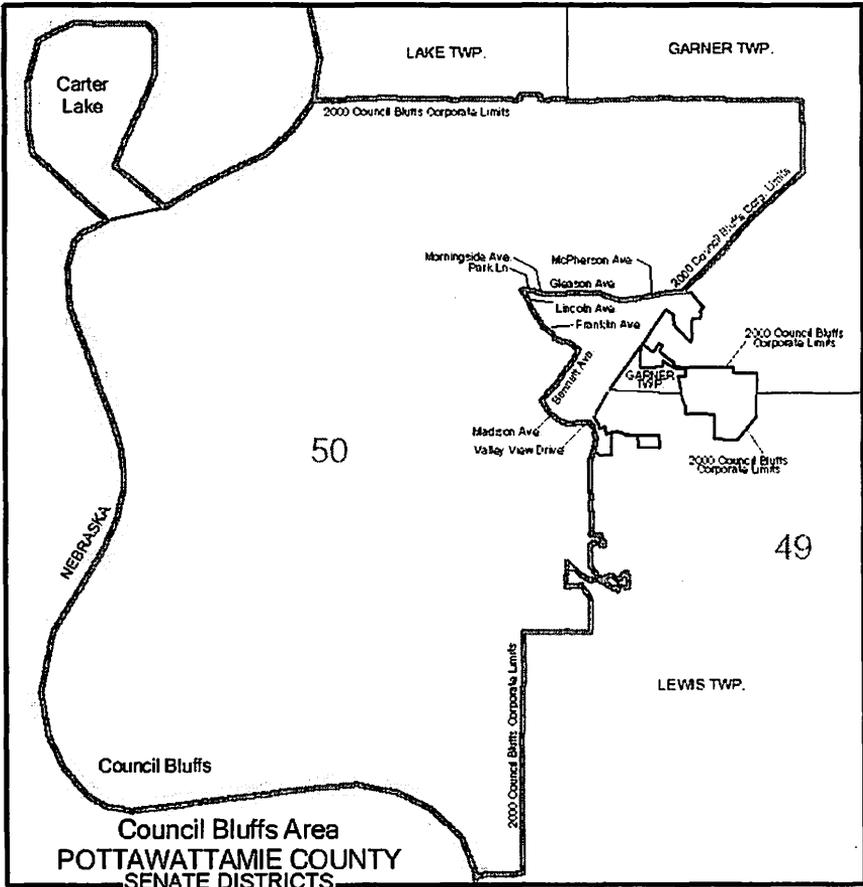
Ames
STORY COUNTY
HOUSE DISTRICTS

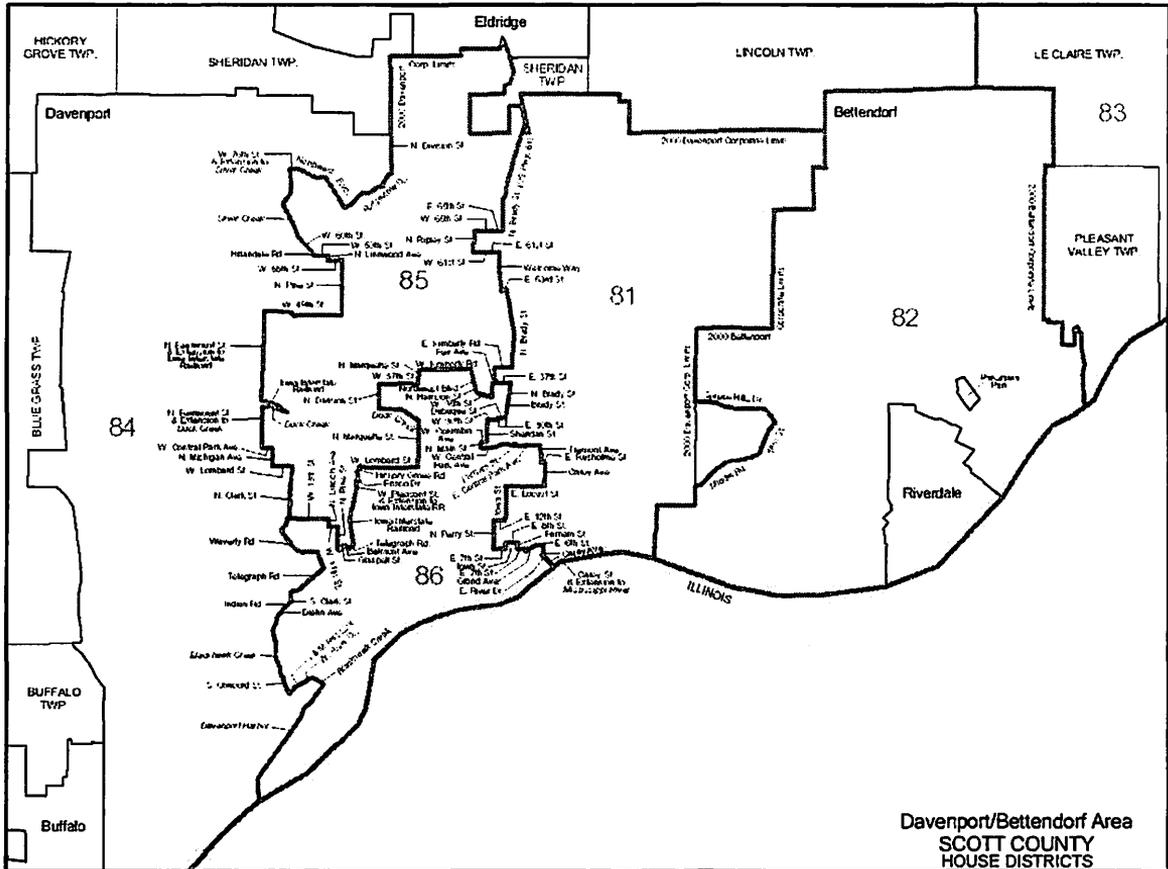






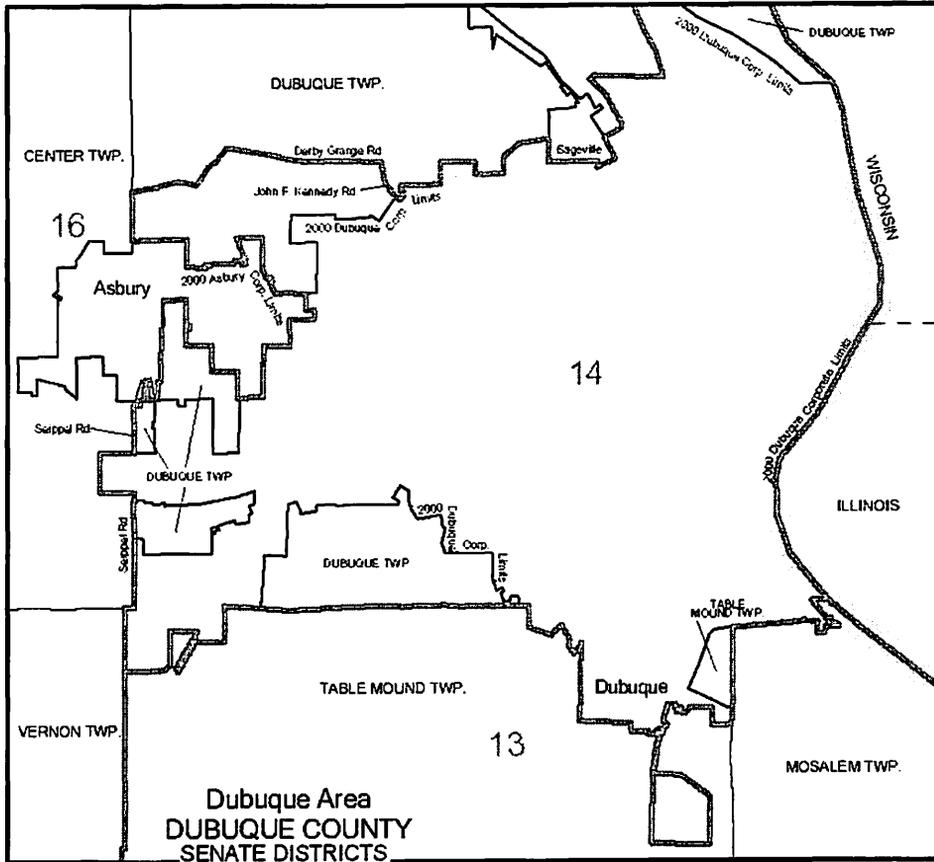


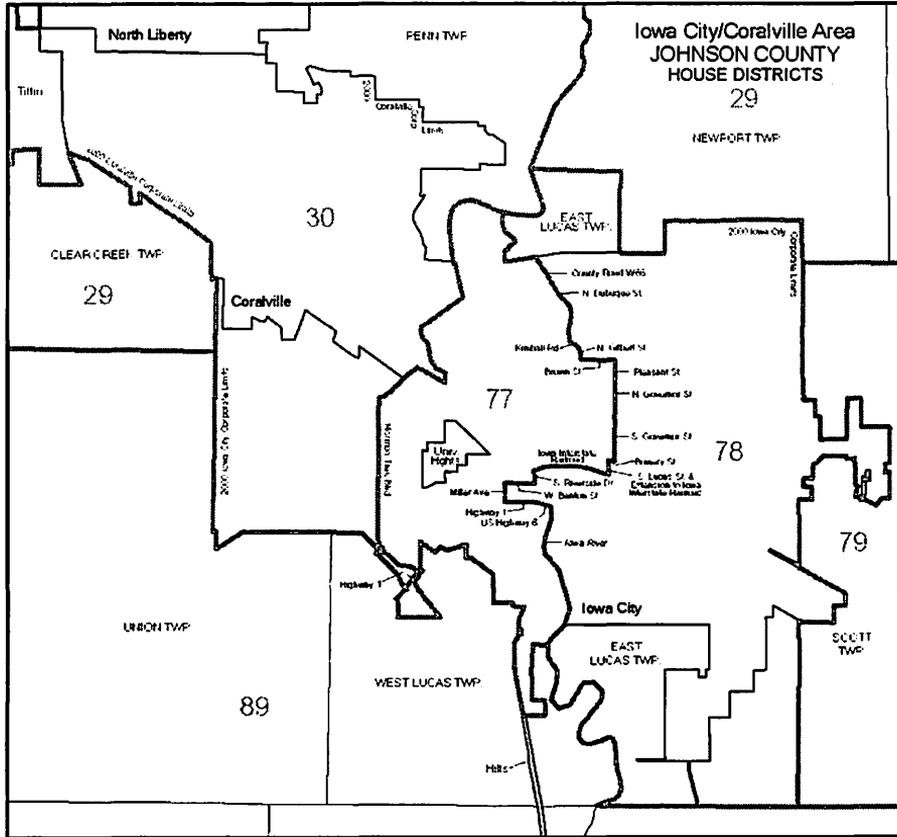


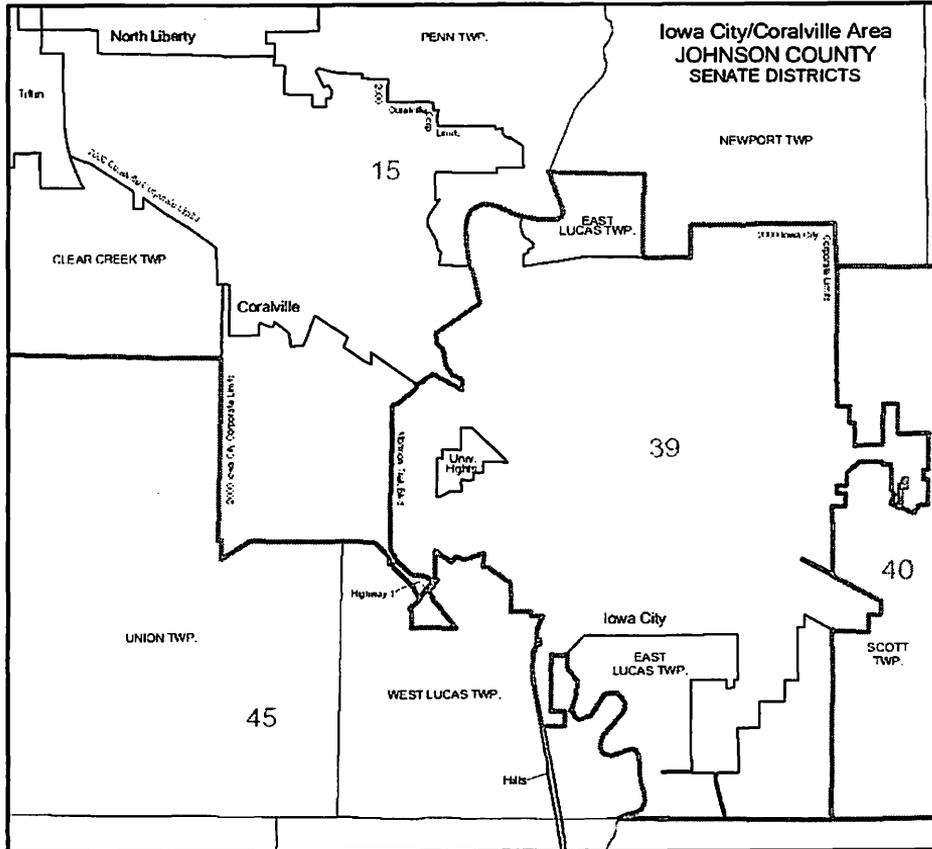


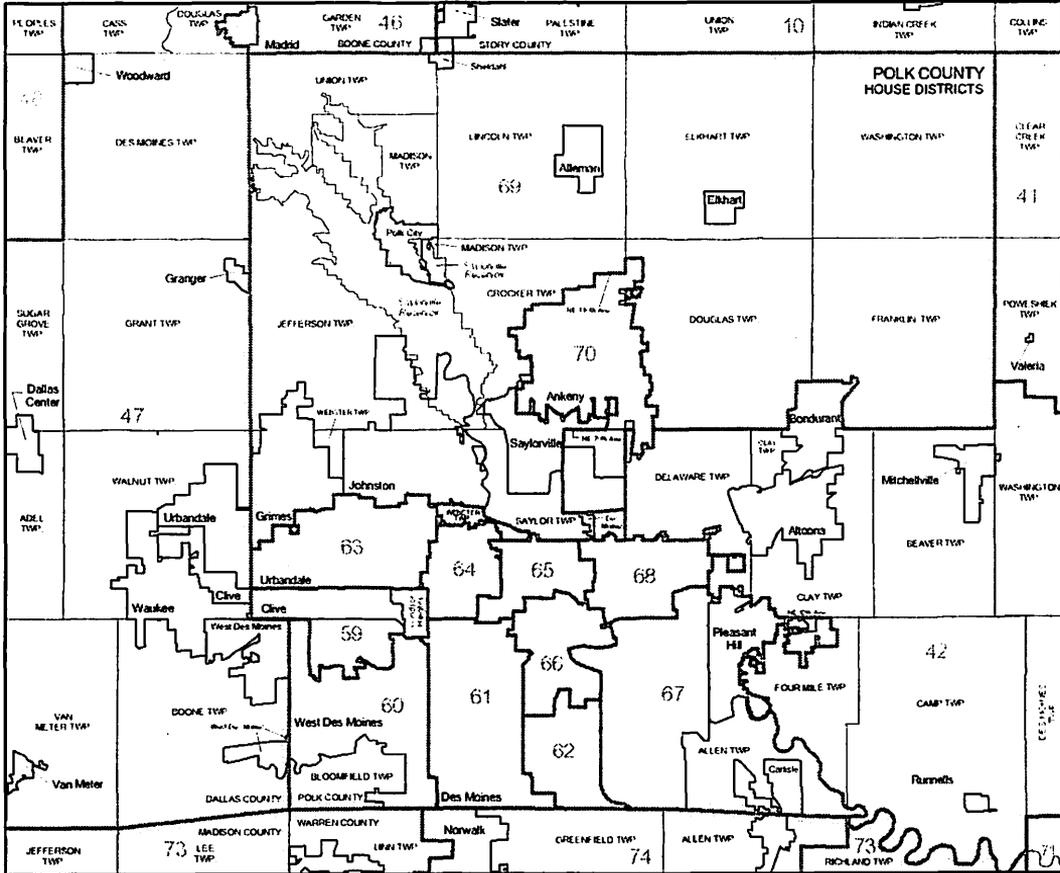
Davenport/Bettendorf Area
SCOTT COUNTY
HOUSE DISTRICTS

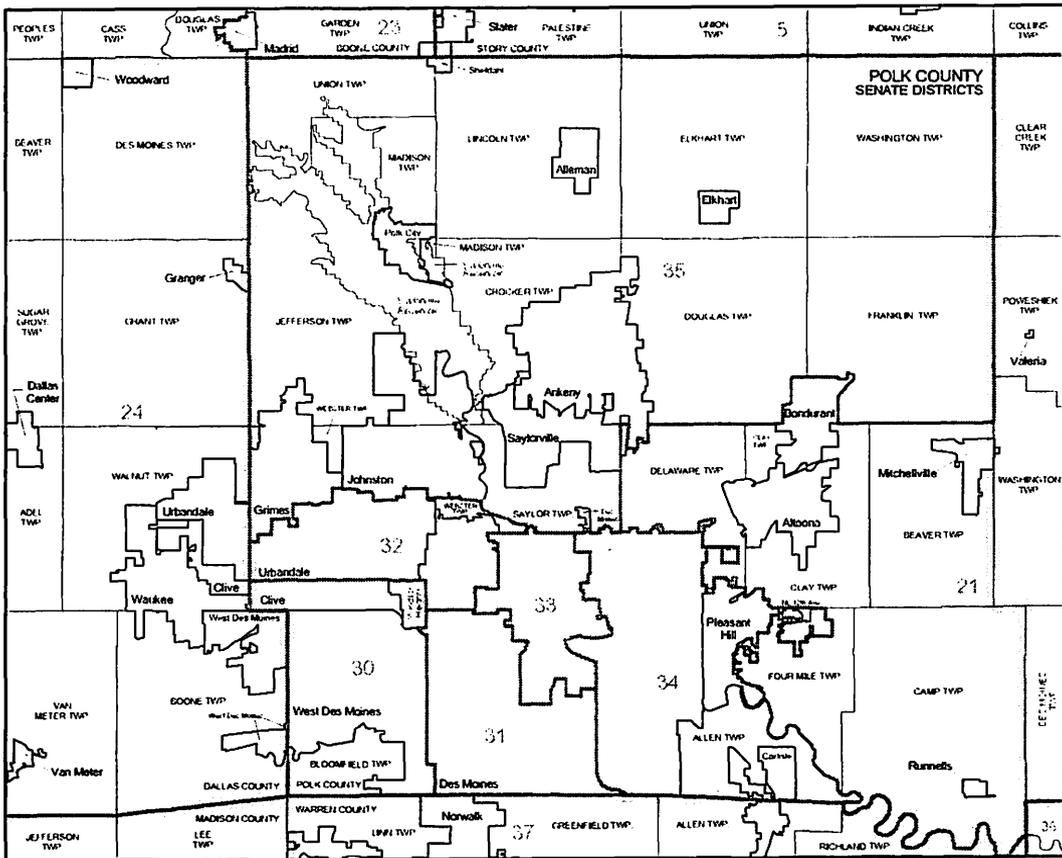
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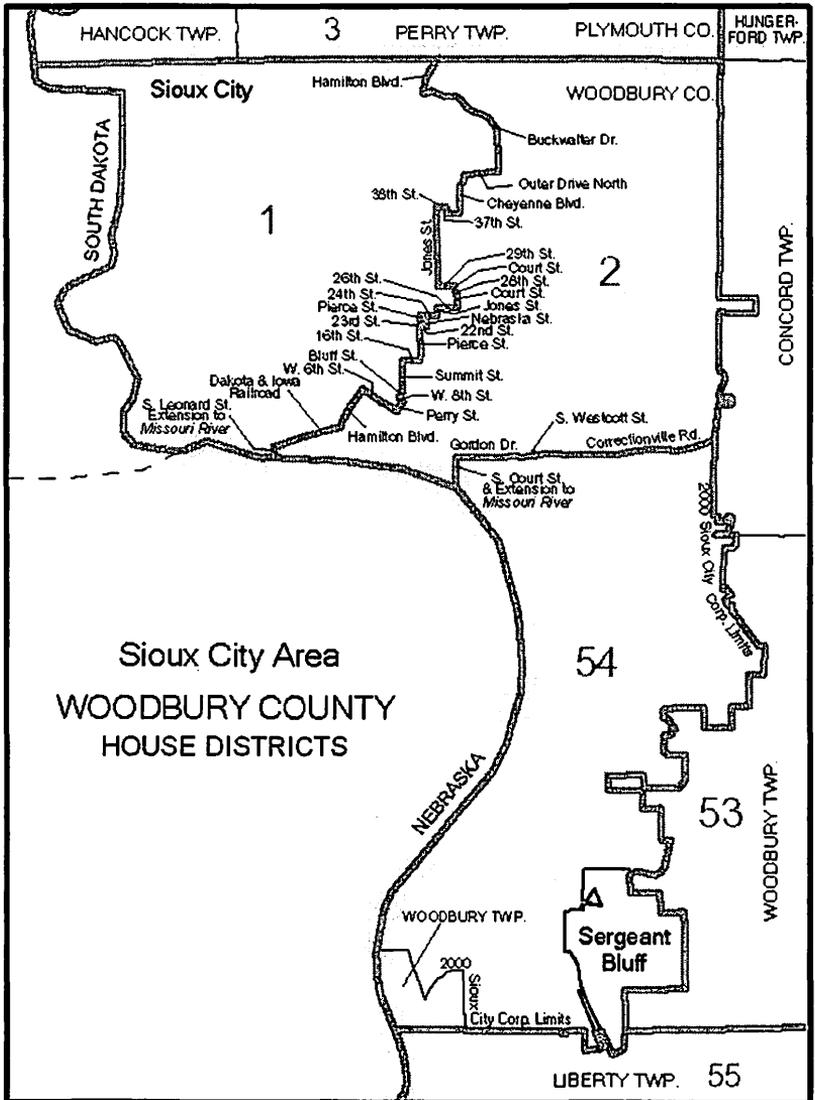


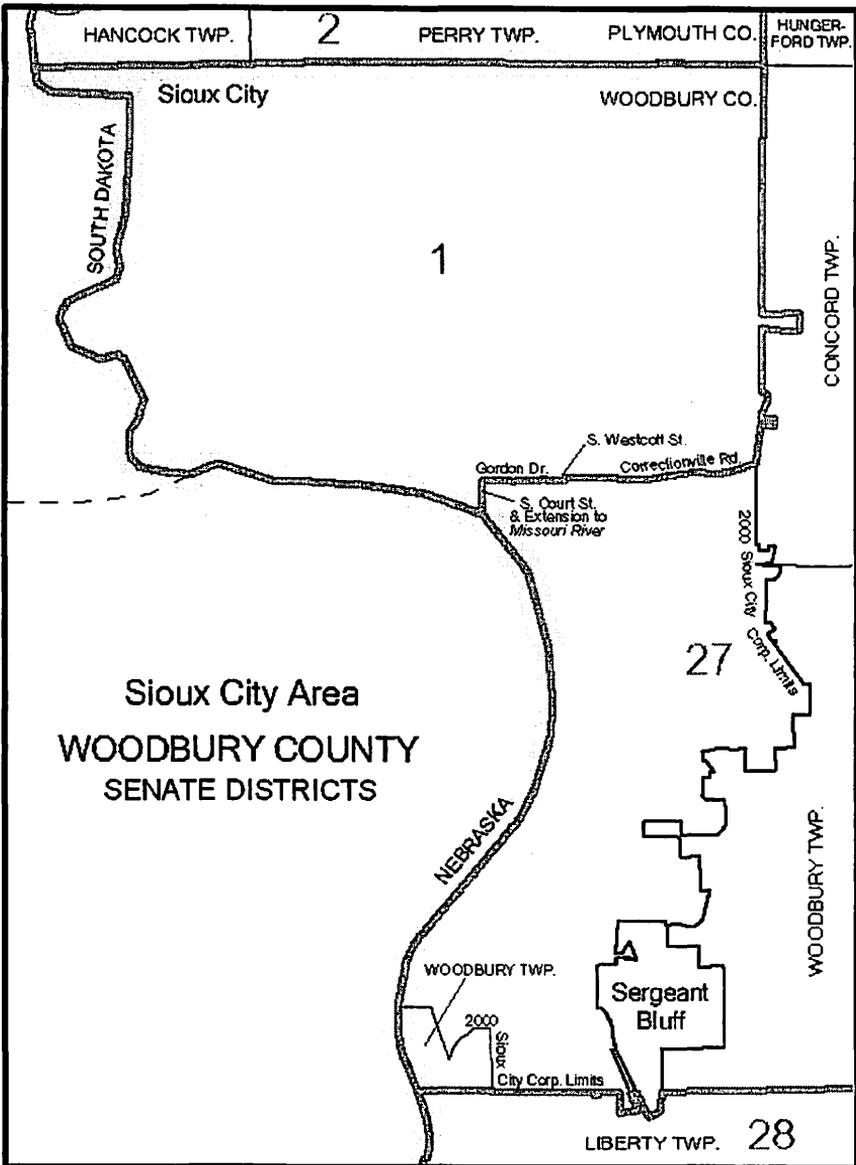












CHAPTER 42

REDISTRICTING GENERAL ASSEMBLY AND
CONGRESSIONAL DISTRICTS

- 42.1 Definitions.
- 42.2 Preparations for redistricting.
- 42.3 Timetable for preparation of plan.
- 42.4 Redistricting standards.
- 42.5 Temporary redistricting advisory commission.
- 42.6 Duties of commission.
- 42.7 Special arrangements for 1980–1981. Repealed by 80 Acts, ch 1021, §7.

42.1 Definitions.

As used in this chapter, unless the context requires otherwise:

1. "*Chief election officer*" means the state commissioner of elections as defined by section 47.1.
2. "*Commission*" means the temporary redistricting advisory commission established pursuant to this chapter.
3. "*Federal census*" means the decennial census required by federal law to be conducted by the United States bureau of the census in every year ending in zero.
4. "*Four selecting authorities*" means:
 - a. The majority floor leader of the state senate.
 - b. The minority floor leader of the state senate.
 - c. The majority floor leader of the state house of representatives.
 - d. The minority floor leader of the state house of representatives.
5. "*Partisan public office*" means:
 - a. An elective or appointive office in the executive or legislative branch or in an independent establishment of the federal government.
 - b. An elective office in the executive or legislative branch of the government of this state, or an office which is filled by appointment and is exempt from the merit system under section 19A.3.
 - c. An office of a county, city or other political subdivision of this state which is filled by an election process involving nomination and election of candidates on a partisan basis.
6. "*Plan*" means a plan for legislative and congressional reapportionment drawn up pursuant to the requirements of this chapter.
7. "*Political party office*" means an elective office in the national or state organization of a political party, as defined by section 43.2.

8. "Relative" means an individual who is related to the person in question as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, grandfather, grandmother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother or half sister.

[C81, §42.1]

42.2 Preparations for redistricting.

1. The legislative service bureau shall acquire appropriate information, review and evaluate available facilities, and develop programs and procedures in preparation for drawing congressional and legislative redistricting plans on the basis of each federal census. Funds shall be expended for the purchase or lease of equipment and materials only with prior approval of the legislative council.

2. By December 31 of each year ending in zero, the legislative service bureau shall obtain from the United States bureau of the census information regarding geographic and political units in this state for which federal census population data has been gathered and will be tabulated. The legislative service bureau shall use the data so obtained to:

a. Prepare necessary descriptions of geographic and political units for which census data will be reported, and which are suitable for use as components of legislative districts.

b. Prepare maps of counties, cities and other geographic units within the state, which may be used to illustrate the locations of legislative district boundaries proposed in plans drawn in accordance with section 42.4.

3. As soon as possible after January 1 of each year ending in one, the legislative service bureau shall obtain from the United States bureau of the census the population data needed for legislative districting which the census bureau is required to provide this state under United States Pub. L. 94-171, and shall use that data to assign a population figure based upon certified federal census data to each geographic or political unit described pursuant to subsection 2, paragraph "a". Upon completing that task, the legislative service bureau shall begin the preparation of congressional and legislative districting plans as required by section 42.3.

[C81, §42.2]

42.3 Timetable for preparation of plan.

1. Not later than April 1 of each year ending in one, the legislative service bureau shall deliver to the secretary of the senate and the chief clerk of the house of representatives identical bills embodying a plan of legislative and congressional districting prepared in accordance with section 42.4. It is the intent of this chapter that the general assembly shall bring the bill to a vote in either the senate or the house of representatives expeditiously, but not less than seven days after the report of the commission required by section 42.6 is received and made available to the members of the general assembly, under a procedure or rule permitting no amendments except those of a purely corrective nature. It is further the intent of this chapter that if the bill is approved by the first house in which it is considered, it shall expeditiously be brought to a vote in the second house under a similar procedure or rule.

2. If the bill embodying the plan submitted by the legislative service bureau under subsection 1 fails to be approved by a constitutional majority in either the senate or the house of representatives, the secretary of the senate, or the chief clerk of the house, as the case may be, shall at once transmit to the legislative service bureau information which the senate or house may direct regarding reasons why the plan was not approved. The legislative service bureau shall prepare a bill embodying a second plan of legislative and congressional districting prepared in accordance with section 42.4, and taking into account the reasons cited by the senate or house of representatives for its failure to approve the plan insofar as it is possible to do so within the requirements of section 42.4. If a second plan is required under this subsection, the bill embodying it shall be delivered to the secretary of the senate and the chief clerk of the house of representatives not later than May 1 of the year ending in one, or twenty-one days after the date of the vote by which the senate or the house of representatives fails to approve the bill submitted under subsection 1, whichever date is later. It is the intent of this chapter that, if it is necessary to submit a bill under this subsection, the bill be brought to a vote not less than seven days after the bill is printed and made available to the members of the general assembly, in the same manner as prescribed for the bill required under subsection 1.

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43.66 Write-in candidates.

The fact that the candidate who receives the highest number of votes cast for any party's nomination for an office to which section 43.52 or 43.65 is applicable is a person whose name was not printed on the official primary election ballot shall not affect the validity of the person's nomination as a candidate for that office in the general election. However, if there is no candidate on the official primary ballot of a political party for nomination to a particular office, a write-in candidate may obtain the party's nomination to that office in the primary if the candidate receives a number of votes equal to at least thirty-five percent of the total vote cast for all of that party's candidates for that office in the last preceding primary election for which the party had candidates on the ballot for that office. If there have been no candidates from a political party for a seat in the general assembly since the most recent redistricting of the general assembly, a write-in candidate shall be considered renominated who receives a number of votes equal to at least thirty-five percent of the total votes cast, at the last preceding primary election in the precincts which currently constitute the general assembly district, for all of that party's candidates for representative in the Congress of the United States or who receives at least one hundred votes, whichever number is greater. When two or more nominees are required, the division procedure prescribed in section 43.52 shall be applied to establish the minimum number of write-in votes necessary for nomination. If the primary is inconclusive, the necessary nominations shall be made in accordance with section 43.78, subsection 1.

[S13, §1087-a25, -a26; C24, 27, 31, 35, 39, §594, 625, 643; C46, 50, 54, 58, 62, 66, 71, 73, §43.66, 43.98, 43.106; C75, 77, 79, 81, §43.66; 81 Acts, ch 34, §2]

43.67 Nominee's right to place on ballot.

Each candidate nominated pursuant to section 43.52 or 43.65 is entitled to have the candidate's name printed on the official ballot to be voted at the general election without other certificate unless the candidate was nominated by write-in votes. Immediately after the completion of the canvass held under section 43.49, the county auditor shall notify each person who was nominated by write-in votes for a county or township office that the person is required to file an affidavit of candidacy if the person wishes to be a candidate for that office at the general election. Immediately after the completion of the canvass held under section 43.63, the secretary of state shall notify each person who was nominated by write-in votes for a state or federal office that the person is required to file an affidavit of candidacy if the person wishes to be a candidate for that office at the general election. If the affidavit is not filed by five p.m. on the seventh day after the completion of the canvass, that person's name shall not be placed upon the official general election ballot. The affidavit shall be signed by the candidate, notarized, and filed with the county auditor or the secretary of state, whichever is applicable.

The affidavit shall be in the form prescribed by the secretary of state. The affidavit shall include the following information:

1. The candidate's name in the form the candidate wants it to appear on the ballot.

2. The candidate's home address.

3. The name of the county in which the candidate resides.

4. The political party by which the candidate was nominated.

5. The office sought by the candidate, and the district the candidate seeks to represent, if any.

6. A declaration that if the candidate is elected the candidate will qualify by taking the oath of office.

7. A statement that the candidate is aware that the candidate is required to organize a candidate's committee which shall file an organization statement and disclosure reports if the committee or the candidate receives contributions, makes expenditures, or incurs indebtedness in excess of the reporting threshold in section 56.2, subsection 5. This subsection shall not apply to candidates for federal office.

8. A statement that the candidate is aware of the prohibition in section 49.41 against being a candidate for more than one office to be filled at the same election, except county agricultural extension council and soil and water conservation district commission.

9. A statement that the candidate is aware that the candidate is disqualified from holding office if the candidate has been convicted of a felony or other infamous crime and the candidate's rights have not been restored by the governor or by the president of the United States.

[S13, §1087-a22; C24, 27, 31, 35, 39, §595; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §43.67]

86 Acts, ch 1224, §3; 89 Acts, ch 136, §18; 90 Acts, ch 1238, §4; 91 Acts, ch 129, §6; 94 Acts, ch 1180, §6; 96 Acts, ch 1034, §2; 98 Acts, ch 1052, §2; 2001 Acts, ch 158, §7

43.68 Certified list of nominees.

The state board of canvassers shall prepare and certify separate lists of the candidates nominated by each party, as shown by the state canvass, and deliver to the chairperson of each party central committee for the state a copy of the list of candidates nominated by the party which said chairperson represents.

[S13, §1087-a22; C24, 27, 31, 35, 39, §596; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §43.68]

44.3 Certificate.

1. The certificate required by section 44.2 shall state the following information:

- a. The name of each candidate nominated.
- b. The office to which each candidate is nominated.
- c. The name of the political organization making such nomination, expressed in not more than five words.
- d. The place of residence of each nominee, with the street or number thereof, if any.
- e. In case of presidential candidates, the names and addresses of presidential electors shall be stated, and the names of the candidates for president and vice president shall be added to the name of the organization.
- f. The name and address of each member of the organization's executive or central committee.
- g. The provisions, if any, made for filling vacancies in nominations.
- h. The name and address of each delegate or voter in attendance at a convention or caucus where a nomination is made.

2. Each candidate nominated by the convention or caucus shall complete and file a signed, notarized affidavit of candidacy. The affidavit shall be in the form prescribed by the secretary of state. The affidavit shall include the following information:

- a. The candidate's name in the form the candidate wants it to appear on the ballot.
- b. The candidate's home address.
- c. The name of the county in which the candidate resides.
- d. The name of the political organization by which the candidate was nominated.
- e. The office sought by the candidate, and the district the candidate seeks to represent, if any.
- f. A declaration that if the candidate is elected the candidate will qualify by taking the oath of office.
- g. A statement that the candidate is aware that the candidate is required to organize a candidate's committee which shall file an organization statement and disclosure reports if the committee or the candidate receives contributions, makes expenditures, or incurs indebtedness in excess of the reporting threshold in section 56.2, subsection 5. This subsection shall not apply to candidates for federal office.
- h. A statement that the candidate is aware of the prohibition in section 49.41 against being a candidate for more than one office to be filled at the same election, except county agricultural extension council and soil and water conservation district commission.
- i. A statement that the candidate is aware that the candidate is disqualified from holding office if the candidate has been convicted of a felony or other infamous crime and the candidate's rights have not been restored by the governor or by the president of the United States.

[C97, §1099; C24, §650; C27, 31, 35, §655-a3; C39, §655.03; C46, 50, 54, 58, 62, 66, 71, 73, §44.3; C75, §44.3, 56.5(4); C77, 79, 81, §44.3; 81 Acts, ch 34, §5, ch 35, §17]

90 Acts, ch 1238, §7; 91 Acts, ch 129, §7; 94 Acts, ch 1023, §78; 94 Acts, ch 1180, §9; 98 Acts, ch 1052, §3; 2001 Acts, ch 158, §8

Additional certification, §44.13

44.4 Nominations and objections — time and place of filing.

Nominations made pursuant to this chapter and chapter 45 which are required to be filed in the office of the state commissioner shall be filed in that office not more than ninety-nine days nor later than five p.m. on the eighty-first day before the date of the general election to be held in November. Nominations made for a special election called pursuant to section 69.14 shall be filed by five p.m. not less than twenty-five days before the date of an election called upon at least forty days' notice and not less than fourteen days before the date of an election called upon at least eighteen days' notice. Nominations made for a special election called pursuant to section 69.14A shall be filed by five p.m. not less than twenty days before the date of the election. Nominations made pursuant to this chapter and chapter 45 which are required to be filed in the office of the commissioner shall be filed in that office not more than ninety-two days nor later than five p.m. on the sixty-ninth day before the date of the general election. Nominations made pursuant to this chapter or chapter 45 for city office shall be filed not more than seventy-two days nor later than five p.m. on the forty-seventh day before the city election with the city clerk, who shall process them as provided by law.

Objections to the legal sufficiency of a certificate of nomination or nomination petition or to the eligibility of a candidate may be filed by any person who would have the right to vote for a candidate for the office in question. The objections must be filed with the officer with whom the certificate or petition is filed and within the following time:

1. Those filed with the state commissioner, not less than seventy-four days before the date of the election.
2. Those filed with the commissioner, not less than sixty-four days before the date of the election.
3. Those filed with the city clerk, at least forty-two days before the regularly scheduled or special city election. However, for those cities that may be required to hold a primary election, at least sixty-three days before the regularly scheduled or special city election.
4. In the case of nominations to fill vacancies occurring after the time when an original nomination for an office is required to be filed, objections shall be filed within three days after the filing of the certificate.

Objections shall be filed no later than five p.m. on the final date for filing.

[C97, §1103; C24, §654; C27, 31, 35, §655-a4; C39, §655.04; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §44.4]

87 Acts, ch 221, §3; 88 Acts, ch 1119, §8; 88 Acts, ch 1246, §1; 89 Acts, ch 136, §24; 90 Acts, ch 1238, §8; 95 Acts, ch 189, §5; 97 Acts, ch 170, §7; 98 Acts, ch 1123, §2

See §45.4

6. Nominations for candidates for the office of county supervisor elected by the voters of a supervisor district may be made by nomination petitions signed by eligible electors of the supervisor district equal in number to at least one percent of the number of registered voters in the supervisor district on July 1 in the year preceding the year in which the office will appear on the ballot, or by at least one hundred fifty eligible electors of the supervisor district, whichever is less.

7. Nomination papers for the offices of president and vice president shall include the names of the candidates for both offices on each page of the petition. A certificate listing the names of the candidates for presidential electors, one from each congressional district and two from the state at large, shall be filed in the state commissioner's office at the same time the nomination papers are filed.

Nomination papers for the offices of governor and lieutenant governor shall include the names of candidates for both offices on each page of the petition. Nomination papers for other statewide elected offices and all other offices shall include the name of the candidate on each page of the petition.

8. Nominations for candidates for elective offices in cities where the council has adopted nominations under this chapter may be submitted as follows:

a. Except as otherwise provided in subsection 9, in cities having a population of three thousand five hundred or greater according to the most recent federal decennial census, nominations may be made by nomination papers signed by not less than twenty-five eligible electors who are residents of the city or ward.

b. In cities having a population of one hundred or greater, but less than three thousand five hundred, according to the most recent federal decennial census, nominations may be made by nomination papers signed by not less than ten eligible electors who are residents of the city or ward.

c. In cities having a population less than one hundred according to the most recent federal decennial census, nominations may be made by nomination papers signed by not less than five eligible electors who are residents of the city.

9. Nominations for candidates, other than partisan candidates, for elective offices in special charter cities subject to section 43.112 may be submitted as follows:

a. For the office of mayor and alderman at large, nominations may be made by nomination papers signed by eligible electors residing in the city equal in number to at least two percent of the total vote received by all candidates for mayor at the last preceding city election.

b. For the office of ward alderman, nominations may be made by nomination papers signed by eligible electors residing in the ward equal in number to at least two percent of the total vote received by all candidates for ward alderman in that ward at the last preceding city election.

10. Nominations for township officers may be made by nomination petitions signed by not less than ten eligible electors of the township.

[C97, §1100; C24, §651; C27, 31, 35, §655-a17; C39, §655.17; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §45.1; 81 Acts, ch 34, §7]
 86 Acts, ch 1224, §7; 88 Acts, ch 1119, §10, 11; 89 Acts, ch 136, §27; 93 Acts, ch 143, §8; 94 Acts, ch 1180, §10

45.2 Adding name by petition.

The name of a candidate placed upon the ballot by any other method than by petition shall not be added by petition for the same office in the same election.

[C97, §1100; C24, §651; C27, 31, 35, §655-a18; C39, §655.18; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §45.2]

Other methods, chapters 43, 44

45.3 Preparation of petition and affidavit.

Each eligible elector who signs a nominating petition drawn up in accordance with this chapter shall add to the signature the elector's residence address and the date of signing. The person whose nomination is proposed by the petition shall not sign it. A person may sign nomination petitions under this chapter for more than one candidate for the same office, and the signature is not invalid solely because the person signed nomination petitions for one or more other candidates for the office.

Each candidate shall complete and file a signed, notarized affidavit of candidacy. The affidavit shall be filed at the same time as the nomination petition. The affidavit shall be in the form prescribed by the secretary of state and shall include the following information:

1. The candidate's name in the form the candidate wants it to appear on the ballot.
2. The candidate's home address.
3. The name of the county in which the candidate resides.
4. The name of the political organization by which the candidate was nominated, if any.
5. The office sought by the candidate, and the district the candidate seeks to represent, if any.
6. A declaration that if the candidate is elected the candidate will qualify by taking the oath of office.
7. A statement that the candidate is aware that the candidate is required to organize a candidate's committee which shall file an organization statement and disclosure reports if the committee or the candidate receives contributions, makes expenditures, or incurs indebtedness in excess of the reporting threshold in section 56.2, subsection 5. This subsection shall not apply to candidates for federal office.
8. A statement that the candidate is aware of the prohibition in section 49.41 against being a candidate for more than one office to be filled at the same election, except county agricultural extension council and soil and water conservation district commission.

9. A statement that the candidate is aware that the candidate is disqualified from holding office if the candidate has been convicted of a felony or other infamous crime and the candidate's rights have not been restored by the governor or by the president of the United States.

[C97, §1100; C24, §651; C27, 31, 35, §655-a19; C39, §655.19; C46, 50, 54, 58, 62, 66, 71, 73, §45.3; C75, §45.3, 56.5(4); C77, 79, 81, §45.3; 81 Acts, ch 35, §18]

87 Acts, ch 221, §6; 89 Acts, ch 136, §28; 90 Acts, ch 1238, §9; 91 Acts, ch 129, §9; 94 Acts, ch 1023, §79; 94 Acts, ch 1180, §11; 98 Acts, ch 1052, §4; 2001 Acts, ch 158, §9

45.4 Filing — presumption — withdrawals — objections.

The time and place of filing nomination petitions, the presumption of validity thereof, the right of a candidate so nominated to withdraw and the effect of such withdrawal, and the right to object to the legal sufficiency of such petitions, or to the eligibility of the candidate, shall be governed by the law relating to nominations by political organizations which are not political parties.

[C97, §1104; SS15, §1104; C24, §652, 654, 655; C27, 31, 35, §655-a20; C39, §655.20; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §45.4]

Statutes applicable, chapter 44

CHAPTER 46

NOMINATION AND ELECTION OF JUDGES

- 46.1 Appointment of state judicial nominating commissioners.
 - 46.2 Election of state judicial nominating commissioners.
 - 46.3 Appointment of district judicial nominating commissioners.
 - 46.4 Election of district judicial nominating commissioners.
 - 46.5 Vacancies.
 - 46.5A Judicial nominating commission expenses.
 - 46.6 Equal seniority.
 - 46.7 Eligibility to vote.
 - 46.8 Certified list.
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 - 46.19 Election registers.
 - 46.20 Declaration of candidacy.
 - 46.21 Conduct of elections.
 - 46.22 Voting.
 - 46.23 General election and absent voter laws.
 - 46.24 Results of election.
 - 46.25 Eligible elector defined.
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47.6 Election dates — conflicts — public measures.

1. The governing body of any political subdivision which has authorized a special election to which section 39.2 is applicable shall by written notice inform the commissioner who will be responsible for conducting the election of the proposed date of the special election. If a public measure will appear on the ballot at the special election the governing body shall submit the complete text of the public measure to the commissioner with the notice of the proposed date of the special election.

If the proposed date of the special election coincides with the date of a regularly scheduled election or previously scheduled special election, the notice shall be given no later than five p.m. on the last day on which nomination papers may be filed with the commissioner for the regularly scheduled election or previously scheduled special election, but in no case shall notice be less than thirty-two days before the election. Otherwise, the notice shall be given at least thirty-two days in advance of the date of the proposed special election. Upon receiving the notice, the commissioner shall promptly give written approval of the proposed date unless it appears that the special election, if held on that date, would conflict with a regular election or with another special election previously scheduled for that date.

A public measure shall not be withdrawn from the ballot at any election if the public measure was placed on the ballot by a petition, or if the election is a special election called specifically for the purpose of deciding one or more public measures for a single political subdivision. However, a public measure which was submitted to the county commissioner of elections by the governing body of a political subdivision may be withdrawn by the governing body which submitted the public measure if the public measure was to be placed on the ballot of a regularly scheduled election. The notice of withdrawal must be made by resolution of the governing body and must be filed with the commissioner no later than the last day upon which a candidate may withdraw from the ballot.

2. For the purpose of this section, a conflict between two elections exists only when one of the elections would require use of precinct boundaries which differ from those to be used for the other election, or when some but not all of the registered voters of any precinct would be entitled to vote in one of the elections and all of the registered voters of the same precinct would be entitled to vote in the other election. Nothing in this subsection shall deny a commissioner discretionary authority to approve holding a special election on the same date as another election, even though the two elections may be defined as being in conflict, if the commissioner concludes that to do so will cause no undue difficulties.

[C77, 79, 81, §47.6]

89 Acts, ch 136, §32; 90 Acts, ch 1238, §12; 93 Acts, ch 143, §10; 95 Acts, ch 67, §53; 97 Acts, ch 170, §13

47.7 State registrar of voters.

1. The state commissioner of elections is designated the state registrar of voters, and shall regulate the preparation, preservation, and maintenance of voter registration records, the preparation of precinct election registers for all elections administered by the commissioner of any county, and the preparation of other data on voter registration and participation in elections which is requested and purchased at actual cost of preparation and production by a political party or any resident of this state. The registrar shall maintain a log, which is a public record, showing all lists and reports which have been requested or generated or which are capable of being generated by existing programs of the data processing services of the registrar. In the execution of the duties provided by this chapter, the state registrar of voters shall provide the maximum public access to the electoral process permitted by law.

2. The registrar shall offer to each county in the state the opportunity to arrange for performance of all functions referred to in subsection 1 by the data processing facilities of the registrar, commencing at the earliest practicable time, at a cost to the county determined in accordance with the standard charges for those services adopted annually by the registration commission. A county may accept this offer without taking bids under section 47.5.

3. Any county may use its own data processing facilities for voter registration record keeping and utilization functions, if the system design and the form in which the registration records are kept conform to specifications established by rules promulgated by the registration commission. Each county exercising the option to maintain its own voter registration records under this subsection shall provide the registrar, at the county's expense, original and updated voter registration lists in a form and at times prescribed by the registrar.

4. Not later than July 1, 1984, information listed in section 48A.11 contained in a county's manual records but not on the county's computer readable records shall be provided to the registrar in a form specified by the registrar. The registrar shall require that any information supplied under section 48A.11, except the signature and attestation of the registrant, be provided to the registrar in a form specified by the registrar.

[C77, 79, 81, §47.7; 81 Acts, ch 34, §10]

83 Acts, ch 176, §1, 10; 86 Acts, ch 1245, §313; 94 Acts, ch 1169, §47; 98 Acts, ch 1217, §34

Legislative intent that state data processing services to support voter registration file maintenance and storage be provided without charge; 98 Acts, ch 1217, §26; 99 Acts, ch 199, §27; 2000 Acts, ch 1231, §31; 2001 Acts, ch 187, §24

d. Consideration shall not be given to the addresses of incumbent officeholders, political affiliations of registered voters, previous election results, or demographic information other than population head counts, except as required by the Constitution and the laws of the United States.

e. Cities shall not be divided into two or more county supervisor districts unless the population of the city is greater than the ideal size of a district. Cities shall be divided into the smallest number of county supervisor districts possible.

[C51, §245; R60, §480; C73, §501, 605; C97, §1090; S13, §1090; C24, 27, 31, 35, 39, §721, 722, 723; C46, 50, 54, 58, 62, 66, 71, 73, §49.3, 49.4, 49.5; C75, 77, 79, 81, §49.3]

94 Acts, ch 1179, §4, 5; 95 Acts, ch 67, §53; 99 Acts, ch 17, §1

49.4 Precincts drawn by county board.

Where action by the board of supervisors is necessary or deemed advisable by the board of supervisors or the temporary county redistricting commission, the boundaries of precincts shall be definitely fixed by ordinance. A public hearing shall be held before final action is taken to adopt changes in the precinct boundaries. Notice of the date, time, and place of the hearing shall be given as provided in chapter 21. In the absence of contrary action by the board of supervisors or the temporary county redistricting commission, each civil township which does not include any part of a city of over two thousand population, and the portion of each civil township containing any such city which lies outside the corporate limits of that city or those cities, shall constitute an election precinct. If no action is necessary to change the county election precincts, the board of supervisors shall certify the retained boundaries to the state commissioner, as required by section 49.7.

1. Where a civil township, or the portion of a civil township outside the corporate limits of any city of over two thousand population contained therein, is divided into two or more election precincts, the precincts shall be so drawn that their total populations shall be reasonably equal on the basis of data available from the most recent federal decennial census.

2. Counties using alternative supervisor representation plans "two" or "three", as described in section 331.206, shall be apportioned into single-member supervisor districts on the basis of population. In counties using representation plan "three", the boundaries of supervisor districts shall follow the boundaries of election precincts.

3. Notwithstanding any other provision of this chapter, Indian settlement land held in trust by the secretary of the interior of the United States for the Sac and Fox tribe of the Mississippi in Iowa and its trust land contiguous to the Indian settlement lying in Tama, Toledo and Indian Village townships of Tama county shall be an election precinct. The polling place of that precinct shall be located on the Indian settlement in a structure designated by the election commissioner of Tama county.

The Indian settlement precinct shall be redrawn to include land contiguous to the Indian settlement when such land is purchased by the settlement and added to the Indian settlement land held in trust by the secretary of the interior of the United States. Upon recording of the deed transferring the land to the United States in trust, the county recorder shall notify the county commissioner of that fact. If the commissioner is notified more than seventy days before the next scheduled election, the commissioner shall redraw the precinct for that election. The commissioner shall notify the board of supervisors of the redrawn precinct boundaries and shall certify the redrawn boundaries to the state commissioner. Land completely surrounded by the boundaries of the Indian settlement precinct, but not included in the settlement precinct, shall be included in the precinct in which such land was located prior to redrawing of the Indian settlement precinct. The commissioner shall notify registered voters in each of the redrawn precincts of the change in the precincts and the proper polling place for those affected voters.

[C73, §603; C97, §1090; S13, §1090; C24, 27, 31, 35, 39, §722, 725; C46, 50, 54, 58, 62, 66, 71, 73, §49.4, 49.7; C75, 77, 79, 81, S81, §49.4; 81 Acts, ch 117, §1203]

94 Acts, ch 1179, §6; 99 Acts, ch 17, §2

49.5 City precincts.

The council of a city where establishment of more than one precinct is necessary or deemed advisable shall, at the time required by law, divide the city into the number of election precincts as will best serve the convenience of the voters while promoting electoral efficiency. As used in this section, the term "*the convenience of the voters*" refers to, but is not necessarily limited to, the use of precinct boundaries which can be readily described to and identified by voters and for which there is ease of access by voters to their respective precinct polling places by reasonably direct routes of travel. As used in this section, the term "*promoting electoral efficiency*" means reducing the cost of staffing election precincts by requiring cities to avoid creating more precincts than is reasonably necessary to provide voters access to voting.

The precinct boundaries shall conform to section 49.3 and shall be described in an ordinance adopted by the council within the time required by section 49.7. Before final adoption of any change in election precinct boundaries pursuant to this section or section 49.6, the council shall permit the commissioner not less than seven and not more than ten days' time to offer written comments to the council on the proposed reprecincting. If the commissioner recommends changes in the proposed reprecincting which the commissioner concludes could better serve the convenience of the voters or could promote electoral efficiency, including lowering election costs, the council shall, if no changes to the reprecincting are made, include reasons in the ordinance for not adopting the proposed changes of the commissioner. A public hearing shall be held before final adoption of the ordinance. Notice of the date, time, and place of the hearing shall be given as provided in chapter 21.

[C97, §1090; S13, §1090; C24, 27, 31, 35, 39, §723; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §49.5]

93 Acts, ch 143, §14; 94 Acts, ch 1179, §7, 8; 2001 Acts, ch 50, §1, 2

49.6 Power to combine township and city precincts.

Election precincts composed partially of unincorporated territory and partially of all or any part of a city may be established within a single county in any manner which is not contrary to section 49.3. An agreement mutually satisfactory to the board of supervisors or the temporary county redistricting commission and the city council of the city involved shall be adopted and a copy of the agreement shall be submitted to the state commissioner as part of the certification of precinct boundaries required by section 49.7.

[C97, §1090; S13, §1090; C24, 27, 31, 35, 39, §724; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §49.6]

94 Acts, ch 1179, §9

49.7 Reprecincting schedule and filing requirements.

Where reprecincting is necessary, city councils and county boards of supervisors or the temporary county redistricting commission shall make any necessary changes in precincts as soon as possible after the redistricting of congressional and legislative districts becomes law.

City councils shall complete any changes in precinct and ward boundaries necessary to comply with sections 49.3 and 49.5 not later than sixty days after the redistricting of congressional and legislative districts becomes law, or September 1 of the year immediately following each year in which the federal decennial census is taken, whichever is later. Different compliance dates may be set by the general assembly by joint resolution.

County boards of supervisors or the temporary county redistricting commission shall complete any changes in precinct and supervisor district boundaries necessary to comply with sections 49.3, 49.4, and 331.209 not later than ninety days after the redistricting of congressional and legislative districts becomes law, or October 15 of the year immediately following each year in which the federal decennial census is taken, whichever is later. Different compliance dates may be set by the general assembly by joint resolution.

Each county board of supervisors or the temporary county redistricting commission and city council shall immediately notify the state commissioner and the commissioner when the boundaries of election precincts are changed, and shall provide a map showing the new boundary lines. Each county board or the temporary county redistricting commission and city council shall certify to the state commissioner the populations of the new election precincts or retained election precincts as determined by the latest federal decennial census. Materials filed with the state commissioner shall be postmarked no later than the deadline specified in this section.

If the state commissioner determines that a county board or the temporary county redistricting commission or city council has failed to make the required changes by the dates specified by this section, the state commissioner shall make or cause to be made the necessary changes as soon as possible. The state commissioner shall assess to the county or city, as the case may be, the expenses incurred in making the necessary changes. The state commissioner may request the services of personnel and materials available to the legislative service bureau to assist the state commissioner in making required changes in election precincts which become the state commissioner's responsibility.

Precinct boundaries shall become effective on January 15 of the second year following the year in which the census was taken and shall be used for all subsequent elections. Precinct boundaries drawn by the state commissioner shall be incorporated into the ordinances of the city or county.

Changes made to precincts in years other than the year following the year in which the federal decennial census is taken shall be filed with the state commissioner as soon as possible.

[C73, §603; C97, §1090; S13, §1090; C24, 27, 31, 35, 39, §722, 723; C46, 50, 54, 58, 62, 66, 71, 73, §49.4, 49.5; C75, 77, 79, 81, §49.7; 82 Acts, ch 1091, §1]

89 Acts, ch 296, §11; 90 Acts, ch 1233, §1; 94 Acts, ch 1179, §10

49.8 Changes in precincts.

After any required changes in precinct boundaries have been made following each federal decennial census, at the time established by or pursuant to section 49.7, the county board or city council shall make no further changes in precinct boundaries until after the next federal decennial census, except in the following circumstances:

1. When deemed necessary by the board of supervisors of any county because of a change in the location of the boundaries, dissolution or establishment of any civil township, the boundaries of precincts actually affected may be changed as necessary to conform to the new township boundaries.

2. When territory is annexed to a city the city council may attach all or any part of the annexed territory to any established precinct or precincts which are contiguous to the annexed territory, however this subsection shall not prohibit establishment of one or more new precincts in the annexed territory.

3. A city may have one special federal census taken each decade and the population figures obtained may be used to revise precinct boundaries in accordance with the requirements of sections 49.3 and 49.5.

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49.41 More than one office prohibited.

A person shall not be a candidate for more than one office to be filled at the same election. A person who has been nominated for more than one office shall file a written notice declaring the office for which the person wishes to appear on the ballot.

If the nomination papers for all offices for which the candidate has been nominated are required to be filed with the same commissioner of elections, the candidate shall file a written notice with that commissioner no later than five p.m. on the final date upon which nomination papers may be filed for the election. The notice shall state the office for which the person wishes to appear on the ballot. If the required notice is not filed, the candidate's name shall not be certified by the state commissioner for any office for which nomination papers are filed with the state commissioner and the county commissioner of elections shall not include the candidate's name on the ballot for any office in any county.

If a person is a candidate for one or more offices for which nomination papers are required to be filed with the state commissioner and one or more offices for which nomination papers are required to be filed with the county commissioner, the candidate shall notify the state commissioner and the county commissioner in writing. The notice shall state the office for which the person chooses to remain a candidate. The notice shall be filed no later than the last day to file nomination papers with the commissioner. If the required notice is not filed, the candidate's name shall not appear on the ballot for any office in any county.

If necessary, the county commissioner shall certify to the state commissioner the name of any person who is a candidate for more than one office which will appear on the ballot for the election. The certification of dual candidacy shall be made no later than five p.m. on the day following the final day to file nomination papers in the office of the commissioner.

When the state commissioner receives notice from the county commissioner that a candidate for a state or federal office has also been nominated for a county or township office, the state commissioner shall amend the certificate issued pursuant to section 43.73 and notify the commissioners of any other counties to whom the candidate's name was originally certified and instruct them to remove the candidate's name from the ballot in those counties.

This section does not apply to the county agricultural extension council or the soil and water conservation district commission.

88 Acts, ch 1119, §16; 91 Acts, ch 129, §13; 2001 Acts, ch 158, §10

49.42 Form of official ballot. Repealed by 97 Acts, ch 170, §93. See §49.42A.

49.42A Form of official ballot.

The ballot for the general election shall be arranged in substantially the following form:

**PARTISAN OFFICES
STRAIGHT PARTY VOTING**

To vote for all candidates from a single party mark the voting target next to the party name. Not all parties have nominated candidates for all offices. Marking a straight party vote does not include votes for nonpartisan offices, judges, or questions.

- POLITICAL PARTY NAME
- POLITICAL PARTY NAME
- POLITICAL ORGANIZATION NAME
- POLITICAL ORGANIZATION NAME

OTHER POLITICAL ORGANIZATIONS

The following political organizations have nominated candidates for only one office:

- POLITICAL ORGANIZATION NAME
- POLITICAL ORGANIZATION NAME

FEDERAL OFFICES

For President and Vice President
Vote for no more than one team.

- CANDIDATE NAME, of State
CANDIDATE NAME, of State
Political Party
- CANDIDATE NAME, of State
CANDIDATE NAME, of State
Political Party
- CANDIDATE NAME, of State
CANDIDATE NAME, of State
Political Organization Name
- CANDIDATE NAME, of State
CANDIDATE NAME, of State
Political Organization Name
- CANDIDATE NAME, of State
CANDIDATE NAME, of State
Nominated by Petition

Write-in for President, if any.

Write-in for Vice President, if any.

49A.9 Expenses.

Expenses incurred under the provisions of this chapter shall be audited and allowed by the director of revenue and finance and paid out of any money in the state treasury not otherwise appropriated.

[C97, §59; C24, 27, 31, 35, 39, §77; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §6.9]

C93, §49A.9

49A.10 Action to test legality.

Whenever an amendment to the Constitution of the state of Iowa shall have been proposed and agreed to by the general assembly and shall have been agreed to by the succeeding general assembly, any taxpayer may file suit in equity in the district court at the seat of government of the state, challenging the validity, legality or constitutionality of such amendment, or the procedure connected therewith, and in such suit the district court shall have jurisdiction to determine the validity, legality or constitutionality of said amendment or the procedure connected therewith, and enter its decree accordingly, and may grant a writ of injunction enjoining the governor and state commissioner of elections from submitting such constitutional amendment, if it, or the procedure connected therewith, shall have been found to be invalid, illegal or unconstitutional.

[C31, 35, §77-d1; C39, §77.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §6.10]

C93, §49A.10

49A.11 Parties.

In such suit the taxpayer shall be plaintiff and the governor and state commissioner of elections shall be defendants. Any taxpayer may intervene, either as party plaintiff or defendant.

[C31, 35, §77-d2; C39, §77.2; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §6.11]

C93, §49A.11

CHAPTER 50

CANVASS OF VOTES

Chapter applicable to primary elections, §43.5
Criminal offenses, §722.4-722.9; also §43.119, 43.120
Definitions in §39.3 applicable to this chapter

- 50.1 Definitions.
- 50.1A Canvass by officials.
- 50.2 One tally list in certain machine precincts.
- 50.3 Double or defective ballots.
- 50.4 Ballots objected to.
- 50.5 Disputed ballots returned separately.
- 50.6 Votes in excess of voter declarations.
- 50.7 Error on county office — township office.
- 50.8 Error on state or district office — tie vote.
- 50.9 Return of ballots not voted.
- 50.10 Record of ballots returned.
- 50.11 Proclamation of result.
- 50.12 Return and preservation of ballots.
- 50.13 Destruction of ballots.
- 50.14 Destruction of primary election ballots. Repealed by 89 Acts, ch 136, §75.
- 50.15 Destruction in abeyance pending contest.
- 50.16 Tally list of board.
- 50.17 Return of election register.
- 50.18 Repealed by 73 Acts, ch 136, §401.
- 50.19 Preservation and destruction of books.
- 50.20 Notice of number of special ballots.
- 50.21 Special precinct board reconvened.
- 50.22 Special precinct board to determine challenges and canvass absentee ballots.
- 50.23 Messengers for missing tally lists.
- 50.24 Canvass by board of supervisors.
- 50.25 Abstract of votes in the general election.
- 50.26 Duplicate abstracts.
- 50.27 Declaration of election.
- 50.28 Tally lists filed.
- 50.29 Certificate of election.

50.15 Destruction in abeyance pending contest.

If a contest is pending, the ballots shall be kept until the contest is finally determined, and then so destroyed.

[C97, §1143; S13, §1143; C24, 27, 31, 35, 39, §854; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §50.15]

50.16 Tally list of board.

The tally list shall be prepared in writing by the election board giving, in legibly printed numerals, the total number of people who cast ballots in the precinct, the total number of ballots cast for each officer, except those rejected, the name of each person voted for, and the number of votes given to each person for each different office. The tally list shall be signed by the precinct election officials, and be substantially as follows:

At an election at in township, or in precinct of city or township, in county, state of Iowa, on the day of A.D., there were ballots cast for the office of of which (Candidate's name) had votes. (Candidate's name) had votes. (and in the same manner for any other officer).

A true tally list:

(Name)..... Election Board Members.
(Name).....
(Name).....

Attest:

(Name)..... Designated Tally Keepers.
(Name).....

[C51, §267, 303; R60, §502, 537; C73, §628, 661; C97, §1144; C24, 27, 31, 35, 39, §855; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §50.16]

93 Acts, ch 143, §21; 2000 Acts, ch 1058, §8; 2001 Acts, ch 24, §18

50.17 Return of election register.

The precinct election register prepared for each election, together with the ballots to be returned pursuant to section 50.12, if any, and the signed and attested tally list, shall be delivered to the commissioner by one of the precinct election officials by noon of the day following the election.

[C51, §268; R60, §333, 503, 1131; C73, §503, 629; C97, §1145; C24, 27, 31, 35, 39, §856; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §50.17]

50.18 Repealed by 73 Acts, ch 136, §401.

50.19 Preservation and destruction of books.

The commissioner may destroy precinct election registers, the declarations of eligibility signed by voters, and other material pertaining to any election in which federal offices are not on the ballot, except the tally lists which have not been electronically recorded, six months after the election if a contest is not pending. If a contest is pending all election materials shall be preserved until final determination of the contest. Before destroying the election registers and declarations of eligibility, the commissioner shall prepare records as necessary to permit compliance with chapter 48A, subchapter V. Nomination papers for primary election candidates for state and county offices shall be destroyed ten days before the general election, if a contest is not pending.

Material pertaining to elections for federal offices, including ballots, precinct election registers, declarations of eligibility signed by voters, documents relating to absentee ballots, and challenges of voters, shall be preserved for twenty-two months after the election. If a contest is not pending the materials may be destroyed at the end of the retention period.

[C51, §268; R60, §333, 503, 1131; C73, §503, 629; C97, §1145; C24, 27, 31, 35, 39, §858; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §50.19]

89 Acts, ch 136, §46; 94 Acts, ch 1169, §52; 98 Acts, ch 1119, §29

50.20 Notice of number of special ballots.

The commissioner shall compile a list of the number of special ballots cast under section 49.81 in each precinct. The list shall be made available to the public as soon as possible, but in no case later than nine o'clock a.m. on the second day following the election. Any elector may examine the list during normal office hours, and may also examine the affidavit envelopes bearing the ballots of challenged electors until the reconvening of the special precinct board as required by this chapter. Only those persons so permitted by section 53.23, subsection 4, shall have access to the affidavits while that board is in session. Any elector may present written statements or documents, supporting or opposing the counting of any special ballot, at the commissioner's office until the reconvening of the special precinct board.

[C77, 79, 81, §50.20]

87 Acts, ch 221, §22

50.21 Special precinct board reconvened.

The commissioner shall reconvene the election board of the special precinct established by section 53.20 not earlier than noon on the second day following each election which is required by law to be canvassed on the Monday or Tuesday following the election. If the second day following such an election is a legal holiday the special precinct election board may be convened at noon on the day following the election, and if the canvass of the election is scheduled at any time earlier than the Monday following the election, the special precinct election board shall be reconvened at noon on the day following the election.

52.40 Early pick-up sites established — procedure.

1. In counties where counting centers have been established under section 52.34, the commissioner may designate certain polling places as early ballot pick-up sites. At these sites, between the hours of one p.m. and four p.m. on the day of the election, two precinct election officials of different political parties shall seal the ballot container to prevent the addition or removal of ballots and replace it with an empty, locked ballot container. The sealed ballot container shall be kept in a safe place in view of the precinct election officials. The early pick-up officers shall receive the sealed ballot container containing the ballots which have been voted along with a signed statement of the precinct officials attesting to the number of declarations of eligibility signed up to that time, excluding those declarations signed by voters who had not yet placed their ballots in the ballot container when it was sealed.

2. Early pick-up officers shall be appointed in two-person teams, one from each of the political parties referred to in section 49.13, who shall be appointed by the commissioner from the election board panel drawn up as provided by section 49.15. The early pick-up officers shall be sworn in the manner provided by section 49.75 for election board members, and shall receive compensation as provided in section 49.20.

3. Each two-person team of early pick-up officers shall travel together in the same vehicle and shall have the container under their immediate joint control until they surrender it to the commissioner or the commissioner's designee. If persons designated as early pick-up officers fail to appear at the time the duties set forth in this section are to be performed, the commissioner shall at once appoint some other person or persons, giving preference to persons designated by the respective county chairpersons of the political parties described in section 49.13, to carry out the requirements of this section.

4. The tabulation of ballots received from early pick-up sites shall be conducted at the counting center during the hours the polls are open, in the manner provided in sections 52.36 and 52.37, except that the room in which the ballots are being counted shall not be open to the public during the hours in which the polls are open and the room shall be policed so as to prevent any person other than those whose presence is authorized by this section and sections 52.36 and 52.37 from obtaining information about the progress of the count. The only persons who may be admitted to that room, as long as admission does not impede the progress of the count, are the members of the board, one challenger representing each political party, one observer representing any nonparty political organization or any candidate nominated by petition pursuant to chapter 45, and the commissioner or the commissioner's designee. No compilation of vote subtotals shall be made while the polls are open. Any person who makes a compilation of vote subtotals before the polls are closed commits a simple misdemeanor. It shall be unlawful for any person to communicate or attempt to communicate, directly or indirectly, information regarding the progress of the count at any time before the polls are closed.

93 Acts, ch 143, §30; 94 Acts, ch 1180, §21; 97 Acts, ch 170, §67

CHAPTER 53
ABSENT VOTERS

Chapter applicable to primary elections, §43.5
Definitions in §39.3 applicable to this chapter

- 53.1 Right to vote — conditions.
- 53.2 Application for ballot.
- 53.3 Special absentee ballot. Repealed by 87 Acts, ch 221, §36.
- 53.4 through 53.6 Reserved.
- 53.7 Solicitation by public employees.
- 53.8 Ballot mailed.
- 53.9 Prohibited persons.
- 53.10 Repealed by 72 Acts, ch 1025, §35.
- 53.11 Personal delivery of absentee ballot — satellite absentee voting stations.
- 53.12 Duty of commissioner.
- 53.13 Voter's affidavit on envelope.
- 53.14 Party affiliation.
- 53.15 Marking ballot.
- 53.16 Subscribing to affidavit.
- 53.17 Mailing or delivering ballot.
- 53.18 Manner of preserving ballot and application.
- 53.19 Listing absentee ballots.
- 53.20 Special precinct established.
- 53.21 Replacement of lost or spoiled absentee ballots.
- 53.22 Balloting by confined persons.
- 53.23 Special precinct election board.
- 53.24 Counties using voting machines.
- 53.25 Rejecting ballot.
- 53.26 Rejected ballots — how handled.
- 53.27 Rejection of ballot — return of envelope.
- 53.28 and 53.29 Repealed by 73 Acts, ch 136, §401.
- 53.30 Ballot envelope preserved.
- 53.31 Challenges.
- 53.32 Ballot of deceased voter.
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53.31 Challenges.

Any person qualified to vote at the election in progress may challenge the qualifications of a person casting an absentee ballot by submitting a written challenge to the commissioner no later than five p.m. on the day before the election. It is the duty of the special precinct officials to challenge the absentee ballot of any person whom the official knows or suspects is not duly qualified. Challenges by members of the special precinct election board or observers present pursuant to section 53.23 may be made at any time before the close of the polls on election day. The challenge shall state the reasons for which the challenge is being submitted and shall be signed by the challenger. When a challenge is received the absentee ballot shall be set aside for consideration by the special precinct election board when it meets as required by section 50.22.

The commissioner shall immediately send a written notice to the elector whose qualifications have been challenged. The notice shall be sent to the address at which the challenged elector is registered to vote. If the ballot was mailed to the challenged elector, the notice shall also be sent to the address to which the ballot was mailed if it is different from the elector's registration address. The notice shall advise the elector of the reason for the challenge, the date and time that the special precinct election board will reconvene to determine challenges, and that the elector has the right to submit written evidence of the elector's qualifications. The notice shall include the telephone number of the commissioner's office. If the commissioner has access to a facsimile machine, the notice shall include the telephone number of the facsimile machine. As far as possible, other procedures for considering special ballots shall be followed.

[SS15, §1137-k; C24, 27, 31, 35, 39, §957; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.31]

93 Acts, ch 143, §35

Challenges, §49.79-49.81

53.32 Ballot of deceased voter.

When it shall be made to appear by due proof to the precinct election officials that any elector, who has so marked and forwarded a ballot, has died before the ballot envelope is opened, then the ballot of such deceased voter shall be endorsed, "*Rejected because voter is dead*", and be returned to the commissioner; but the casting of the ballot of a deceased voter shall not invalidate the election.

[SS15, §1137-l; C24, 27, 31, 35, 39, §958; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.32]

53.33 Repealed by 73 Acts, ch 136, §401.

53.34 False affidavit.

Any person who shall willfully swear falsely to any of such affidavits shall be guilty of a fraudulent practice.

[SS15, §1137-n; C24, 27, 31, 35, 39, §960; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.34]

53.35 Refusal to return ballot.

Any person who, having procured an official ballot or ballots, shall willfully neglect or refuse to cast or return the same in the manner provided, or who shall willfully violate any provision of this chapter, shall, unless otherwise provided, be guilty of a simple misdemeanor. Any person who applies for a ballot and willfully neglects or refuses to return the same shall be deemed to have committed an offense in the county to which such ballot was returnable.

[SS15, §1137-n; C24, 27, 31, 35, 39, §961; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.35]

53.35A Failure to return ballot — penalty.

Any person designated by the commissioner, or by the elector casting the absentee ballot, to deliver the sealed envelope containing the absentee ballot, who willfully fails to return the ballot to the commissioner or the commissioner's designee, is guilty of a serious misdemeanor.

93 Acts, ch 143, §36

53.36 Offenses by officers.

If any commissioner or any election officer shall refuse or neglect to perform any of the duties prescribed by this chapter, or shall violate any of the provisions thereof, that person shall, where no other penalty is provided, be guilty of a simple misdemeanor.

[SS15, §1137-n; C24, 27, 31, 35, 39, §962; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.36]

ABSENT VOTING BY ARMED FORCES

53.37 Definitions.

This division is intended to implement the federal Uniform and Overseas Citizens Absentee Voting Act, 42 U.S.C. §1973ff et seq.

The term "*armed forces of the United States*", as used in this division, shall mean the army, navy, marine corps, coast guard, and air force of the United States.

For the purpose of absentee voting only, there shall be included in the term "*armed forces of the United States*" the following:

1. Spouses and dependents of members of the armed forces while in active service.
2. Members of the merchant marine of the United States and their spouses and dependents.

3. Civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

4. Members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces, and their spouses and dependents.

5. Citizens of the United States who do not fall under any of the categories described in subsections 1 to 4, but who are entitled to register and vote pursuant to section 48A.5, subsection 4.

For the purposes of this division, “*qualified voter*” means a person who is included within the term “*armed forces of the United States*” as described in this section, who would be qualified to register to vote under section 48A.5, subsection 2, except for residency, and who is not disqualified from registering to vote and voting under section 48A.6.

[C54, 58, 62, 66, §53.37; C71, 73, 75, 77, 79, §53.37, 53.49; C81, §53.37]
94 Acts, ch 1180, §25; 95 Acts, ch 67, §8; 2001 Acts, ch 56, §4

53.38 Affidavit constitutes registration.

Whenever a ballot is requested pursuant to section 53.39 or 53.45 on behalf of a voter in the armed forces of the United States, the affidavit upon the ballot envelope of such voter, if the voter is found to be an eligible elector of the county to which the ballot is submitted, shall constitute a sufficient registration under the provisions of chapter 48A and the commissioner shall place the voter’s name on the registration record as a registered voter, if it does not already appear there.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.38]
88 Acts, ch 1119, §29; 94 Acts, ch 1169, §55

53.39 Request for ballot — when available.

Section 53.2 does not apply in the case of a qualified voter of the state of Iowa serving in the armed forces of the United States. In any such case an application for ballot as provided for in that section is not required and an absent voter’s ballot shall be sent or made available to any such qualified voter upon a request as provided in this division.

All official ballots to be voted by qualified absent voters in the armed forces of the United States at the primary election and the general election shall be printed prior to forty days before the respective elections and shall be available for transmittal to such qualified voters in the armed forces of the United States at least forty days before the respective elections. The provisions of this chapter apply to absent voting by qualified voters in the armed forces of the United States except as modified by the provisions of this division.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §53.39]

89 Acts, ch 136, §54; 94 Acts, ch 1169, §64; 94 Acts, ch 1180, §26; 95 Acts, ch 67, §9

53.40 Request requirements — transmission of ballot.

A request in writing for a ballot may be made by any member of the armed forces of the United States who is or will be a qualified voter on the day of the election at which the ballot is to be cast, at any time before the election. Any member of the armed forces of the United States may request ballots for all elections to be held within a calendar year. The request may be made by using the federal postcard application form and indicating that the applicant wishes to receive ballots for all elections as permitted by state law. The county auditor shall send the applicant a ballot for each election held during the calendar year in which the application is received.

Unless the request specifies otherwise, a request for the primary election shall also be considered a request for the general election. In the case of the general election request may be made not more than seventy days before the election, for and on behalf of a voter in the armed forces of the United States by a spouse, parent, parent-in-law, adult brother, adult sister, or adult child of the voter, residing in the county of the voter's residence. However, a request made by other than the voter may be required to be made on forms prescribed by the state commissioner.

A request shall show the residence (including street address, if any) of the voter, the age of the voter, and length of residence in the city or township, county and state, and shall designate the address to which the ballot is to be sent, and in the case of the primary election, the party affiliation of such voter. Such request shall be made to the commissioner of the county of the voter's residence, provided that if the request is made by the voter to any elective state, city or county official, the said official shall forward it to the commissioner of the county of the voter's residence, and such request so forwarded shall have the same force and effect as if made direct to the commissioner by the voter.

The commissioner shall immediately on the fortieth day prior to the particular election transmit ballots to the voter by mail or otherwise, postage prepaid, as directed by the state commissioner, requests for which are in the commissioner's hands at that time, and thereafter so transmit ballots immediately upon receipt of requests. A request for ballot for the primary election which does not state the party affiliation of the voter making the request is void and of no effect. A request which does not show that the person for whom a ballot is requested will be a qualified voter in the precinct in which the ballot is to be cast on the day of the election for which the ballot is requested, shall not be honored. However, a request which states the age and the city, including street address, if any, or township, and county where the voter resides, and which shows a sufficient period of residence, is sufficient to show that the person is a qualified voter. A request by the voter containing substantially the information required is sufficient.

62.14 Sufficiency of statement.

The statement shall not be dismissed for want of form, if the particular causes of contest are alleged with such certainty as will sufficiently advise the incumbent of the real grounds of contest.

[C51, §355; R60, §585; C73, §705; C97, §1211; C24, 27, 31, 35, 39, §1033; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.14]

62.15 Amendment — continuance.

If any part of the causes are held insufficient, they may be amended, but the incumbent will be entitled to an adjournment, if the incumbent states on oath that the incumbent has matter of answer to the amended causes, for the preparation of which the incumbent needs further time. Such adjournment shall be upon such terms as the court thinks reasonable; but if all the causes are held insufficient and an amendment is asked, the adjournment shall be at the cost of contestant. If no amendment is asked for or made, or in case of entire failure to prosecute, the proceedings may be dismissed.

[C51, §355, 361; R60, §585, 591; C73, §705; C97, §1211; C24, 27, 31, 35, 39, §1034; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.15]

62.16 Testimony.

The testimony may be oral or by deposition, taken as in an action at law in the district court.

[C51, §351; R60, §581; C73, §703; C97, §1209; C24, 27, 31, 35, 39, §1035; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.16]

62.17 Voters required to testify.

The court may require any person called as a witness, who voted at such election, to answer touching the person's qualifications as a voter, and, if the person was not a registered voter in the county where the person voted, then to answer for whom the person voted.

[C51, §360; R60, §590; C73, §709; C97, §1215; C24, 27, 31, 35, 39, §1036; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.17]

2001 Acts, ch 56, §5

62.18 Judgment.

The court shall adjudge whether the incumbent or any other person was duly elected, and that the person elected is entitled to the certificate. If the court finds that the election resulted in a tie vote for any office, the tie shall be resolved pursuant to section 50.44. If the judgment is against the incumbent, and the incumbent has already received the certificate, the judgment shall annul the certificate. If the court finds that no person was elected, the judgment shall be that the election be set aside.

[C51, §362; R60, §592; C73, §714; C97, §1220; C24, 27, 31, 35, 39, §1037; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.18]

90 Acts, ch 1238, §32

62.19 How enforced.

When either the contestant or incumbent shall be in possession of the office, by holding over or otherwise, the presiding judge shall, if the judgment be against the party so in possession of the office and in favor of the party's antagonist, issue an order to carry into effect the judgment of the court, which order shall be under the seal of the county, and shall command the sheriff of the county to put the successful party into possession of the office without delay, and to deliver to the successful party all books and papers belonging to the same; and the sheriff shall execute such order as other writs.

[C73, §715; C97, §1221; C24, 27, 31, 35, 39, §1038; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.19]

62.20 Appeal.

The party against whom judgment is rendered may appeal within twenty days to the district court, but, if the party be in possession of the office, such appeal will not supersede the execution of the judgment of the court as provided in section 62.19, unless the party gives a bond, with security to be approved by the district judge in a sum to be fixed by the judge, and which shall be at least double the probable compensation of such officer for six months, which bond shall be conditioned that the party will prosecute the appeal without delay, and that, if the judgment appealed from be affirmed, the party will pay over to the successful party all compensation received by the party while in possession of said office after the judgment appealed from was rendered. The court shall hear the appeal in equity and determine anew all questions arising in the case.

[C73, §716; C97, §1222; S13, §1222; C24, 27, 31, 35, 39, §1039; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.20]

62.21 Judgment.

If, upon appeal, the judgment is affirmed, the district court may render judgment upon the bond for the amount of damages, against the appellant and the sureties thereon.

[C73, §717; C97, §1223; C24, 27, 31, 35, 39, §1040; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.21]

62.22 Process — fees.

The style, form, and manner of service of process and papers, and the fees of officers and witnesses, shall be the same as in the district court, so far as the nature of the case admits.

[C51, §356, 374; R60, §586, 604; C73, §706, 724; C97, §1212; C24, 27, 31, 35, 39, §1041; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §62.22]

- 66.28 Witness fees.
- 66.29 City elective officers.
- 66.30 Ordinance.

66.1 Definitions.

As used in this chapter, unless the context otherwise requires, “book”, “list”, “record”, or “schedule” kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in section 445.1.

2000 Acts, ch 1148, §1
Former §66.1 transferred to §66.1A

66.1A Removal by court.

Any appointive or elective officer, except such as may be removed only by impeachment, holding any public office in the state or in any division or municipality thereof, may be removed from office by the district court for any of the following reasons:

1. For willful or habitual neglect or refusal to perform the duties of the office.
2. For willful misconduct or maladministration in office.
3. For corruption.
4. For extortion.
5. Upon conviction of a felony.
6. For intoxication, or upon conviction of being intoxicated.
7. Upon conviction of violating the provisions of chapter 56.

[S13, §1258-c; C24, 27, 31, 35, 39, §1091; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §66.1]

C2001, §66.1A

Section transferred from §66.1 in Code 2001 pursuant to 2000 Acts, ch 1148, §1

66.2 Jurisdiction.

The jurisdiction of the proceeding provided for in this chapter shall be as follows:

1. As to state officers whose offices are located at the seat of government, the district court of Polk county.
2. As to state officers whose duties are confined to a district within the state, the district court of any county within such district.
3. As to county, municipal, or other officers, the district court of the county in which such officers' duties are to be performed.

[C24, 27, 31, 35, 39, §1092; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §66.2]

66.3 Who may file petition.

The petition for removal may be filed:

1. By the attorney general in all cases.
2. As to state officers, by not fewer than twenty-five electors of the state.
3. As to any other officer, by five registered voters of the district, county, or municipality where the duties of the office are to be performed.
4. As to district officers, by the county attorney of any county in the district.
5. As to all county and municipal officers, by the county attorney of the county where the duties of the office are to be performed.

[S13, §1258-d; C24, 27, 31, 35, 39, §1093; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §66.3]

2001 Acts, ch 56, §6

66.4 Bond for costs.

If the petition for removal is filed by anyone other than the attorney general or the county attorney, the court shall require the petitioners to file a bond in such amount and with such surety or sureties as the court may require, said bond to be approved by the clerk, to cover the costs of such removal suit, including attorney fees, if final judgment is not entered removing the officer charged.

[C35, §1093-e1; C39, §1093.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §66.4]

66.5 Petition — other pleading.

The petition shall be filed in the name of the state of Iowa. The accused shall be named as defendant, and the petition, unless filed by the attorney general, shall be verified. The petition shall state the charges against the accused and may be amended as in ordinary actions, and shall be filed in the office of the clerk of the district court of the county having jurisdiction. The petition shall be deemed denied but the accused may plead thereto.

[S13, §1258-d, -e; C24, 27, 31, 35, 39, §1094; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §66.5]

66.6 Notice.

Upon the filing of a petition, notice of such filing and of the time and place of hearing shall be served upon the accused in the manner required for the service of notice of the commencement of an ordinary action. Said time shall not be less than ten days nor more than twenty days after completed service of said notice.

[S13, §1258-f; C24, 27, 31, 35, 39, §1095; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §66.6]

n. Payment of salary or expenses by a person's employer or the firm in which the person is a member for the cost of attending a meeting of a subunit of an agency when the person whose expenses are being paid serves on a board, commission, committee, council, or other subunit of the agency and the person is not entitled to receive compensation or reimbursement of expenses from the state or a political subdivision of the state for attending the meeting.

o. Gifts of food, beverages, travel, or lodging received by a public official or public employee if all of the following apply:

(1) The public official or public employee is officially representing an agency in a delegation whose sole purpose is to attract a specific new business to locate in the state, encourage expansion or retention of an existing business already established in the state, or to develop markets for Iowa businesses or products.

(2) The donor of the gift is not the business or businesses being contacted. However, food or beverages provided by the business or businesses being contacted which are consumed during the meeting are not a gift under section 68B.2, subsection 9, or this section.

(3) The public official or public employee plays a significant role in the presentation to the business or businesses on behalf of the public official's or public employee's agency.

p. Gifts other than food, beverages, travel, and lodging received by a public official or public employee which are received from a person who is a citizen of a country other than the United States and are given during a ceremonial presentation or as a result of a custom of the other country and are of personal value only to the donee.

q. Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

5. For purposes of determining the value of an item given or received, an individual who gives an item on behalf of more than one person shall not divide the value of the item by the number of persons on whose behalf the item is given and the value of an item received shall be the value actually received by the donee.

6. A gift shall not be considered to be received by a public official or public employee if the state is the donee of the gift and the public official or public employee is required to receive the gift on behalf of the state as part of the performance of the person's duties of office or employment.

7. A person shall not request, and a member of the general assembly shall not agree, that a member of the general assembly sell tickets for a community-related social event that is to be held for members of the general assembly in Polk county during the legislative session. This section shall not apply to Polk county or city of Des Moines events that are open to the public generally or are held only for Polk county or city of Des Moines legislators.

8. Except as otherwise provided in subsection 4, an organization or association which has as one of its purposes the encouragement of the passage, defeat, introduction, or modification of legislation shall not give and a member of the general assembly shall not receive food, beverages, registration, or scheduled entertainment with a per person value in excess of three dollars.

92 Acts, ch 1228, §9; 93 Acts, ch 163, §6; 94 Acts, ch 1092, §5-7; 2001 Acts, ch 24, §19 .

68B.24 Loans — receipt from lobbyists prohibited.

1. An official, member of the general assembly, state employee, legislative employee, or candidate for state office shall not, directly or indirectly, seek or accept a loan or series of loans from a person who is a lobbyist.

2. A lobbyist shall not, directly or indirectly, offer or make a loan or series of loans to an official, member of the general assembly, state employee, legislative employee, or candidate for state office. A lobbyist shall also not, directly or indirectly, join with one or more persons to offer or make a loan or series of loans to an official, member of the general assembly, state employee, legislative employee, or candidate for state office.

3. This section shall not apply to loans made in the ordinary course of business. For purposes of this section, a loan is "*made in the ordinary course of business*" when it is made by a person who is regularly engaged in a business that makes loans to members of the general public and the finance charges and other terms of the loan are the same or substantially similar to the finance charges and loan terms that are available to members of the general public.

92 Acts, ch 1228, §11; 93 Acts, ch 163, §8

68B.25 Additional penalty.

In addition to any penalty contained in any other provision of law, a person who knowingly and intentionally violates a provision of sections 68B.2A through 68B.7, sections 68B.22 through 68B.24, or sections 68B.35 through 68B.38 is guilty of a serious misdemeanor and may be reprimanded, suspended, or dismissed from the person's position or otherwise sanctioned.

[C71, 73, 75, 77, 79, 81, §68B.8]

87 Acts, ch 213, §3; 92 Acts, ch 1228, §12

C93, §68B.25

93 Acts, ch 163, §9

68B.26 Actions commenced.

Complaints regarding conduct of local officials or local employees which violates this chapter shall be filed with the county attorney in the county where the accused resides. However, if the county attorney is the person against whom the complaint is filed, or if the county attorney otherwise has a personal or legal conflict of interest, the complaint shall be referred to another county attorney.

[C71, 73, 75, 77, 79, 81, §68B.9]

C93, §68B.26

93 Acts, ch 163, §10; 2000 Acts, ch 1042, §1

e. Members of the banking board, the ethics and campaign disclosure board, the credit union review board, the economic development board, the employment appeal board, the environmental protection commission, the health facilities council, the Iowa finance authority, the Iowa public employees' retirement system investment board, the lottery board, the natural resource commission, the board of parole, the petroleum underground storage tank fund board, the public employment relations board, the state racing and gaming commission, the state board of regents, the tax review board, the transportation commission, the office of consumer advocate, the utilities board, the Iowa telecommunications and technology commission, and any full-time members of other boards and commissions as defined under section 7E.4 who receive an annual salary for their service on the board or commission.

f. Members of the general assembly.

g. Candidates for state office.

h. Legislative employees who are the head or deputy head of a legislative agency or whose position involves a substantial exercise of administrative discretion or the expenditure of public funds.

3. The board, in consultation with each executive department or independent agency, shall adopt rules pursuant to chapter 17A to implement the requirements of this section that provide for the time and manner for the filing of financial statements by persons in the department or independent agency.

4. The ethics committee of each house of the general assembly shall recommend rules for adoption by each house for the time and manner for the filing of financial statements by members or employees of the particular house. The legislative council shall adopt rules for the time and manner for the filing of financial statements by legislative employees of the central legislative staff agencies. The rules shall provide for the filing of the financial statements with either the chief clerk of the house, the secretary of the senate, or other appropriate person or body.

5. A candidate for statewide office shall file a financial statement with the ethics and campaign disclosure board, a candidate for the office of state representative shall file a financial statement with the chief clerk of the house of representatives, and a candidate for the office of state senator shall file a financial statement with the secretary of the senate. Statements shall contain information concerning the year preceding the year in which the election is to be held. The statement shall be filed no later than thirty days after the date on which a person is required to file nomination papers for state office under section 43.11, or, if the person is a candidate in a special election, as soon as practicable after the certification of the name of the nominee under section 43.88, but the statement shall be postmarked no later than seven days after certification. The ethics and campaign disclosure board shall adopt rules pursuant to chapter 17A providing for the filing of the financial statements with the board and for the deposit, retention, and availability of the financial statements. The ethics committees of the house of representatives and the senate shall recommend rules for adoption by the respective houses providing for the filing of the financial statements with the chief clerk of the house or the secretary of the senate and for the deposit, retention, and availability of the financial statements. Rules adopted shall also include a procedure for notification of candidates of the duty to file disclosure statements under this section.

92 Acts, ch 1228, §17; 93 Acts, ch 163, §21; 94 Acts, ch 1092, §9; 96 Acts, ch 1200, §2; 2001 Acts, ch 61, §12

CHAPTER 69

VACANCIES — REMOVAL — TERMS

- 69.1 Definitions.
- 69.1A Holding over.
- 69.2 What constitutes vacancy.
- 69.3 Possession of office.
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- 69.5 Vacancy in general assembly.
- 69.6 Vacancy in state boards.
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- 69.8 Vacancies — how filled.
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- 69.14 Special election to fill vacancies.
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- 69.16A Gender balance.
- 69.17 Employees as members — voting.
- 69.18 Salary of acting appointees.
- 69.19 Terms of appointments confirmed by the senate.

69.1 Definitions.

As used in this chapter, unless the context otherwise requires, “book”, “list”, “record”, or “schedule” kept by a county auditor, assessor, treasurer, recorder, sheriff, or other county officer means the county system as defined in section 445.1.

2000 Acts, ch 1148, §1

Former §69.1 transferred to §69.1A

69.1A Holding over.

Except when otherwise provided, every officer elected or appointed for a fixed term shall hold office until a successor is elected and qualified, unless the officer resigns, or is removed or suspended, as provided by law.

[C51, §241; C73, §784; C97, §1265; C24, 27, 31, 35, 39, §1145; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §69.1]

C2001, §69.1A

Section transferred from §69.1 in Code 2001 pursuant to 2000 Acts, ch 1148, §1

69.2 What constitutes vacancy.

Every civil office shall be vacant if any of the following events occur:

1. A failure to elect at the proper election, or to appoint within the time fixed by law, unless the incumbent holds over.
2. A failure of the incumbent or holdover officer to qualify within the time prescribed by law.
3. The incumbent ceasing to be a resident of the state, district, county, township, city, or ward by or for which the incumbent was elected or appointed, or in which the duties of the office are to be exercised. This subsection shall not apply to appointed city officers.
4. The resignation or death of the incumbent, or of the officer-elect before qualifying.
5. The removal of the incumbent from, or forfeiture of, the office, or the decision of a competent tribunal declaring the office vacant.
6. The conviction of the incumbent of a felony, an aggravated misdemeanor, or of any public offense involving the violation of the incumbent's oath of office.
7. The board of supervisors declares a vacancy in an elected county office upon finding that the county officer has been physically absent from the county for sixty consecutive days except in the case of a medical emergency; temporary active military duty; or temporary service with another government service, agency, or department.
8. The incumbent simultaneously holding more than one elective office at the same level of government. This subsection does not apply to the county agricultural extension council or the soil and water conservation district commission.
9. An incumbent statewide elected official or member of the general assembly simultaneously holding more than one elective office.

[C51, §334, 429; R60, §564, 662, 1132; C73, §504, 686, 781; C97, §1266; C24, 27, 31, 35, 39, §1146; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §69.2]

91 Acts, ch 12, §1-3; 93 Acts, ch 143, §41; 98 Acts, ch 1223, §18, 38; 2001 Acts, ch 158, §11

Duty of holdover officer to requalify, §63.7

Vacancy on board of supervisors, §331.214

Vacancy on school board, §277.29

Removal from office; see also chapter 66

Prohibitions concerning holding more than one office, §39.11 and 39.12

69.3 Possession of office.

When a vacancy occurs in a public office, possession shall be taken of the office room, books, papers, and all things pertaining to the office, to be held until the qualification of a successor, as follows:

1. Of the office of the county auditor, by the county treasurer.
2. Of the county treasurer, by the county auditor.
3. Of any of the state officers, by the governor, or, in the absence or inability of the governor at the time of the occurrence, as follows:
 - a. Of the secretary of state, by the treasurer of state.
 - b. Of the auditor of state, by the secretary of state.
 - c. Of the treasurer of state, by the secretary of state and auditor of state,

who shall make an inventory of the money and warrants in the office, sign the inventory, and transmit it to the governor, and the secretary of state shall take the keys of the safe and desks, after depositing the books, papers, money and warrants in them, and the auditor of state shall take the key to the office room.

[C51, §444; R60, §671; C73, §788; C97, §1267; C24, 27, 31, 35, 39, §1147; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §69.3]

83 Acts, ch 186, §10034; 86 Acts, ch 1237, §3

69.4 Resignations.

Resignations in writing by civil officers may be made as follows, except as otherwise provided:

1. By the governor, to the general assembly, if in session, if not, to the secretary of state.
2. By state senators and representatives, and all officers appointed by the senate or house, or by the presiding officers thereof, to the respective presiding officers of the senate and house, when the general assembly is in session, and such presiding officers shall immediately transmit to the governor information of the resignation of any member thereof; when the general assembly is not in session, all such resignations shall be made to the governor.

3. By senators and representatives in Congress, all officers elected by the registered voters in the state or any district or division thereof larger than a county, or chosen by the general assembly, all judges of courts of record, all officers, trustees, inspectors, and members of all boards and commissions now or hereafter created under the laws of the state, and all persons filling any position of trust or profit in the state, for which no other provision is made, to the governor.

4. By all county and township officers, to the county auditor, except that of the auditor, which shall be to the board of supervisors.

5. By all council members and officers of cities, to the clerk or mayor.

[C51, §430; R60, §663; C73, §782; C97, §1268; C24, 27, 31, 35, 39, §1148; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §69.4]

2001 Acts, ch 56, §7

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DEPARTMENT OF PUBLIC SAFETY

80.2 Commissioner — appointment.

The chief executive officer of the department of public safety is the commissioner of public safety. The governor shall appoint, subject to confirmation by the senate, a commissioner of public safety, who shall be a person of high moral character, of good standing in the community in which the commissioner lives, of recognized executive and administrative capacity, and who shall not be selected on the basis of political affiliation. The commissioner of public safety shall devote full time to the duties of this office; the commissioner shall not engage in any other trade, business, or profession, nor engage in any partisan or political activity. The commissioner shall serve at the pleasure of the governor, at an annual salary as fixed by the general assembly.

[C39, §1225.07; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §80.2]
88 Acts, ch 1278, §22

DRUG ENFORCEMENT AND ABUSE PREVENTION

80E.1 Drug policy coordinator.

1. A drug policy coordinator shall be appointed by the governor, subject to confirmation by the senate, and shall serve at the pleasure of the governor. The governor shall fill a vacancy in the office in the same manner as the original appointment was made. The coordinator shall be selected primarily for administrative ability. The coordinator shall not be selected on the basis of political affiliation and shall not engage in political activity while holding the office. The salary of the coordinator shall be fixed by the governor.

2. Not reprinted.

89 Acts, ch 225, §1; 2000 Acts, ch 1126, §1

DIVISION OF WORKERS' COMPENSATION

86.4 Political activity and contributions.

It shall be unlawful for the commissioner*, or a chief deputy workers' compensation commissioner while in office, to espouse the election or appointment of any candidate to any political office, and any person violating the provisions of this section shall be guilty of a simple misdemeanor.

[S13, §2477-m23, -m37; C24, 27, 31, 35, 39, §1427; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §86.4]

90 Acts, ch 1261, §27; 98 Acts, ch 1061, §11

*Workers' compensation commissioner

IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (IPERS)

97B.5 Staff.

Subject to other provisions of this chapter, the department may employ personnel as necessary for the administration of the system, including but not limited to a chief investment officer and a chief benefits officer. The maximum number of full-time equivalent employees specified by the general assembly for the department for administration of the system for a fiscal year shall not be reduced by any authority other than the general assembly. The staff shall be appointed pursuant to chapter 19A. The department* shall not appoint or employ a person who is an officer or committee member of a political party organization or who holds or is a candidate for a partisan elective public office. The department may employ attorneys and contract with attorneys and legal firms for the provision of legal counsel and advice in the administration of this chapter and chapter 97C. The department may execute contracts with investment advisors, consultants, and managers outside state government in the administration of this chapter. The department may delegate to any person such authority as it deems reasonable and proper for the effective administration of this chapter, and may bond any person handling moneys or signing checks under this chapter.

[C46, 50, §97.38; C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §97B.5]

86 Acts, ch 1245, §252; 92 Acts, ch 1201, §8; 94 Acts, ch 1001, §2; 2000 Acts, ch 1077, §21

*Department of personnel

For future repeal of this section effective July 1, 2002, see 2001 Acts, ch 68, §23, 24

GAMBLING — EXCURSION BOATS AND RACETRACKS

99F.7 Licenses — terms and conditions — revocation.

1. to 9. Not reprinted.

10. *a.* A license to conduct gambling games on an excursion gambling boat in a county shall be issued only if the county electorate approves the conduct of the gambling games as provided in this subsection. The board of supervisors, upon receipt of a valid petition meeting the requirements of section 331.306, shall direct the commissioner of elections to submit to the registered voters of the county a proposition to approve or disapprove the conduct of gambling games on an excursion gambling boat in the county. The proposition shall be submitted at a general election or at a special election called for that purpose. To be submitted at a general election, the petition must be received by the board of supervisors at least five working days before the last day for candidates for county offices to file nomination papers for the general election pursuant to section 44.4. If a majority of the county voters voting on the proposition favor the conduct of gambling games, the commission may issue one or more licenses as provided in this chapter. If a majority of the county voters voting on the proposition do not favor the conduct of gambling games, a license to conduct gambling games in the county shall not be issued.

AREA HOSPITALS

145A.2 Definitions.

As used in this chapter, unless the context indicates otherwise:

1. "*Area hospital*" means a hospital established and operated by a merged area.
2. "*Board*" means the board of trustees of an area hospital.
3. "*Merged area*" means a public corporation formed by the residents of two or more contiguous or noncontiguous political subdivisions which have merged resources to establish and operate an area hospital.
4. "*Officials*" means the respective governing bodies of political subdivisions.
5. "*Political subdivision*" means any county, township, school district or city.

[C71, 73, 75, 77, 79, 81, §145A.2]
85 Acts, ch 123, §1, 2

145A.6 Petition of protest.

The plans formulated for the area hospital shall be deemed approved unless, within sixty days after the third and final publication of the order, a petition protesting the proposed plan containing the signatures of at least five percent of the registered voters of any political subdivision within the proposed merged area is filed with the respective officials of the protesting petitioners.

[C71, 73, 75, 77, 79, 81, §145A.6]
2001 Acts, ch 56, §8

145A.7 Special election.

When a protesting petition is received, the officials receiving the petition shall call a special election of all registered voters of that political subdivision for the purpose of approving or rejecting the order setting out the proposed merger plan. The vote will be taken by ballot in the form provided by sections 49.43 to 49.47, and the election shall be initiated and held as provided in chapter 49. A majority vote of those registered voters voting at said special election shall be sufficient to approve the order and thus include the political subdivision within the merged area.

[C71, 73, 75, 77, 79, 81, §145A.7]
2001 Acts, ch 56, §9

145A.8 Effect on other subdivisions.

A protest petition filed in one political subdivision shall have no effect upon the other political subdivisions of the proposed merged area; and in the portion of the proposed area where no protest petition is filed within sixty days after the last published notice, the residents of that portion of the area shall be deemed to have approved the proposed plan, and shall not take part in any special election.

[C71, 73, 75, 77, 79, 81, §145A.8]

145A.9 Continuance or abandonment.

If the voters at the special election approve by a majority vote the proposed plan, then the plan may be carried out as originally proposed. However, if the voters of any political subdivision within the proposed area reject the plan as set out in the original order, then said original order shall be wholly nullified.

[C71, 73, 75, 77, 79, 81, §145A.9]

145A.10 Board of hospital trustees.

Upon acceptance of a plan, the officials of the merged area acting as a committee of the whole shall appoint a board of hospital trustees. The board of trustees shall then meet, elect a chairperson and adopt such rules for the organization of the board as may be necessary. The number and composition of the board shall be determined by the committee appointing the board; but as a matter of public policy the committee is directed to apportion the board into area districts in such a way that the residents of all of the merged area will be represented as nearly equally as possible on the board.

[C71, 73, 75, 77, 79, 81, §145A.10]

145A.11 Terms of members.

The terms of members of the board shall be four years, except that members of the initial board shall determine their respective terms by lot so that the terms of one-half of the members, as nearly as may be, shall expire at the next general election. The remaining initial terms shall expire at the following general election. The successors of the initial board shall be chosen from area districts at regular elections, and shall be nominated and elected in the same manner as county hospital trustees as provided in section 347.25, except that nomination papers on behalf of a candidate shall be signed by not less than twenty-five eligible electors from the area district.

[C71, 73, 75, 77, 79, 81, §145A.11]

145A.17 Indebtedness and bonds.

Boards of hospital trustees may by resolution acquire sites and buildings by purchase, lease, construction, or otherwise, for use by area hospitals and may by resolution contract indebtedness on behalf of the merged area and issue bonds bearing interest at a rate not exceeding the rate of interest permitted by chapter 74A, to raise funds in accordance with chapter 75 for the purpose of acquiring the sites and buildings.

[C71, 73, 75, 77, 79, 81, §145A.17]

85 Acts, ch 123, §8

145A.18 Taxes.

Taxes for the payment of bonds issued under section 145A.17 shall be levied in accordance with chapter 76 and in the same proportion as provided in section 145A.14. Any indebtedness incurred shall not be considered an indebtedness incurred for general and ordinary purposes.

[C71, 73, 75, 77, 79, 81, §145A.18]

85 Acts, ch 123, §9

145A.19 Special tax.

In addition to the tax authorized in connection with the annual budget and with the issuance of bonds, the voters in any merged area may at any regular election vote a special tax for a period not to exceed five years for the purchase of grounds, purchase or construction of buildings, purchase of equipment, and for the purpose of maintaining, remodeling, improving, or expanding the hospital area. Such a tax shall not exceed one-fourth of the maximum levy of each political subdivision as set out in the published order of merger, but the total tax levy for annual budget, bonds, and special purposes shall not exceed the maximum levy as proposed in the published order of merger.

[C71, 73, 75, 77, 79, 81, §145A.19]

145A.21 Amendment of plan of merger — procedures — qualifications.

A plan of merger once approved may be amended. An amendment shall be formulated and approved in the same manner and subject to the same limitations as provided in sections 145A.3 through 145A.9 for the formulation and approval of an original plan of merger. However, an amendment to a plan of merger shall not in any way impair the obligation of or source of payment for bonds or other indebtedness duly contracted prior to the effective date of the amendment to the plan of merger.

85 Acts, ch 123, §11

145A.22 Actions subject to contest of elections — filing actions — limitation.

A special election called to approve or reject an original plan of merger or an amendment to an approved plan of merger is subject to the provisions for contest of elections for public measures set forth in chapter 57. Except as provided with respect to election contests, after one hundred twenty days following the third and final publication of the order of approval of the plan or amendment to the plan of merger, an action shall not be filed to contest the regularity of the proceedings with respect to a plan of merger or amendment to a plan of merger. After one hundred twenty days the organization of the merged area is conclusively presumed to have been lawful.

85 Acts, ch 123, §12

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SOIL AND WATER CONSERVATION

SOIL AND WATER CONSERVATION DISTRICTS

161A.5 Soil and water conservation districts.

1. The one hundred soil and water conservation districts* established in the manner which was prescribed by law prior to July 1, 1975 shall continue in existence with the boundaries and the names* in effect on July 1, 1975. If the existence of a district so established is discontinued pursuant to section 161A.10, a petition for re-establishment of the district or for annexation of the former district's territory to any other abutting district may be submitted to, and shall be acted upon by, the state soil conservation committee in substantially the manner provided by section 467A.5, Code 1975.

2. The governing body of each district shall consist of five commissioners elected on a nonpartisan basis for staggered four-year terms commencing on the first day of January that is not a Sunday or holiday following their election. Any eligible elector residing in the district is eligible to the office of commissioner, except that no more than one commissioner shall at any one time be a resident of any one township. A vacancy is created in the office of any commissioner who changes residence into a township where another commissioner then resides. If a commissioner is absent for sixty or more percent of monthly meetings during any twelve-month period, the other commissioners by their unanimous vote may declare the member's office vacant. A vacancy in the office of commissioner shall be filled by appointment of the state soil conservation committee until the next succeeding general election, at which time the balance of the unexpired term shall be filled as provided by section 69.12.

3. At each general election a successor shall be chosen for each commissioner whose term will expire in the succeeding January. Nomination of candidates for the office of commissioner shall be made by petition in accordance with chapter 45, except that each candidate's nominating petition shall be signed by at least twenty-five eligible electors of the district. The petition form shall be furnished by the county commissioner of elections. Every candidate shall file with the nomination papers an affidavit stating the candidate's name, the candidate's residence, that the person is a candidate and is eligible for the office of commissioner, and that if elected the candidate will qualify for the office. The affidavit shall also state that the candidate is aware that the candidate is disqualified from holding office if the candidate has been convicted of a felony or other infamous crime and the candidate's rights have not been restored by the governor or by the president of the United States.

The signed petitions shall be filed with the county commissioner of elections not later than five p.m. on the sixty-ninth day before the general election. The votes for the office of district commissioner shall be canvassed in the same manner as the votes for county officers, and the returns shall be certified to the commissioners of the district. A plurality is sufficient to elect commissioners, and a primary election for the office shall not be held. If the canvass shows that the two candidates receiving the highest and the second highest number of votes for the office of district commissioner are both residents of the same township, the board shall certify as elected the candidate who received the highest number of votes for the office and the candidate receiving the next highest number of votes for the office who is not a resident of the same township as the candidate receiving the highest number of votes.

[C39, §2603.06; C46, §160.5; C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §467A.5]

87 Acts, ch 23, §18; 89 Acts, ch 136, §73; 90 Acts, ch 1238, §41

C93, §161A.5

94 Acts, ch 1180, §41; 96 Acts, ch 1083, §1; 98 Acts, ch 1052, §5

*Established as "soil conservation districts"

Terms of commissioners elected or appointed prior to July 1, 1996: 96 Acts, ch 1083, §6

176A.7 Terms — meetings.

1. Except as otherwise provided pursuant to law for members elected in 1990, the term of office of an extension council member is four years. The term shall commence on the first day of January following the date of the member's election which is not a Sunday or legal holiday.

2. Not reprinted.

[C58, 62, 66, 71, 73, 75, 77, 79, 81, §176A.7]
90 Acts, ch 1149, §3; 99 Acts, ch 133, §1

176A.8 Powers and duties of county agricultural extension council.

The extension councils of each extension district of the state shall have, exercise, and perform the following powers and duties:

1. and 2. Not reprinted.

3. To and shall, at least ninety days prior to the date fixed for the election of council members, appoint a nominating committee consisting of four persons who are not council members and designate the chairperson. The membership of the nominating committee shall be gender balanced. The nominating committee shall consider the geographic distribution of potential nominees in nominating one or more resident registered voters of the extension district as candidates for election to each office to be filled at the election. To qualify for the election ballot, each nominee shall file a nominating petition signed by at least twenty-five eligible electors of the district with the county commissioner of elections at least sixty-nine days before the date of election.

The council shall also provide for the nomination by petition of candidates for election to membership on the extension council. A nominating petition shall be signed by at least twenty-five eligible electors of the extension district and shall be filed with the county commissioner of elections at least sixty-nine days before the date of the election.

4. to 8. Not reprinted.

9. To fill all vacancies in its membership to serve for the unexpired term of the member creating the vacancy by appointing a resident registered voter of the extension district. However, if an unexpired term in which the vacancy occurs has more than seventy days to run after the date of the next pending election and the vacancy occurs seventy-four or more days before the election, the vacancy shall be filled at the next pending election.

10. To and shall, as soon as possible following the meeting at which the officers are elected, file in the office of the board of supervisors and of the county treasurer a certificate signed by its chairperson and secretary certifying the names, addresses and terms of office of each member, and the names and addresses of the officers of the extension council with the signatures of the officers affixed thereto, and said certificate shall be conclusive as to the organization of the extension district, its extension council, and as to its members and its officers.

11. to 14. Not reprinted.

[S13, §1683-j, -m; C24, 27, 31, 35, 39, §2930, 2933, 2938; C46, 50, 54, §176.8, 176.11, 176.16; C58, 62, 66, 71, 73, 75, 77, 79, 81, §176A.8]

83 Acts, ch 123, §77, 209; 87 Acts, ch 43, §5; 90 Acts, ch 1149, §4-6; 91 Acts, ch 129, §22; 94 Acts, ch 1169, §64; 99 Acts, ch 133, §2, 3; 2001 Acts, ch 56, §10

176A.10 County agricultural extension education tax.

The extension council of each extension district shall, at a meeting held before March 15, estimate the amount of money required to be raised by taxation for financing the county agricultural extension education program authorized in this chapter. The annual tax levy and the amount of money to be raised from the levy for the county agricultural extension education fund shall not exceed the following:

1. *a.* Except as provided in paragraph “*b*”, for an extension district having a population of less than thirty thousand, an annual levy of twenty and one-fourth cents per thousand dollars of the assessed valuation of the taxable property in the district up to a maximum of seventy thousand dollars for the fiscal year commencing July 1, 1985, and seventy-five thousand dollars for each subsequent fiscal year.

b. For an extension district having a population of less than thirty thousand and as provided in subsection 6, an annual levy of thirty cents per thousand dollars of the assessed valuation of the taxable property in the district up to a maximum of eighty-seven thousand dollars payable during the fiscal year commencing July 1, 1992, and an increase of six thousand dollars in the amount payable during each subsequent fiscal year.

2. *a.* Except as provided in paragraph “*b*”, for an extension district having a population of thirty thousand or more but less than fifty thousand, an annual levy of twenty and one-fourth cents per thousand dollars of the assessed valuation of the taxable property in the district up to a maximum of eighty-four thousand dollars for the fiscal year commencing July 1, 1985, and ninety thousand dollars for each subsequent fiscal year.

DAIRY INDUSTRY COMMISSION

179.14 Influencing legislation.

Neither commissioners, nor employees of the commission, shall attempt in any manner to influence legislation affecting any matters pertaining to the activities of the commission. No portion of the dairy industry fund shall be used in any manner to influence legislation or support any political candidate for public office, either directly or indirectly, or to support any political party.

[C75, 77, 79, 81, §179.14]

IOWA SHEEP AND WOOL PROMOTION BOARD

182.18 Use of moneys.

Unnumbered paragraph 1 not reprinted.

The board shall not engage in any political activity, and it shall be a condition of any allocation of funds that any organization receiving funds shall not expend the funds on political activity or on any attempt to influence legislation.

85 Acts, ch 207, §18

IOWA PORK PRODUCERS COUNCIL

183A.14 Influencing legislation.

Neither council members nor employees of the council shall attempt in any manner to influence legislation affecting any matters pertaining to the council's activities. No portion of the pork promotion fund shall be used, directly or indirectly, to influence legislation, to support any candidate for public office, or to support any political party.

85 Acts, ch 199, §14

IOWA EGG COUNCIL

184.11 Prohibited actions.

The Iowa egg council shall not do any of the following:

1. Not reprinted.
2. a. Make any contribution of council moneys, either directly or indirectly, to any political party or organization or in support of a political candidate for public office.
- b. Make payments to a political candidate including but not limited to a member of Congress or the general assembly for honoraria, speeches, or for any other purposes above actual and necessary expenses.

[C75, 77, 79, 81, §196A.13]

95 Acts, ch 7, §12; 98 Acts, ch 1032, §11; 98 Acts, ch 1038, §11, 13
C99, §184.11

99 Acts, ch 109, §4, 5, 8

EXCISE TAX ON TURKEYS

184A.19 Prohibited activities.

The council* shall not do any of the following:

1. and 2. Not reprinted.

3. Become involved in supporting a political campaign or issue, by making a contribution of moneys from the account***, either directly or indirectly, to any political party or organization or in support of a political candidate for public office. The council shall not expend the moneys to a political candidate including but not limited to a member of Congress or the general assembly for honoraria, speeches, or for any other purposes above actual and necessary expenses.

[C73, 75, 77, 79, 81, §184A.19]

99 Acts, ch 158, §16, 18, 19

*Turkey marketing council

**Turkey council account

CORN PROMOTION BOARD

185C.29 Remission of excess funds.

Unnumbered paragraph 1 not reprinted.

The Iowa corn promotion board shall not expend any funds on political activity, and it shall be a condition of any allocation of funds that any organization receiving funds shall not expend the funds on political activity or on any attempt to influence legislation.

[C77, 79, 81, §185C.29]

89 Acts, ch 198, §18

DEPARTMENT OF HUMAN SERVICES

217.5 Director of human services.

Unnumbered paragraph 1 not reprinted.

The director shall not be selected on the basis of political affiliation and shall not engage in political activity while holding this position.

[C71, 73, 75, 77, 79, 81, §217.5]

83 Acts, ch 96, §157, 159; 88 Acts, ch 1134, §43

DEPARTMENT OF EDUCATION

256.11 Educational standards.

The state board* shall adopt rules under chapter 17A and a procedure for accrediting all public and nonpublic schools in Iowa offering instruction at any or all levels from the prekindergarten level through grade twelve. The rules of the state board shall require that a multicultural, gender fair approach is used by schools and school districts. The educational program shall be taught from a multicultural, gender fair approach. Global perspectives shall be incorporated into all levels of the educational program.

The rules adopted by the state board pursuant to section 256.17, Code Supplement 1987, to establish new standards shall satisfy the requirements of this section to adopt rules to implement the educational program contained in this section.

The educational program shall be as follows:

1. to 4. Not reprinted.

5. In grades nine through twelve, a unit of credit consists of a course or equivalent related components or partial units taught throughout the academic year. The minimum program to be offered and taught for grades nine through twelve is:

a. Not reprinted.

b. Five units of the social studies including instruction in voting statutes and procedures, voter registration requirements, the use of paper ballots and voting machines in the election process, and the method of acquiring and casting an absentee ballot. All students shall complete a minimum of one-half unit of United States government and one unit of United States history. The one-half unit of United States government shall include the voting procedure as described in this lettered paragraph and section 280.9A. The government instruction shall also include a study of the Constitution of the United States and the Bill of Rights contained in the Constitution and an assessment of a student's knowledge of the Constitution and the Bill of Rights.

The county auditor, upon request and at a site chosen by the county auditor, shall make available to schools within the county voting machines or sample ballots that are generally used within the county, at times when these machines or sample ballots are not in use for their recognized purpose.

c. to j. Not reprinted.

6. to 14. Not reprinted.

86 Acts, ch 1245, §1411; 87 Acts, ch 224, §26; 87 Acts, ch 233, §451; 88 Acts, ch 1018, §1, 2; 88 Acts, ch 1262, §1, 2; 89 Acts, ch 210, §4, 5; 89 Acts, ch 265, §23-26; 89 Acts, ch 278, §1, 2; 89 Acts, ch 319, §39, 40; 90 Acts, ch 1272, §32, 39, 40; 91 Acts, ch 104, §1; 91 Acts, ch 193, §1; 92 Acts, ch 1088, §1; 92 Acts, ch 1127, §1, 2; 92 Acts, ch 1159, §2; 92 Acts, ch 1163, §58; 93 Acts, ch 127, §1, 2; 94 Acts, ch 1091, §13; 94 Acts, ch 1152, §1; 2001 Acts, ch 56, §11; 2001 Acts, ch 159, §1-3

*State board of education

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The educational improvement program shall provide additional revenues each fiscal year equal to a specified percent of the regular program district cost of the district, as determined by the board but not more than the maximum percent authorized by the electors if an election has been held. Certification of a district's participation for a budget year, the method of funding, and the amount to be raised shall be made to the department of management not later than April 15 of the base year.

The educational improvement program shall be funded by either an educational improvement property tax or by a combination of an educational improvement property tax and an educational improvement income surtax. The method of raising the educational improvement moneys shall be determined by the board. Subject to the limitation in section 298.14, if the board uses a combination of an educational improvement property tax and an educational improvement income surtax, the board shall determine the percent of income surtax to be imposed, expressed as full percentage points, not to exceed twenty percent.

The department of management shall establish the amount of the educational improvement property tax to be levied or the amount of the combination of the educational improvement property tax to be levied and the amount of the school district income surtax to be imposed for each school year that the educational improvement amount is authorized. The educational improvement property tax and income surtax, if an income surtax is imposed, shall be levied and imposed, collected, and paid to the school district in the manner provided for the instructional support program in sections 257.21 through 257.26. Moneys received by a school district under the educational improvement program are miscellaneous income.

Once approved at an election, the authority of the board to use the educational improvement program shall continue until the board votes to rescind the educational improvement program or the voters of the school district by majority vote order the discontinuance of the program. The board shall call an election to vote on the proposition whether to discontinue the program upon the receipt of a petition signed by not less than one hundred eligible electors or thirty percent of the number of electors voting at the last preceding school election, whichever is greater.

Participation in an educational improvement program is not affected by a change in the boundaries of the school district, except as otherwise provided in this section. If each school district involved in school reorganization under chapter 275 has approved an educational improvement program, and if the voters have not voted upon the question of participation in the program in the reorganized district, the educational improvement program shall be in effect for the reorganized district that has been approved for the least amount and the shortest time in any of the districts.

Notwithstanding the requirement in the first unnumbered paragraph of this section that the regular program district cost per pupil for a budget year is one hundred ten percent of the regular state cost per pupil, the board of directors may participate in the educational improvement program as provided in this section if the school district had adopted an enrichment levy of fifteen percent of the state cost per pupil multiplied by the budget enrollment in the district prior to July 1, 1992, and upon expiration of the period for which the enrichment levy was adopted, adopts a resolution for the use of the instructional support program established in section 257.18. The maximum percent of the regular district cost of the district that may be used under this paragraph shall not exceed five percent.

89 Acts, ch 135, §29; 90 Acts, ch 1190, §9; 92 Acts, ch 1171, §2; 92 Acts, ch 1187, §3; 93 Acts, ch 1, §5; 95 Acts, ch 67, §53

ADVANCE FUNDING AUTHORITY

257C.7 Staff.

The executive director and staff of the Iowa finance authority, pursuant to chapter 16, shall also serve as executive director and staff of the advance funding authority, respectively. The executive director shall not, directly or indirectly, exert influence to induce any other officers or employees of the state to adopt a political view, or to favor a political candidate for office.

85 Acts, ch 34, §7; 85 Acts, ch 252, §56

CS85, §442A.7

C93, §257C.7

COMMUNITY COLLEGES

Map of community college merged areas is printed on page 332k

260C.2 Definitions.

When used in this chapter, unless the context otherwise requires:

1. "*Community college*" means a publicly supported school which may offer programs of adult and continuing education, lifelong learning, community education, and up to two years of liberal arts, preprofessional, or occupational instruction partially fulfilling the requirements for a baccalaureate degree but confers no more than an associate degree; or which offers as the whole or as part of the curriculum up to two years of vocational or technical education, training, or retraining to persons who are preparing to enter the labor market.

2. "*Director*" means the director of the department of education.

3. "*Instructional cost center*" means one of the following areas of course offerings of the community colleges:

a. Arts and sciences cost center.

b. Vocational-technical preparatory cost center.

c. Vocational-technical supplementary cost center.

d. Adult basic education and high school completion cost center.

e. Continuing and general education cost center.

4. "*Merged area*" means an area where two or more school systems or parts of school systems merge resources to operate a community college in the manner provided in this chapter.

5. "*State board*" means the state board of education.

[C66, 71, 73, 75, 77, 79, 81, §280A.2]

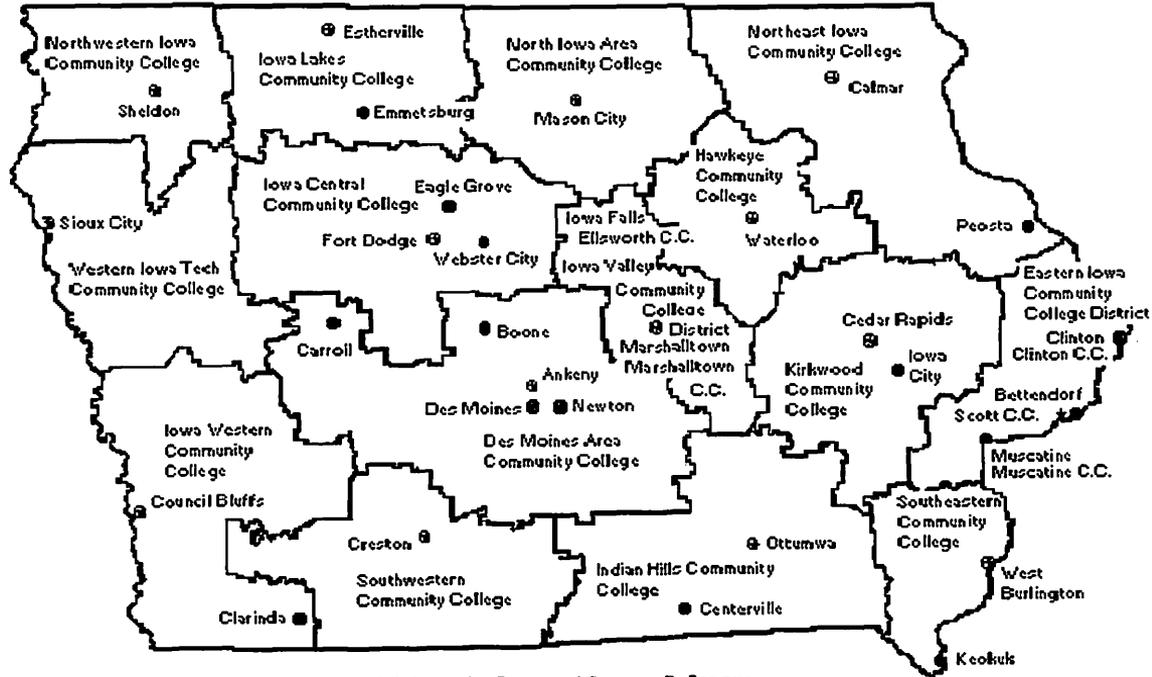
85 Acts, ch 212, §21, 22; 90 Acts, ch 1253, §27

C93, §260C.2

96 Acts, ch 1215, §24

IOWA COMMUNITY COLLEGES

October 2001



* Administrative Center ◻ Administrative Center and Campus ● Campus

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SCHOOL DISTRICTS IN GENERAL

274.2 General applicability.

The provisions of law relative to common schools shall apply alike to all districts, except when otherwise clearly stated, and the powers given to one form of corporation, or to a board in one kind of corporation, shall be exercised by the other in the same manner, as nearly as practicable. But school boards shall not incur original indebtedness by the issuance of bonds until authorized by the voters of the school corporation.

[C97, §2823; C24, 27, 31, 35, §4190; C39, §4123.1; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §274.2]

Vote required to authorize bonds, §75.1

274.4 Record of reorganization filed.

When an election on the proposition of organizing, reorganizing, enlarging, or changing the boundaries of any school corporation, or on the proposition of dissolving a school district, carries by the required statutory margin, or the boundary lines of contiguous school corporations are changed by the concurrent action of the respective boards of directors, the secretary of the school corporation shall file a written description of the new boundaries of the school corporation in the office of the county auditor of each county in which any portion of the school corporation lies.

[C24, 27, 31, 35, §4193; C39, §4123.4; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §274.4]

274.7 Directors.

The affairs of each school corporation shall be conducted by a board of directors, the members of which in all community or independent school districts shall be chosen for a term of three years.

[C97, §2745; C24, 27, 31, 35, 39, §4125; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §274.7]

School officers, §39.24

REORGANIZATION OF SCHOOL DISTRICTS

275.6 Progressive program.

It is the intent of this chapter that the area education agency board shall carry on the program of reorganization progressively and shall, insofar as is possible, authorize submission of proposals to the electors as they are developed and approved.

[R60, §2097, 2105; C73, §1800, 1801; S13, §2820-e, -f; SS15, §2794-a; C24, 27, 31, 35, 39, §4141, 4188; C46, 50, §274.23, 275.8, 276.35; C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §275.6]

275.11 Proposals involving two or more districts.

Subject to the approval of the area education agency board, contiguous or marginally adjacent territory located in two or more school districts may be united into a single district in the manner provided in sections 275.12 to 275.22.

[SS15, §2794-a; C24, 27, 31, 35, 39, §4166; C46, 50, §276.13; C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §275.11]

92 Acts, ch 1246, §44

275.12 Petition — method of election.

1. A petition describing the boundaries, or accurately describing the area included therein by legal descriptions, of the proposed district, which boundaries or area described shall conform to plans developed or the petition shall request change of the plan, shall be filed with the area education agency administrator of the area education agency in which the greatest number of registered voters reside. However, the area education agency administrator shall not accept a petition if any of the school districts affected have approved the issuance of general obligation bonds at an election pursuant to section 296.6 during the preceding six-month period. The petition shall be signed by eligible electors residing in each existing school district or portion affected equal in number to at least twenty percent of the number of registered voters in the school district or portion affected, or four hundred eligible electors, whichever is the smaller number.

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2. The petition filed under subsection 1 shall also state the name of the proposed school district and the number of directors which may be either five or seven and the method of election of the school directors of the proposed district. The method of election of the directors shall be one of the following optional plans:

a. Election at large from the entire district by the electors of the entire district.

b. Division of the entire school district into designated geographical single director or multi-director subdistricts on the basis of population for each director, to be known as director districts, each of which director districts shall be represented on the school board by one or more directors who shall be residents of the director district but who shall be elected by the vote of the electors of the entire school district. The boundaries of the director districts and the area and population included within each district shall be such as justice, equity, and the interests of the people may require. Changes in the boundaries of director districts shall not be made during a period commencing sixty days prior to the date of the annual school election. Insofar as may be practicable, the boundaries of the districts shall follow established political or natural geographical divisions.

c. Election of not more than one-half of the total number of school directors at large from the entire district and the remaining directors from and as residents of designated single-member or multi-member director districts into which the entire school district shall be divided on the basis of population for each director. In such case, all directors shall be elected by the electors of the entire school district. Changes in the boundaries of director districts shall not be made during a period commencing sixty days prior to the date of the annual school election.

d. Division of the entire school district into designated geographical single director or multi-director subdistricts on the basis of population for each director, to be known as director districts, each of which director districts shall be represented on the school board by one or more directors who shall be residents of the director district and who shall be elected by the voters of the director district. Place of voting in the director districts shall be designated by the commissioner of elections. Changes in the boundaries of director districts shall not be made during a period commencing sixty days prior to the date of the annual school election.

e. In districts having seven directors, election of three directors at large by the electors of the entire district, one at each annual school election, and election of the remaining directors as residents of and by the electors of individual geographic subdistricts established on the basis of population and identified as director districts. Boundaries of the subdistricts shall follow precinct boundaries, insofar as practicable, and shall not be changed less than sixty days prior to the annual school election.

3. If the petition proposes the division of the school district into director districts, the boundaries of the proposed director districts shall be described in the petition and shall be drawn according to the standards described in section 275.23A, subsection 1.

4. The area education agency board in reviewing the petition as provided in sections 275.15 and 275.16 shall review the proposed method of election of school directors and may change or amend the plan in any manner, including the changing of boundaries of director districts if proposed, or to specify a different method of electing school directors as may be required by law, justice, equity, and the interest of the people. In the action, the area education agency board shall follow the same procedure as is required by sections 275.15 and 275.16 for other action on the petition by the area education agency board. The area education agency shall ascertain that director district boundary lines comply with the provisions of section 275.23A, subsection 1, and shall make adjustments as necessary.

5. The petition may also include a provision that the voter-approved physical plant and equipment levy provided in section 298.2 will be voted upon at the election conducted under section 275.18.

[R60, §2097, 2105; C73, §1800, 1801, 1811; C97, §2794, 2799; S13, §2793, 2820-e, -f; SS15, §2793, 2794, 2794-a; C24, 27, 31, 35, 39, §4133, 4134, 4141, 4153, 4155, 4174; C46, 50, §274.16, 274.17, 274.23, 274.38, 276.2, 276.21; C54, 58, 62, §275.10, 275.12; C66, 71, 73, 75, 77, 79, 81, §275.12]

83 Acts, ch 53, §1; 83 Acts, ch 91, §1; 84 Acts, ch 1078, §6-8; 86 Acts, ch 1226, §1; 89 Acts, ch 135, §64; 93 Acts, ch 160, §5; 94 Acts, ch 1179, §16; 95 Acts, ch 49, §5; 2001 Acts, ch 56, §12

DISSOLUTION OF DISTRICTS

275.55 Election.

The board of the school district shall call a special election to be held not later than forty days following the date of the final hearing on the dissolution proposal. The special election may be held at the same time as the regular school election. The proposition submitted to the voters residing in the school district at the special election shall describe each separate area to be attached to a contiguous school district and shall name the school district to which it will be attached.

The board shall give written notice of the proposed date of the election to the county commissioner of elections. The proposed date shall be pursuant to section 39.2, subsections 1 and 2 and section 47.6, subsections 1 and 2. The county commissioner of elections shall give notice of the election by one publication in the same newspaper in which the previous notice was published about the hearing, which publication shall not be less than four nor more than twenty days prior to the election.

The proposition shall be adopted if a majority of the electors voting on the proposition approve its adoption.

The attachment is effective July 1 following its approval. If the dissolution proposal is for the dissolution of a school district with a certified enrollment of fewer than six hundred, the territory located in the school district that dissolved is eligible, if approved by the director of the department of education, for a reduction in the foundation property tax levy under section 257.3, subsection 1. If the director approves a reduction in the foundation property tax levy as provided in this section, the director shall notify the director of the department of management of the reduction.

[C81, §275.55]

88 Acts, ch 1263, §4; 89 Acts, ch 135, §69

COMMUNITY EDUCATION

276.12 Use of special tax levy.

If the voters of a school district have approved the levying of a tax pursuant to section 300.2 prior to July 7, 1978, moneys collected pursuant to the voted tax levy after said date may be used for community education programs.

[C79, 81, §276.12]

CHAPTER 277
SCHOOL ELECTIONS

- 277.1 Regular election.
- 277.2 Special election.
- 277.3 Election laws applicable.
- 277.4 Nominations required.
- 277.5 Objections to nominations.
- 277.6 Territory outside county.
- 277.7 Petitions for public measures.
- 277.8 through 277.19 Repealed by 73 Acts, ch 136, §401.
- 277.20 Canvassing returns.
- 277.21 Repealed by 73 Acts, ch 136, §401.
- 277.22 Contested elections.
- 277.23 Directors — number — change.
- 277.24 Repealed by 70 Acts, ch 1025, §40.
- 277.25 Directors in new districts.
- 277.26 Repealed by 75 Acts, ch 81, §154.
- 277.27 Qualification.
- 277.28 Oath required.
- 277.29 Vacancies.
- 277.30 Vacancies filled by election.
- 277.31 Surrendering office.
- 277.32 Penalties.
- 277.33 Transferred to §277.3.
- 277.34 Repealed by 73 Acts, ch 136, §401.

277.1 Regular election.

The regular election shall be held annually on the second Tuesday in September in each school district for the election of officers of the district and merged area and for the purpose of submitting to the voters any matter authorized by law.

[C51, §1111, 1114; R60, §2027, 2030, 2031; C73, §1717-1719; C97, §2746, 2751; C24, §4194, 4211; C27, §4194, 4211, 4216-b1; C31, 35, §4216-c1; C39, §4216.01; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.1]

83 Acts, ch 101, §63

277.2 Special election.

The board of directors in a school corporation may call a special election at which the voters shall have the powers exercised at the regular election with reference to the sale of school property and the application to be made of the proceeds, the authorization of seven members on the board of directors, the authorization to establish or change the boundaries of director districts, and the authorization of a voter-approved physical plant and equipment levy or indebtedness, as provided by law.

277.21 Repealed by 73 Acts, ch 136, §401.

277.22 Contested elections.

School elections may be contested as provided by law for the contesting of other elections.

[C24, 27, §4209; C31, 35, §4216-c22; C39, §4216.22; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.22]

Contesting elections, chapter 57 et seq.

277.23 Directors — number — change.

In any district including all or part of a city of fifteen thousand or more population and in any district in which the voters have authorized seven directors, the board shall consist of seven members; in all other districts the board shall consist of five members.

A change from five to seven directors shall be effected in a district at the first regular election after authorization by the voters or when a district becomes wholly or in part within a city of fifteen thousand population or more in the following manner: If the term of one director of the five-member board expires at the time of said regular election, three directors shall be elected to serve until the third regular election thereafter; if the terms of two directors expire at the time of said regular election, three directors shall be elected to serve until the third regular election thereafter and one director shall be elected to serve a term the expiration of which coincides with the expiration of the term of the director heretofore singly elected.

[C51, §1112; R60, §2031, 2035, 2075; C73, §1720, 1721, 1808; C97, §2752, 2754; S13, §2752, 2754; C24, §4198, 4212; C27, §4198, 4211-b3, -b5; C31, 35, §4216-c23; C39, §4216.23; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.23]

277.24 Repealed by 70 Acts, ch 1025, §40.

277.25 Directors in new districts.

At the first election in newly organized districts the directors shall be elected as follows:

1. In districts having three directors, one director shall be elected for one year, one for two years, and one for three years.

2. In districts having five directors, two shall be elected for one year, two for two years, and one for three years.

3. In districts having seven directors, two shall be elected for one year, two for two years, and three for three years.

[C73, §1802; C97, §2754; S13, §2754; C24, 27, §4199; C31, 35, §4216-c25; C39, §4216.25; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.25]

277.26 Repealed by 75 Acts, ch 81, §154.

277.27 Qualification.

A member of the board shall, at the time of election or appointment, be an eligible elector of the corporation or subdistrict. Notwithstanding any contrary provision of the Code, a member of the board of directors of a school district shall not receive compensation directly from the school board unless the compensation is for part-time or temporary employment and does not exceed the limitation set forth in section 279.7A.

[C97, §2748; C24, 27, §4213; C31, 35, §4216-c27; C39, §4216.27; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.27]

87 Acts, ch 224, §46; 88 Acts, ch 1038, §2; 2001 Acts, ch 53, §1

277.28 Oath required.

Each director elected at a regular district or director district election shall qualify by taking the oath of office on or before the time set for the organization meeting of the board and the election and qualification entered of record by the secretary. The oath may be administered by any qualified member of the board or the secretary of the board and may be taken in substantially the following form:

“Do you solemnly swear that you will support the Constitution of the United States and the Constitution of the state of Iowa and that you will faithfully and impartially to the best of your ability discharge the duties of the office of (naming the office) in (naming the district) as now or hereafter required by law?”

If the oath of office is taken elsewhere than in the presence of the board in session it may be administered by any officer listed in sections 63A.1 and 63A.2 and shall be subscribed to by the person taking it in substantially the following form:

“I,, do solemnly swear that I will support the Constitution of the United States and the Constitution of the state of Iowa and that I will faithfully and impartially to the best of my ability discharge the duties of the office of (naming the office) in (naming the district) as now or hereafter required by law.”

Such oath shall be properly verified by the administering officer and filed with the secretary of the board.

[C51, §1113, 1120; R60, §2032, 2079; C73, §1752, 1790; C97, §2758; S13, §2758; C24, 27, §4214; C31, 35, §4216-c28; C39, §4216.28; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.28]

88 Acts, ch 1038, §3

277.29 Vacancies.

Failure to elect at the proper election or to appoint within the time fixed by law or the failure of the officer elected or appointed to qualify within the time prescribed by law; the incumbent ceasing for any reason to be a resident of the district or removing residence from the subdistrict; the resignation or death of incumbent or of the officer-elect; the removal of the incumbent from, or forfeiture of, the office, or the decision of a competent tribunal declaring the office vacant; the conviction of incumbent of a felony, as defined in section 701.7, or of any public offense involving the violation of the incumbent's oath of office, shall constitute a vacancy.

[C31, 35, §4216-c29; C39, §4216.29; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.29]

86 Acts, ch 1112, §10; 86 Acts, ch 1238, §12

277.30 Vacancies filled by election.

When vacancies are to be filled by election, the provisions of section 69.12 shall control.

[C73, §1802; C97, §2754; S13, §2754; C24, 27, §4199; C31, 35, §4216-c30; C39, §4216.30; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.30]

277.31 Surrendering office.

Each school officer or member of the board upon the termination of the officer or member's term of office shall immediately surrender to the successor all books, papers, and moneys pertaining or belonging to the office, taking a receipt therefor.

[R60, §2080; C73, §1791; C97, §2770; C24, 27, §4215; C31, 35, §4216-c31; C39, §4216.31; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.31]

277.32 Penalties.

Any school officer willfully violating any law relative to common schools, or willfully failing or refusing to perform any duty imposed by law, shall forfeit and pay into the treasury of the particular school corporation in which the violation occurs the sum of twenty-five dollars, action to recover which shall be brought in the name of the proper school corporation, and be applied to the use of the schools therein.

[C51, §1137; R60, §2047, 2081; C73, §1746, 1786; C97, §2822; C24, 27, §4216; C31, 35, §4216-c32; C39, §4216.32; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §277.32]

277.33 Transferred to §277.3.

277.34 Repealed by 73 Acts, ch 136, §401.

CHAPTER 278

POWERS OF ELECTORS

- 278.1 Enumeration.
 - 278.2 Submission of proposition.
 - 278.3 Power given electors not to limit directors' power.
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298.18 Bond tax — election — leasing buildings.

The board of each school corporation shall, when estimating and certifying the amount of money required for general purposes, estimate and certify to the board of supervisors of the proper county for the debt service fund the amount required to pay interest due or that may become due for the fiscal year beginning July 1, thereafter upon lawful bonded indebtedness, and in addition thereto such amount as the board may deem necessary to apply on the principal.

The amount estimated and certified to apply on principal and interest for any one year shall not exceed two dollars and seventy cents per thousand dollars of the assessed valuation of the taxable property of the school corporation except as hereinafter provided.

For the sole purpose of computing the amount of bonds which may be issued as a result of the application of any limitation referred to in this section, all interest on the bonds in excess of that accruing in the first twelve months may be excluded from the first annual levy of taxes, so that the need for including more than one year's interest in the first annual levy of taxes to pay the bonds and interest shall not operate to further restrict the amount of bonds which may be issued, and in certifying the annual levies to the county auditor or auditors such first annual levy of taxes shall be sufficient to pay all principal of and interest on said bonds becoming due prior to the next succeeding annual levy and the full amount of such first annual levy shall be entered for collection by said auditor or auditors, as provided in chapter 76.

The amount estimated and certified to apply on principal and interest for any one year may exceed two dollars and seventy cents per thousand dollars of assessed value by the amount approved by the voters of the school corporation, but not exceeding four dollars and five cents per thousand of the assessed value of the taxable property within any school corporation, provided that the registered voters of such school corporation have first approved such increased amount at a special election, which may be held at the same time as the regular school election. The proposition submitted to the voters at such special election shall be in substantially the following form:

Shall the board of directors of the (insert name of school corporation) in the County of, State of Iowa, be authorized to levy annually a tax exceeding two dollars and seventy cents per thousand dollars, but not exceeding dollars and cents per thousand dollars of the assessed value of the taxable property within said school corporation to pay the principal of and interest on bonded indebtedness of said school corporation, it being understood that the approval of this proposition shall not limit the source of payment of the bonds and interest but shall only operate to restrict the amount of bonds which may be issued?

Notice of the election shall be given by the county commissioner of elections according to section 49.53. The election shall be held on a date not less than four nor more than twenty days after the last publication of the notice. At such election the ballot used for the submission of said proposition shall be in substantially the form for submitting special questions at general elections. The county commissioner of elections shall conduct the election pursuant to the provisions of chapters 39 to 53 and certify the results to the board of directors. Such proposition shall not be deemed carried or adopted unless the vote in favor of such proposition is equal to at least sixty percent of the total vote cast for and against said proposition at said election. Whenever such a proposition has been approved by the voters of a school corporation as hereinbefore provided, no further approval of the voters of such school corporation shall be required as a result of any subsequent change in the boundaries of such school corporation.

The voted tax levy referred to herein shall not limit the source of payment of bonds and interest but shall only restrict the amount of bonds which may be issued.

The ability of a school corporation to exceed two dollars and seventy cents per thousand dollars of assessed value to service principal and interest payments on bonded indebtedness is limited and conferred only to those school corporations engaged in the administration of elementary and secondary education.

Provided further that if a school corporation leases a building or property, which has been used as a junior college by such corporation, to a community college, the annual amounts certified as herein provided by such leasing school corporation for payment of interest and principal due on lawful bonded indebtedness incurred by such leasing school corporation for purchasing, building, furnishing, reconstructing, repairing, improving or remodeling the building leased or acquiring or adding to the site of such property leased, to the extent of the respective annual rent the school corporation will receive under such lease, shall not be considered as a part of the total amount estimated and certified for the purposes of determining if such amount exceeds any limitation contained in this section.

[C73, §1823; C97, § 2813; S13, §2813; C24, 27, 31, 35, 39, §4403; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §298.18]

90 Acts, ch 1253, §109; 94 Acts, ch 1029, §28; 2001 Acts, ch 56, §14

300.2 Tax levy.

The board of directors of a school district may, and upon receipt of a petition signed by eligible electors equal in number to at least twenty-five percent of the number of voters at the last preceding school election, shall, direct the county commissioner of elections to submit to the registered voters of the school district the question of whether to levy a tax of not to exceed thirteen and one-half cents per thousand dollars of assessed valuation for public educational and recreational activities authorized under this chapter. If at the time of filing the petition, it is more than three months until the next regular school election, the board of directors shall submit the question at a special election within sixty days. Otherwise, the question shall be submitted at the next regular school election.

If a majority of the votes cast upon the proposition is in favor of the proposition, the board shall certify the amount required for a fiscal year to the county board of supervisors by April 15 of the preceding fiscal year. The board of supervisors shall levy the amount certified. The amount shall be placed in the public education and recreation levy fund of the district and shall be used only for the purposes specified in this chapter.

The proposition to levy the public recreation and playground tax is not affected by a change in the boundaries of a school district, except as otherwise provided in this section. If each district involved in school reorganization under chapter 275 has adopted the public recreation and playground tax, and if the voters have not voted upon the proposition to levy the public recreation and playground tax in the reorganized district, the existing public recreation and playground tax shall be in effect for the reorganized district for the least amount that has been approved in any of the districts and until discontinued pursuant to section 300.3.

[S13, §2823-u1, -u2; C24, 27, 31, 35, 39, §4434, 4435; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §300.2, 300.3; 81 Acts, ch 95, §3]

93 Acts, ch 1, §13; 93 Acts, ch 160, §17; 94 Acts, ch 1029, §29; 95 Acts, ch 67, §53

300.3 Discontinuance of levy.

Once approved at an election, the authority of the board to levy and collect the tax under section 300.2 shall continue until the board votes to rescind the levy and collection of the tax or the voters of the school district by majority vote order the discontinuance of the levy and collection of the tax. The tax shall be discontinued in the manner provided in this section or in the manner provided for imposition of the tax in section 300.2.

[S13, §2823-u4, -u5; C24, 27, 31, 35, 39, §4437, 4438; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §300.5, 300.6; 81 Acts, ch 95, §4]

300.4 Community education.

The tax levied under sections 300.2 and 300.3 may also be used for community education purposes under chapter 276.

[81 Acts, ch 95, §5]

MISCELLANEOUS SECTIONS

TEXTBOOKS

301.24 Petition — election.

Whenever a petition signed by eligible electors residing in the school district equal in number to at least ten percent of the registered voters in the school district, to be determined by the school board of any school district, shall be filed with the secretary thirty days or more before the regular election, asking that the question of providing free textbooks for the use of pupils in the public schools thereof be submitted to the voters at the next regular election, the secretary shall cause notice of such proposition to be given in the notice of such election.

[C97, §2836; C24, 27, 31, 35, 39, §4464; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §301.24]

2001 Acts, ch 56, §15

301.25 Loaning books.

If, at such election, a majority of the legal voters present and voting by ballot thereon shall authorize the board of directors of said school district to loan textbooks to the pupils free of charge, then the board shall procure such books as shall be needed, in the manner provided by law for the purchase of textbooks, and loan them to the pupils.

[C97, §2837; C24, 27, 31, 35, 39, §4465; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §301.25]

301.27 Discontinuance of loaning.

The electors may, at any election called as provided in section 301.24, direct the board to discontinue the loaning of textbooks to pupils.

[C97, §2837; C24, 27, 31, 35, 39, §4467; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §301.27]

303.21 Petition.

Not less than ten percent of the eligible voters in an area of asserted historical significance may petition the department for a referendum for the establishment of a district.

The petition shall contain a description of the property suggested for inclusion in the district and the reasons justifying the creation of the district.

[C77, 79, 81, §303.21; 82 Acts, ch 1238, §15]
2001 Acts, ch 24, §45

303.22 Action by department.

The department shall hold a hearing not less than thirty days or more than sixty days after the petition is received. The department shall publish notice of the hearing, at a reasonable time before the hearing is to take place, and shall post notice of the hearing in a reasonable number of places within the suggested district. The cost of notification shall be paid by the persons who petition for the establishment of a district.

At the hearing the department shall hear interested persons, accept written presentations, and shall determine whether the suggested district is an area of historical significance which may properly be established as a historical preservation district pursuant to the provisions of this subchapter of this chapter. The department may determine the boundaries which shall be established for the district. The department shall not include property which is not included in the suggested district unless the owner of the property is given an opportunity to be heard.

The department, if it determines that the suggested district meets the criteria for establishment as a historical preservation district, shall indicate the owners of the property and residents included and shall forward a list of owners and residents to the county commissioner of elections.

If the department determines that the suggested district does not meet the criteria for establishment as a historical preservation district, it shall so notify the petitioners.

[C77, 79, 81, §303.22; 82 Acts, ch 1238, §16]

303.23 Referendum.

Within thirty days after the receipt of the list of owners of property and residents within the suggested historical preservation district, the department shall fix a date not more than forty-five days from the receipt of the petition seeking a referendum on the question of establishment of a historical preservation district. The department, after consultation with the county commissioner of elections, shall specify the polling place within the suggested district that will best serve the convenience of the voters and shall appoint from residents of the proposed district three judges and two clerks of election.

[C77, 79, 81, §303.23; 82 Acts, ch 1238, §17]

303.24 Notice.

The department, after consultation with the county commissioner of elections, shall post notice of the referendum in a reasonable number of places within the suggested district a reasonable time before it is to take place. The notice shall state the purpose of the referendum, a description of the district, the date of the referendum, the location of the polling place, and the hours when the polls will open and close.

[C77, 79, 81, §303.24; 82 Acts, ch 1238, §18]

303.25 Voting.

A person shall be qualified to vote at the referendum if such person is a registered voter of the area embraced by the proposed historic district.

An historic preservation district is established if a majority of the persons voting at the referendum votes in favor of its establishment.

[C77, 79, 81, §303.25]

94 Acts, ch 1169, §64

303.26 Commission.

At the same time the referendum is held, an election shall be held for the commission. Each voter at the referendum may write upon the ballot the names of not more than five persons who are eligible voters within the district to be members of the commission.

The five persons receiving the highest number of votes shall constitute the commission. In the event one of the five receiving the highest number of votes elects not to serve on the commission, the person receiving the next highest number of votes shall serve.

Of the initial commission the person receiving the highest number of votes shall receive a five-year term of office, the next highest a four-year term, the next highest a three-year term, the next highest a two-year term, and the fifth highest a one-year term. Thereafter, an election shall be held annually in the district to elect a member to a five-year term as each term expires.

Vacancies in the commission occurring between elections shall be filled by the remaining members of the commission by majority vote. Should a majority of those voting vote not to establish the district, the election shall be void.

[C77, 79, 81, §303.26]

303.33 Termination of district.

Two years after the establishment of a district, a referendum for the termination of the district shall be held if ten percent of the eligible voters in the district so request. If the registered voters, by a majority of those voting, favor termination, sections 303.20 through 303.32 will no longer have any effect on the property formerly included in the district.

If an election is held to terminate a district under this section and such attempt fails, another referendum for termination of the district in question shall not take place for a period of two years.

[C77, 79, 81, §303.33]

95 Acts, ch 67, §53; 96 Acts, ch 1034, §18

LAND USE DISTRICTS

303.41 Eligibility and purpose.

A land use district shall not be created under this subchapter unless it is an area of contiguous territory encompassing twenty thousand acres or more of predominately rural and agricultural land owned by a single entity which has within its general boundaries at least seven platted villages which are not incorporated as municipalities at the time the district is organized. The eligible electors may create a land use district to conserve the distinctive historical and cultural character and peculiar suitability of the area for particular uses with a view to conserving the value of all existing and proposed structures and land and to preserve the quality of life of those citizens residing within the boundaries of the contiguous area by preserving its historical and cultural quality.

83 Acts, ch 108, §1

303.42 Petition.

Eligible electors residing within the limits of a proposed land use district equal in number to at least ten percent or more of the registered voters residing within the limits of a proposed land use district may file a petition in the office of the county auditor of the county in which the proposed land use district, or its major portion, is located, requesting that there be submitted to the registered voters of the proposed district the question of whether the territory within the boundaries of the proposed district shall be organized as a land use district under this subchapter. The petition shall be addressed to the board of supervisors of the county where it is filed and shall set forth the following:

1. An intelligible description of the boundaries of the territory to be embraced in the district.

2. The name of the proposed district.

3. That the territory to be embraced in the district has a distinctive historical and cultural character which might be preserved by the establishment of the district.

4. That the public welfare will be promoted by the establishment of the district.

5. The signatures of the petitioners.

83 Acts, ch 108, §2; 2001 Acts, ch 56, §16

303.45 Hearing of petition and order.

The board of supervisors to whom the petition is addressed shall preside at the hearing provided for in section 303.44 and shall continue the hearing in session, with adjournments from day to day, if necessary, until completed, without being required to give any further notice of it. Proof of the residence and qualification of the petitioners as eligible electors shall be made by affidavit or otherwise as the board may direct. The board shall consider the boundaries of the proposed land use district, whether they shall be as described in the petition or otherwise, and for that purpose may alter and amend the petition and limit or change the boundaries of the proposed district as stated in the petition. The boundaries of a proposed district shall not be changed to include property not included in the original petition and published notice until the owner of that property is given notice as on the original hearing. All persons in the proposed district shall have an opportunity to be heard regarding the location and boundaries of the proposed district and to make suggestions regarding them. The board of supervisors, after hearing the statements, evidence, and suggestions made and offered at the hearing, shall enter an order fixing the boundaries of the proposed district and directing that an election be held for the purpose of submitting to the registered voters residing within the boundaries of the proposed district the question of organization and establishment of the proposed land use district as determined by the board of supervisors. The order shall fix a date for the election not more than sixty days after the date of the order, establish voting precincts within the proposed district and define their boundaries, and specify the polling places which in the board's judgment will best serve the convenience of the voters, and shall appoint from residents of the proposed district three judges and two clerks of election for each voting precinct established.

83 Acts, ch 108, §5; 2001 Acts, ch 56, §17

303.46 Notice of election.

In its order for the election the board of supervisors shall direct the county auditor to cause notice of the election to be given by posting at least five copies of the notice in public places in the proposed district at least twenty days before the date of election and by publication of the notice once each week for three consecutive weeks in some newspaper of general circulation published in the proposed district, or, if no such newspaper is published within the proposed district, then in such a newspaper published in the county in which the major part of the proposed district is located. The last publication is to be at least twenty days prior to the date of election. The notice shall state the time and place of holding the election and the hours when the polls will be open and closed, the purpose of the election, with the name of the proposed district and a description of its boundaries, and shall set forth briefly the limits of each voting precinct and the location of the polling places. Proof of posting and publication shall be made in the manner provided in section 303.44 and filed with the county auditor.

83 Acts, ch 108, §6

303.47 Election.

Each registered voter residing within the proposed district may cast a ballot at the election and a person shall not vote in any precinct but that of the person's residence. Ballots at the election shall be in substantially the following form:

For Land Use District
Against Land Use District

The election shall be conducted in the manner provided by law for general elections and the ballots so cast shall be issued, received, returned, and canvassed in the same manner and by the same officers, in the county whose board of supervisors is vested with jurisdiction of the proceedings, as provided by law in the case of ballots cast for county officers, except as modified by this subchapter. The board of supervisors shall cause a statement of the result of the election to be spread upon the records of the county auditor. If a majority of the votes cast upon the question of incorporation of the proposed district is in favor of the proposed district, the proposed district becomes an organized district under this subchapter.

83 Acts, ch 108, §7; 2001 Acts, ch 56, §18

303.48 Expenses and costs of election.

All expenses incurred in carrying out sections 303.41 through 303.47, including the costs of the election, as determined by the board of supervisors, shall be paid by the county whose board is vested with jurisdiction of the proceedings.

83 Acts, ch 108, §8

303.49 Election of trustees — terms — vacancies.

1. If the proposition to establish a land use district carries, a special election shall be called by the board of supervisors of the county which conducted the election to form the district. This special election shall be held within the newly created district at a single polling place designated by the county auditor not more than ninety days after the organization of the land use district. The election shall be held for the purpose of electing the initial seven members of the board of trustees of the land use district. The county auditor shall cause notice of the election to be posted and published, and shall perform all other acts with reference to the election, and conduct it in like manner, as nearly as may be, as provided in this subchapter for the election on the question of establishing the district. Each trustee must be a United States citizen not less than eighteen years of age and a resident of the district. Each registered voter at the election may write in upon the ballot the names of not more than seven persons whom the voter desires for trustees and may cast not more than one vote for each of the seven persons. The seven persons receiving the highest number of votes cast shall constitute the first board of trustees of the district.

2. Following the initial special election, an annual election shall be held at a single polling place within the district designated by the county auditor for the purpose of electing a trustee to replace a trustee whose term will expire. The board of trustees, in consultation with the county auditor, shall select the election date. The county auditor shall perform all other acts with reference to the election and conduct it in like manner, as nearly as may be, as provided in chapters 45 and 49. Each registered voter at the election may vote for one person whom the voter desires as a trustee for each expiring term. The term of office for each trustee elected shall be three years.

3. Vacancies in the office of trustee of a land use district may be filled by the remaining members of the board of trustees for the period extending to the next annual election at which time the registered voters of the district shall elect a new trustee to fill the vacancy for the unexpired term. Expenses incurred in carrying out the annual elections of trustees shall be paid for by the land use district.

4. When the initial board of trustees is elected under this section the trustees shall be ranked in the order of votes received from highest to lowest. Any ties shall be resolved by a random method. The last ranked trustee shall receive an initial term expiring at the next annual election for trustees, the sixth and fifth ranked trustees receive an initial term expiring one year later, the fourth ranked trustee receives an initial term expiring two years after that election, the third and second ranked trustees receive initial terms expiring three years after that election, and the first ranked trustee shall receive an initial term expiring four years after that election.

83 Acts, ch 108, §9; 85 Acts, ch 161, §1; 94 Acts, ch 1169, §64; 97 Acts, ch 83, §1

JUNKYARD BEAUTIFICATION
AND BILLBOARD CONTROL

BILLBOARD CONTROL

306C.10 Definitions.

For the purposes of this division, unless the context otherwise requires:

1. to 12. Not reprinted.

13. "*Political sign*" means an outdoor sign of a temporary nature, not larger than thirty-two square feet in surface area, erected for the purpose of soliciting votes or support for or in opposition to any candidate or any political party under whose designation any candidate is seeking nomination or election or any public question on the ballot in an election held under the laws of this state.

14. to 21. Not reprinted.

[C73, 75, 77, 79, 81, §306C.10]

2001 Acts, ch 153, §16

306C.22 Political signs.

It shall be lawful to place political signs on private property with permission of the owner or person in charge of the property at any time during the period beginning forty-five days before the date of the election to which the signs pertain and ending on the day of the election, even if such placement would otherwise be a violation of this chapter. This section shall not be construed to authorize placement of any political sign at any location where it may, because of its size, location, content or coloring constitute a traffic hazard or a detriment to traffic safety by obstructing the vision of drivers, by detracting from the visibility of any traffic-control device or by being confused with an authorized traffic-control device. The exemption from provisions of this chapter granted by this section for political signs shall expire on the seventh day following the date of the election to which the signs pertain. A municipal corporation shall adopt no ordinance which prohibits the placement of political signs on private property as permitted by this section during the period beginning twenty-one days before the date of the election to which the signs pertain, nor requires removal of the political signs so placed less than seven days after the date of that election.

[C77, 79, 81, §306C.22]

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331.205 Petition and vote in certain counties — exception.

1. In a county where there is a city operating under the commission form of government with a population of more than seventy-five thousand, the petition to increase or reduce the number of members of the board must contain signatures of eligible electors residing inside the county and outside of the corporate limits of the city equal in number to at least ten percent of the registered voters residing within the county and outside of the corporate limits of the city and signatures of eligible electors residing within the city equal in number to at least ten percent of the registered voters residing within the city.

2. When the proposition to increase or reduce the membership of the board is voted upon, the registered voters of a city described in subsection 1 and the registered voters residing outside of the city shall vote on the proposition separately and a majority of the votes cast on the proposition by each of the two classes of registered voters must approve the proposition before it becomes effective.

[C35, §5108-e1, -e2; C39, §5108.1, 5108.2; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §331.4, 331.5; S81, §331.205; 81 Acts, ch 117, §204]
95 Acts, ch 67, §53; 2001 Acts, ch 56, §21

331.206 Supervisor districts.

1. One of the following supervisor district representation plans shall be used for the election of supervisors:

a. Plan “one.” Election at large without district residence requirements for the members.

b. Plan “two.” Election at large but with equal-population district residence requirements for the members.

c. Plan “three.” Election from single-member equal-population districts, in which the electors of each district shall elect one member who must reside in that district.

2. The plan used under subsection 1 shall be selected by the board or by a special election as provided in section 331.207. A plan selected by the board shall remain in effect for at least six years unless it is changed by a special election as provided in section 331.207.

A plan selected by the board shall become effective on the first day in January which is not a Sunday or holiday following the next general election, at which time the terms of the members expire and the terms of the members elected under the requirements of the new supervisor representation plan at the general election as specified in section 331.208, 331.209, or 331.210 shall commence.

[C97, §416; S13, §416; C24, 27, 31, 35, 39, §5111; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §331.8; S81, §331.206; 81 Acts, ch 117, §205]
93 Acts, ch 143, §46

331.207 Special election — supervisor districts.

1. The board, upon petition of the number of eligible electors of the county as specified in section 331.306, shall call a special election to be held for the purpose of selecting one of the supervisor representation plans specified in section 331.206 under which the board of supervisors shall be elected.

2. The petition shall be filed with the auditor by January 1 of a general election year, subject to subsection 5. The special election shall be held at least one hundred days before the primary election. Notice of the special election shall be published once each week for three successive weeks in an official newspaper of the county, shall state the representation plans to be submitted to the electors, and shall state the date of the special election which shall be held not less than five nor more than twenty days from the date of last publication.

3. The supervisor representation plans submitted at the special election shall be stated in substantially the following manner:

The individual members of the board of supervisors in county, Iowa, shall be elected:

Plan “one.” At large and without district residence requirements for the members.

Plan “two.” At large but with equal-population district residence requirements for the members.

Plan “three.” From single-member equal-population districts in which the electors of each district shall elect one member who must reside in that district.

4. If the plan adopted by a plurality of the ballots cast in the special election is not the supervisor representation plan currently in effect in the county, the terms of the county supervisors serving at the time of the special election shall continue until the first day in January which is not a Sunday or holiday following the next general election, at which time the terms of the members shall expire and the terms of the members elected under the requirements of the new supervisor representation plan at the general election as specified in section 331.208, 331.209 or 331.210 shall commence.

5. A supervisor representation plan adopted at a special election shall remain in effect for at least six years.

[C97, §417; C24, 27, 31, 35, 39, §5112; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §331.9; S81, §331.207; 81 Acts, ch 117, §206; 82 Acts, ch 1104, §31] 88 Acts, ch 1119, §37

(b) Five hundred thousand dollars in a county having a population of more than twenty-five thousand but not more than fifty thousand.

(c) Six hundred thousand dollars in a county having a population of more than fifty thousand but not more than one hundred thousand.

(d) Eight hundred thousand dollars in a county having a population of more than one hundred thousand but not more than two hundred thousand.

(e) One million dollars in a county having a population of more than two hundred thousand.

However, if the principal amount of a lease or lease-purchase contract pursuant to this subparagraph is less than twenty-five thousand dollars, the board may authorize the lease or lease-purchase contract without following the authorization procedures of section 331.443.

(2) The board must follow the following procedures to authorize a lease or lease-purchase contract for real property which is payable from the general fund if the principal amount of the lease or lease-purchase contract exceeds the limits set forth in subparagraph (1):

(a) The board must institute proceedings for entering into a lease or lease-purchase contract payable from the general fund by causing a notice of the meeting to discuss entering into the lease or lease-purchase contract, including a statement of the principal amount and purpose of the lease or lease-purchase and the right to petition for an election, to be published as provided in section 331.305 at least ten days prior to the discussion meeting. No sooner than thirty days following the discussion meeting shall the board hold a meeting at which it is proposed to take action to enter into the lease or lease-purchase contract.

(b) If at any time before the end of the thirty-day period after which a meeting may be held to take action to enter into the lease or lease-purchase contract, a petition is filed with the auditor in the manner provided by section 331.306, asking that the question of entering into the lease or lease-purchase contract be submitted to the registered voters of the county, the board shall either by resolution declare the proposal to enter into the lease or lease-purchase contract to have been abandoned or shall direct the county commissioner of elections to call a special election upon the question of entering into the lease or lease-purchase contract. However, for purposes of this subparagraph, the petition shall not require signatures in excess of one thousand persons. The question to be placed on the ballot shall be stated affirmatively in substantially the following manner: Shall the county of enter into a lease or lease-purchase contract in an amount of \$..... for the purpose of? Notice of the election and its conduct shall be in the manner provided in section 331.442, subsections 2 through 4.

(c) If a petition is not filed or if a petition is filed and the proposition of entering into a lease or lease-purchase contract is approved at the election, the board may proceed and enter into the lease or lease-purchase contract.

f. The governing body may authorize a lease or lease-purchase contract payable from the net revenues of a county enterprise or combined county enterprise by following the authorization procedures of section 331.464.

g. A lease or lease-purchase contract to which a county is a party or in which a county has a participatory interest is an obligation of a political subdivision of this state for the purposes of chapters 502 and 636, and is a lawful investment for banks, trust companies, building and loan associations, savings and loan associations, investment companies, insurance companies, insurance associations, executors, guardians, trustees, and any other fiduciaries responsible for the investment of funds.

h. Property that is lease-purchased by a county is exempt under section 427.1, subsection 2.

i. A contract for construction by a private party of property to be leased or lease-purchased by a county is not a contract for a public improvement under section 331.341, subsection 1. However, if a lease-purchase contract is funded in advance by means of the lessor depositing moneys to be administered by a county, with the county's obligation to make rent payments commencing with its receipt of moneys, a contract for construction of the property in question awarded by the county is a public improvement and is subject to section 331.341, subsection 1.

11. to 15. Not reprinted.

[C51, §93; R60, §221; C73, §279; C97, §394; C24, 27, 31, 35, 39, §5128; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §332.1; S81, §331.301; 81 Acts, ch 117, §300]

85 Acts, ch 156, §1; 86 Acts, ch 1211, §19; 87 Acts, ch 115, §51; 89 Acts, ch 101, §1; 92 Acts, ch 1138, §1; 92 Acts, ch 1204, §8; 95 Acts, ch 67, §53; 95 Acts, ch 206, §8, 12; 99 Acts, ch 186, §1; 2001 Acts, ch 143, §1; 2001 Acts, ch 153, §9, 16

331.303 General duties of the board.

The board shall:

1. to 4. Not reprinted.

5. Proceed upon a petition to establish an official county fair and pay tax funds to it in accordance with section 174.10.

6. to 12. Not reprinted.

[R60, §318; C73, §308; C97, §442; C24, 27, 31, 35, 39, §5122, 5123; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §331.19, 331.20; S81, §331.303; 81 Acts, ch 117, §302; 82 Acts, ch 1104, §33]

83 Acts, ch 186, §10069, 10201; 92 Acts, ch 1156, §13; 99 Acts, ch 204, §35; 2001 Acts, ch 45, §1; 2001 Acts, ch 176, §67

e. The governing body may authorize a loan agreement payable from the net revenues of a county enterprise or combined county enterprise by following the authorization procedures of section 331.464.

f. A loan agreement to which a county is a party or in which a county has a participatory interest is an obligation of a political subdivision of this state for the purpose of chapters 502 and 636, and is a lawful investment for banks, trust companies, building and loan associations, savings and loan associations, investment companies, insurance companies, insurance associations, executors, guardians, trustees, and any other fiduciaries responsible for the investment of funds.

83 Acts, ch 96, §157, 159; 84 Acts, ch 1123, §2; 87 Acts, ch 103, §1; 92 Acts, ch 1138, §2; 95 Acts, ch 67, §53; 2001 Acts, ch 45, §2

COUNTY LEVIES, FUNDS, BUDGETS, AND EXPENDITURES

331.424 Supplemental levies.

To the extent that the basic levies are insufficient to meet the county's needs for the following services, the board may certify supplemental levies as follows:

1. For general county services, an amount sufficient to pay the charges for the following:

a. and *b.* Not reprinted.

c. Elections, and voter registration pursuant to chapter 48A.

d. to *j.* Not reprinted.

2. Not reprinted.

83 Acts, ch 123, §8, 209; 84 Acts, ch 1178, §7; 84 Acts, ch 1312, §8; 86 Acts, ch 1211, §20; 90 Acts, ch 1233, §25; 92 Acts, ch 1139, §26; 94 Acts, ch 1169, §59; 94 Acts, ch 1170, §52; 95 Acts, ch 206, §9, 12; 96 Acts, ch 1129, §84; 96 Acts, ch 1219, §102; 97 Acts, ch 35, §22, 25; 2001 Acts, ch 181, §25

331.425 Additions to levies — special levy election.

The board may certify an addition to a levy in excess of the amounts otherwise permitted under sections 331.423, 331.424, and 331.426 if the proposition to certify an addition to a levy has been submitted at a special levy election and received a favorable majority of the votes cast on the proposition. A special levy election is subject to the following:

1. The election shall be held only if the board gives notice to the county commissioner of elections, not later than February 15, that the election is to be held.

2. The election shall be held on the second Tuesday in March and be conducted by the county commissioner of elections in accordance with the law.

3. The proposition to be submitted shall be substantially in the following form:

Vote for only one of the following:

Shall the county of levy an additional tax at a rate of \$..... each year for years beginning next July 1 in excess of the statutory limits otherwise applicable for the (general county services or rural county services) fund?

or

The county of shall continue the (general county services or rural county services fund) under the maximum rate of \$

4. The canvass shall be held beginning at one o'clock on the second day which is not a holiday following the special levy election.

5. Notice of the proposed special levy election shall be published at least twice in a newspaper as specified in section 331.305 prior to the date of the special levy election. The first notice shall appear as early as practicable after the board has decided to seek a special levy.

83 Acts, ch 123, §9, 209

331.427 General fund.

1. Not reprinted.

2. The board may make appropriations from the general fund for general county services, including but not limited to the following:

a. and b. Not reprinted.

c. Purchase of voting machines under chapter 52.

d. to m. Not reprinted.

3. Not reprinted.

83 Acts, ch 123, §11, 209; 84 Acts, ch 1107, §1; 84 Acts, ch 1206, §1; 85 Acts, ch 195, §40; 85 Acts, ch 201, §2; 89 Acts, ch 83, §48; 90 Acts, ch 1230, §90; 90 Acts, ch 1236, §47; 91 Acts, ch 191, §8; 92 Acts, ch 1139, §27; 94 Acts, ch 1074, §3; 95 Acts, ch 216, §37; 97 Acts, ch 158, §2; 2000 Acts, ch 1090, §2, 6; 2001 Acts, ch 155, §2, 9-11

GENERAL OBLIGATION BONDS

331.441 Definitions.

1. As used in this part, the use of the conjunctive "and" includes the disjunctive "or" and the use of the disjunctive "or" includes the conjunctive "and," unless the context clearly indicates otherwise.

2. As used in this part, unless the context otherwise requires:

a. "General obligation bond" means a negotiable bond issued by a county and payable from the levy of ad valorem taxes on all taxable property within the county through its debt service fund which is required to be established by section 331.430.

b. "Essential county purpose" means any of the following:

(1) Voting machines or an electronic voting system.

(2) Bridges on highways or parts of highways which are located along the corporate limits of cities and are partly within and partly without the limits and are in whole or in part secondary roads.

(3) Sanitary disposal projects as defined in section 455B.301.

(4) Works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, for the collection and disposal of solid waste, and for the collection and disposal of surface waters and streams, including the planning, acquisition, leasing, construction, reconstruction, extension, remodeling, improvement, repair, equipping, maintenance, and operation of the works and facilities.

(5) Public buildings, including the site or grounds of, and the erection, equipment, remodeling, or reconstruction of, and additions or extensions to the buildings, and including the provision and maintenance of juvenile detention or shelter care facilities, when the cost does not exceed the following limits:

(a) Four hundred thousand dollars in a county having a population of twenty-five thousand or less.

(b) Five hundred thousand dollars in a county having a population of more than twenty-five thousand but not more than fifty thousand.

(c) Six hundred thousand dollars in a county having a population of more than fifty thousand but not more than one hundred thousand.

(d) Eight hundred thousand dollars in a county having a population of more than one hundred thousand but not more than two hundred thousand.

(e) One million dollars in a county having a population of more than two hundred thousand.

(6) Funding or refunding outstanding indebtedness if the outstanding indebtedness exceeds five thousand dollars on the first day of January, April, June or September in any year. However, a county shall not levy taxes to repay refunding bonds for bridges on property within cities.

(7) Enlargement and improvement of a county hospital acquired and operated under chapter 347A, subject to a maximum of two percent of the assessed value of the taxable property in the county. However, notice of the proposed bond issue shall be published once each week for two consecutive weeks and if, within twenty days following the date of the first publication, a petition requesting an election on the proposal and signed by eligible electors of the county equal in number to at least twenty percent of the votes cast at the preceding election for governor is filed with the county auditor, the proposal is subject to the election requirements in section 331.442, subsections 2, 3, and 4, for general county purpose bonds.

(8) The provision of insurance, or funding a self-insurance program or local government risk pool, including but not limited to the investigation and defense of claims, the payment of claims, and the administration and management of such self-insurance program or local government risk pool.

(9) The acquisition, restoration, or demolition of abandoned, dilapidated, or dangerous buildings, structures or properties or the abatement of a nuisance.

(10) The establishment or funding of programs to provide for or assist in providing for the acquisition, restoration, or demolition of housing, as part of a municipal housing project under chapter 403 or otherwise, or for other

purposes as may be authorized under chapter 403A.

(11) The acquiring, developing, and improving of a geographic computer data base system suitable for automated mapping and facilities management.

(12) Funding the acquisition, construction, reconstruction, improvement, repair, or equipping of waterworks, water mains and extensions, ponds, reservoirs, capacity, wells, dams, pumping installations, real and personal property, or other facilities available or used for the storage, transportation, or utilization of water.

(a) The county board of supervisors may on its own motion or upon a written petition of a water supplier established under chapter 357A or 504A, direct the county auditor to establish a special service area tax district for the purpose of issuing general obligation bonds. The special service area tax district shall include only unincorporated portions of the county and shall be drawn according to engineering recommendations provided by the water supplier or the county engineer and, in addition, shall be drawn in order that an election provided for in subparagraph subdivision (b) can be administered. The county's debt service tax levy for the county general obligation bonds issued for the purposes set out in this subparagraph shall be levied only against taxable property within the county which is included within the boundaries of the special service area tax district. An owner of property not included within the boundaries of the special service area tax district may petition the board of supervisors to be included in the special service area tax district subsequent to its establishment.

(b) General obligation bonds for the purposes described in this subparagraph are subject to an election held in the manner provided in section 331.442, subsections 1 through 4, if not later than fifteen days following the action by the county board of supervisors, eligible electors file a petition with the county commissioner of elections asking that the question of issuing the bonds be submitted to the registered voters of the special service area tax district. The petition must be signed by eligible electors equal in number to at least five percent of the registered voters residing in the special service area tax district. If the petition is duly filed within the fifteen days, the board of supervisors shall either adopt a resolution declaring that the proposal to issue the bonds is abandoned, or direct the county commissioner of elections to call a special election within a special service area tax district upon the question of issuing the bonds.

(13) The acquisition, pursuant to a chapter 28E agreement, of a city convention center or veterans memorial auditorium, including the renovation, remodeling, reconstruction, expansion, improvement, or equipping of such a center or auditorium, provided that debt service funds shall not be derived from the division of taxes under section 403.19.

c(7). [C71, 73, 75, 77, 79, 81, §346A.3–346A.5; S81, §331.441(2c); 81 Acts, ch 117, §440]

c(8). [S13, §409-a, -b, -f; C24, 27, 31, 35, §5348–5351, 5354; C39, §5348, 5348.1, 5349–5351, 5354; C46, 50, 54, 58, §347.1–347.5, 347.8; C62, 66, 71, 73, 75, 77, 79, 81, §37.27, 347.1–347.5, 347.8; S81, §331.441(2c); 81 Acts, ch 117, §440]

c(9). [C51, §114, 117; R60, §250, 253; C73, §309, 312; C97, §443, 448; SS15, §448; C24, 27, 31, 35, 39, §5263, 5268; C46, 50, 54, 58, 62, §345.4, 345.9; C66, 71, 73, 75, 77, §232.22, 345.4, 345.9; C79, 81, §232.142, 345.4, 345.9; S81, §331.441(2c); 81 Acts, ch 117, §440]

c(10, 11). [S81, §331.441(2c); 81 Acts, ch 117, §440]

3. [S81, §331.441(3); 81 Acts, ch 117, §440]

83 Acts, ch 123, §136–139, 209; 86 Acts, ch 1211, §21; 87 Acts, ch 103, §2–4; 89 Acts, ch 189, §2; 90 Acts, ch 1255, §18; 92 Acts, ch 1102, §1; 92 Acts, ch 1138, §3; 93 Acts, ch 180, §76; 94 Acts, ch 1014, §1; 94 Acts, ch 1182, §5; 95 Acts, ch 67, §53; 96 Acts, ch 1204, §35; 2000 Acts, ch 1188, §1; 2001 Acts, ch 56, §22, 23

331.442 General county purpose bonds.

1. A county which proposes to carry out any general county purpose within or without its boundaries, and to contract indebtedness and issue general obligation bonds to provide funds to pay all or any part of the costs of a project, shall do so in accordance with this part.

2. Before the board may institute proceedings for the issuance of bonds for a general county purpose, it shall call a county special election to vote upon the question of issuing the bonds. At the election the proposition shall be submitted in the following form:

Shall the county of, state of Iowa, be authorized to (state purpose of project) at a total cost not exceeding \$..... and issue its general obligation bonds in an amount not exceeding \$..... for that purpose?

3. Notice of the election shall be given by publication as specified in section 331.305. At the election the ballot used for the submission of the proposition shall be in substantially the form for submitting special questions at general elections.

4. The proposition of issuing bonds for a general county purpose is not carried or adopted unless the vote in favor of the proposition is equal to at least sixty percent of the total vote cast for and against the proposition at the election. If the proposition of issuing the general county purpose bonds is approved by the voters, the board may proceed with the issuance of the bonds.

5. *a.* Notwithstanding subsection 2, a board, in lieu of calling an election, may institute proceedings for the issuance of bonds for a general county purpose by causing a notice of the proposal to issue the bonds, including a statement of the amount and purpose of the bonds, and the right to petition for an election, to be published as provided in section 331.305 at least ten days prior to the meeting at which it is proposed to take action for the issuance of the bonds subject to the following limitations:

(1) In counties having a population of twenty thousand or less, in an amount of not more than fifty thousand dollars.

(2) In counties having a population of over twenty thousand and not over fifty thousand, in an amount of not more than one hundred thousand dollars.

(3) In counties having a population of over fifty thousand, in an amount of not more than one hundred fifty thousand dollars.

b. If at any time before the date fixed for taking action for the issuance of the bonds, a petition is filed with the auditor in the manner provided by section 331.306 asking that the question of issuing the bonds be submitted to the registered voters of the county, the board shall either by resolution declare the proposal to issue the bonds to have been abandoned or shall direct the county commissioner of elections to call a special election upon the question of issuing the bonds. Notice of the election and its conduct shall be in the manner provided in subsections 2, 3 and 4.

c. If no petition is filed, or if a petition is filed and the proposition of issuing the bonds is approved at an election, the board may proceed with the authorization and issuance of the bonds.

[C31, 35, §5903-c5; C39, §5903.05; C46, 50, §330.7; C54, 58, §330.7; C62, 66, §111A.6, 330.7; C71, 73, 75, 77, 79, 81, §111A.6, 313A.35, 330.7, 346A.3; S81, §331.442; 81 Acts, ch 117, §441; 82 Acts, ch 1104, §47]

95 Acts, ch 67, §53

331.445 Categories for general obligation bonds.

The board may issue general obligation bonds pursuant to a resolution adopted at a regular or special meeting by a majority of the total number of supervisors. Each subparagraph of section 331.441, subsection 2, paragraphs "b" and "c", describes a separate category. Separate categories of essential county purposes and of general county purposes may be incorporated in a single notice of intention to institute proceedings for the issuance of bonds, or separate categories may be incorporated in separate notices, and after an opportunity has been provided for filing objections, or after a favorable election has been held, if required, the board may include in a single resolution and sell as a single issue of bonds, any number or combination of essential county purposes or general county purposes. If an essential county purpose is combined with a general county purpose in a single notice of intention to institute proceedings to issue bonds, then the entire issue is subject to the election requirement in section 331.442.

[S81, §331.445; 81 Acts, ch 117, §444]

REVENUE BONDS

331.461 Definitions.

As used in this part, unless the context otherwise requires:

1. "*Combined county enterprise*" means two or more county enterprises combined and operated as a single enterprise.

2. "*County enterprise*" means any of the following:

a. Airports and airport systems.

b. Works and facilities useful and necessary for the collection, treatment, purification, and disposal in a sanitary manner of the liquid and solid waste, sewage, and industrial waste of the county, including sanitary disposal projects as defined in section 455B.301 and sanitary sewage systems, and including the acquisition, establishment, construction, purchase, equipment, improvement, extension, operation, maintenance, reconstruction, and repair of the works and facilities within or without the limits of the county, and including works and facilities to be jointly used by the county and other political subdivisions.

c. Swimming pools and golf courses, including their acquisition, establishment, construction, purchase, equipment, improvement, extension, operation, maintenance, reconstruction, and repair.

d. The equipment, enlargement, and improvement of a county public hospital previously established and operating under chapter 347, including acquisition of the necessary lands, rights-of-way, and other property, subject to approval by the board of hospital trustees. However, notice of the proposed bond issue shall be published at least once each week for two consecutive weeks and if, within thirty days following the date of the first publication, a petition requesting an election on the proposal and signed by eligible electors of the county equal to at least twenty percent of the votes cast at the preceding election for governor is filed with the county auditor, the proposal is subject to the election requirements in section 331.442, subsections 2, 3, and 4, for general county purpose bonds. Bonds issued under this paragraph shall mature in not more than thirty years from date of issuance.

e. In a county with a population of less than one hundred fifty thousand, a county hospital established under chapter 37 or 347A, including its acquisition, construction, equipment, enlargement, and improvement, and including necessary lands, rights-of-way, and other property. However, bonds issued under this paragraph shall mature in not more than thirty years from date of issuance, and are subject to the notice and election requirements of bonds issued under paragraph "d".

f. A waterworks or single benefited water district under section 357.35, including land, easements, rights-of-way, fixtures, equipment, accessories, improvements, appurtenances, and other property necessary or useful for the operation of the waterworks or district.

g. Housing for persons who are elderly or persons with physical disabilities.

3. to 9. Not reprinted.

[S81, §331.461; 81 Acts, ch 117, §460; 82 Acts, ch 1104, §49]

2a. [C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §330.14; S81, §331.461(1); 81 Acts, ch 117, §460]

b. [C35, §6066-f1, -f5, -f8; C39, §6066.24–6066.32; C46, 50, 54, 58, §394.1, 394.5–394.9; C62, 66, 71, 73, §394.1, 394.5–394.9, 394.12; C75, 77, §332.44; C79, 81, §332.44, 332.52; S81, §331.461(1); 81 Acts, ch 117, §460]

c. [C35, §6066-f1, 6066-f3, 6066-f6–6066-f8; C39, §6066.24, 6066.26, 6066.29–6066.32; C46, 50, 54, 58, 62, 66, §394.1, 394.3, 394.6–394.9; C71, 73, §394.1, 394.3, 394.6–394.9, 394.13; C75, 77, 79, 81, §332.44; S81, §331.461(1); 81 Acts, ch 117, §460]

d. [C73, 75, 77, 79, 81, §347.27; S81, §331.461(1); 81 Acts, ch 117, §460]

e. [C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §347A.1–347A.4; S81, §331.461(1); 81 Acts, ch 117, §460]

f. [C79, 81, §332.52; S81, §331.461(1); 81 Acts, ch 117, §460; 82 Acts, ch 1219, §2]

1, 3–9. [S81, §331.461(2–9); 81 Acts, ch 117, §460]

99 Acts, ch 76, §1, 2; 2001 Acts, ch 56, §24

331.471 County enterprise commissions.

1. As used in this section, “*commission*” means a commission established under this section to manage a county enterprise or combined county enterprise. Upon receipt of a valid petition as defined in section 331.306 requesting that a proposal for establishment or discontinuance of a commission be submitted to the voters, or upon its own motion, the board shall submit the proposal at the next general election or at an election which includes a proposal to establish, acquire, lease, or dispose of the county enterprise or combined county enterprise.

2. A proposal for the establishment of a county enterprise commission shall specify a commission of either three or five members. If a majority of those voting approves the proposal, the board shall proceed as proposed. If a majority of those voting does not approve the proposal, the same or a similar proposal shall not be submitted to the voters of the county and the board shall not establish a commission for the same purpose for at least four years from the date of the election at which the proposal was defeated.

3. If a proposal to discontinue a commission receives a favorable majority vote, the commission is dissolved at the time provided in the proposal and shall turn over to the board the management of the county enterprise or combined county enterprise and all property relating to it.

4. If a proposal to establish a commission receives a favorable majority vote, the commission is established at the time provided in the proposal. The board shall appoint the commission members, as provided in the proposal and this section. The board shall provide by resolution for staggered six-year terms for and shall set the compensation of commission members.

5. A commission member appointed to fill a vacancy occurring by reason other than the expiration of a term is appointed for the balance of the unexpired term.

[C97, §480; S13, §498; C24, 27, 31, 35, 39, §5246; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §342.2; S81, §331.508; 81 Acts, ch 117, §507]
 86 Acts, ch 1001, §19; 94 Acts, ch 1173, §24; 95 Acts, ch 49, §8; 97 Acts, ch 121, §4

331.510 Reports by the auditor.

The auditor shall make:

1. A report to the governor of a vacancy, except by resignation, in the office of state representative or senator as provided in section 69.5.
2. A report to the secretary of state of the name, office, and term of office of each appointed or elected county officer within ten days of the officer's election or appointment and qualification.
3. and 4. Not reprinted.

[R60, §291; C73, §324; C97, §474; C24, 27, 31, 35, 39, §5150; C46, 50, 54, 58, 62, 66, 71, §333.10; C73, 75, 77, §333.10, 442.2; C79, 81, §333.10, 333.16; S81, §331.510; 81 Acts, ch 117, §509]

83 Acts, ch 123, §141, 209; 85 Acts, ch 21, §42; 85 Acts, ch 197, §7; 88 Acts, ch 1134, §72

COUNTY TREASURER

331.551 Office of county treasurer.

1. The office of treasurer is an elective office except that if a vacancy occurs in the office, a successor shall be appointed to the unexpired term as provided in chapter 69.

2. A person elected or appointed to the office of treasurer shall qualify by taking the oath of office as provided in section 63.10 and give bond as provided in section 64.10.

3. The term of office of the treasurer is four years.

[C51, §96, 151, 239; R60, §224, 473; C73, §589; C97, S13, §1072; C24, 27, 31, 35, 39, §520; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.17; S81, §331.551; 81 Acts, ch 117, §550]

331.552 General duties.

The treasurer shall:

1. to 7. Not reprinted.

8. Serve on a nomination appeals commission to hear nomination objections filed with the county commissioner of elections as provided in section 44.7.

9. to 33. Not reprinted.

5-15. [S81, §331.552(5-17); 81 Acts, ch 117, §551]

83 Acts, ch 123, §143-146, 209; 83 Acts, ch 185, §31, 32, 62; 83 Acts, ch 186, §10088, 10089, 10201, 10204; 84 Acts, ch 1003, §1; 86 Acts, ch 1001, §20; 86 Acts, ch 1155, §5; 91 Acts, ch 191, §10; 92 Acts, ch 1016, §5; 94 Acts, ch 1173, §26; 95 Acts, ch 57, §4; 96 Acts, ch 1129, §113; 2000 Acts, ch 1084, §2; 2001 Acts, ch 45, §3

331.557A Duties relating to issuance of driver's licenses.

The treasurer of any county participating in county issuance of driver's licenses under chapter 321M shall:

1. to 3. Not reprinted.
 4. Participate in voter registration according to the terms of chapter 48A, and submit completed voter registration forms to the state registrar of voters.
 5. and 6. Not reprinted.
- 98 Acts, ch 1073, §12; 98 Acts, ch 1143, §21, 26

COUNTY RECORDER

331.601 Office of county recorder.

1. The office of recorder is an elective office except that if a vacancy occurs in the office, a successor shall be appointed to the unexpired term as provided in chapter 69.

2. A person elected or appointed to the office of recorder shall qualify by taking the oath of office as provided in section 63.10 and giving bond as provided in section 64.8.

3. The term of office of the recorder is four years.

4. Not reprinted.

[C51, §96, 239; R60, §224, 473; C73, §589; C97, §1072; S13, §1072; C24, 27, 31, 35, 39, §520; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.17; S81, §331.601; 81 Acts, ch 117, §600]

95 Acts, ch 124, §9, 26

331.602 General duties.

The recorder shall:

1. to 5. Not reprinted.
6. Carry out duties as a member of a nomination appeals commission as provided in section 44.7.
7. to 40. Not reprinted.

6-44. [S81, §331.602(6-44); 81 Acts, ch 117, §601; 82 Acts, ch 1104, §57]
 83 Acts, ch 101, §78; 85 Acts, ch 195, §41; 86 Acts, ch 1091, §1-3; 86 Acts, ch 1108, §4; 86 Acts, ch 1155, §6; 87 Acts, ch 30, §17; 88 Acts, ch 1046, §1; 90 Acts, ch 1081, §1; 90 Acts, ch 1205, §11; 90 Acts, ch 1236, §49; 91 Acts, ch 183, §1; 91 Acts, ch 211, §2; 92 Acts, ch 1073, §6-8; 92 Acts, ch 1163, §83; 94 Acts, ch 1023, §105; 94 Acts, ch 1025, §4; 94 Acts, ch 1055, §1; 95 Acts, ch 124, §10, 26; 95 Acts, ch 160, §1; 96 Acts, ch 1034, §29; 96 Acts, ch 1186, §23; 97 Acts, ch 23, §37; 97 Acts, ch 116, §1; 98 Acts, ch 1199, §2, 27; 98 Acts, ch 1223, §30; 99 Acts, ch 83, §3, 4, 11; 99 Acts, ch 171, §34, 42; 2000 Acts, ch 1085, §2; 2000 Acts, ch 1149, §168, 187; 2001 Acts, ch 44, §4, 5; 2001 Acts, ch 45, §6

COUNTY SHERIFF

331.651 Office of county sheriff.

1. The office of sheriff is an elective office except that if a vacancy occurs in the office, the first deputy shall assume the office after qualifying as provided in this section and shall hold the office until a successor is appointed to the unexpired term as provided in chapter 69. If a sheriff is suspended from office, the district court may appoint a sheriff until a temporary appointment is made by the board as provided in section 66.19.

A person elected or appointed sheriff shall meet all the following qualifications:

- a. Have no felony convictions.
- b. Be age twenty-one or over at the time of assuming the office of sheriff.
- c. Be a certified peace officer recognized by the Iowa law enforcement academy council under chapter 80B or complete the basic training course provided at the Iowa law enforcement academy's central training facility or a location other than the central training facility within one year of taking office. A person shall be deemed to have completed the basic training course if the person meets all course requirements except the physical training requirements.

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

3. The term of office of the sheriff is four years.

[C51, §96, 239; R60, §224, 473; C73, §589; C97, S13, §1072; C24, 27, 31, 35, 39, §520; C46, §39.17; C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.17, 337.20; S81, §331.651; 81 Acts, ch 117, §650]

94 Acts, ch 1010, §1

331.653 General duties of the sheriff.

The sheriff shall:

1. to 6. Not reprinted.
7. Carry out duties relating to election contests as provided in sections 57.6, 62.4, and 62.19.
8. to 71. Not reprinted.

5-71. [S81, §331.653(5-71); 81 Acts, ch 117, §652]

83 Acts, ch 101, §79; 83 Acts, ch 186, §10090, 10091, 10201; 85 Acts, ch 67, §41; 86 Acts, ch 1108, §5; 86 Acts, ch 1121, §2; 86 Acts, ch 1155, §7; 86 Acts, ch 1220, §39; 87 Acts, ch 115, §54; 90 Acts, ch 1230, §91; 91 Acts, ch 191, §14; 92 Acts, ch 1139, §28; 94 Acts, ch 1103, §3; 94 Acts, ch 1173, §27; 95 Acts, ch 67, §29; 95 Acts, ch 191, §24; 96 Acts, ch 1111, §1; 96 Acts, ch 1129, §113; 96 Acts, ch 1186, §23; 97 Acts, ch 35, §23, 25; 97 Acts, ch 126, §41, 42; 98 Acts, ch 1090, §68, 84; 2001 Acts, ch 153, §15; 2001 Acts, ch 176, §80

331.661 Multicounty office.

1. Two or more county boards of supervisors may adopt resolutions proposing to share the services of a county sheriff. The resolutions shall also propose that the question of establishing the office of multicounty sheriff be submitted to the electorate of the counties proposing to share the services of a county sheriff. The proposal is adopted in those counties where a majority of the electors voting approves the proposal.

2. The county sheriff shall be elected by a majority of the votes cast for the office of county sheriff in all of the counties which the county sheriff will serve. The election shall be conducted in accordance with section 47.2, subsection 2.

3. The office of multicounty sheriff is created effective on January 1 of the year following the next general election at which the county sheriff is elected as provided by this section and section 39.17.

91 Acts, ch 189, §1

COUNTY ATTORNEY

331.751 Office of county attorney.

1. The office of county attorney is an elective office except that if a vacancy occurs in the office, a successor shall be appointed to the unexpired term as provided in chapter 69.

2. A person elected or appointed to the office of county attorney shall be a registered voter of the county, be admitted to the practice of law in the courts of this state as provided by law, qualify by taking the oath of office as provided in section 63.10, and give bond as provided in section 64.8. A person is not qualified for the office of county attorney while the person's license to practice law in this or any other state is suspended or revoked.

3. The term of office of the county attorney is four years.

[C51, §96, 239; R60, §224; C97, §1072; S13, §308-b, 1072; C24, 27, 31, 35, 39, §520, 5179; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §39.17, 336.1; S81, §331.751; 81 Acts, ch 117, §750]

94 Acts, ch 1169, §64

331.753 Multicounty office.

1. If two or more counties agree, pursuant to chapter 28E, to share the services of a county attorney, the county attorney shall be elected by a majority of the votes cast for the office of county attorney in all of the counties which the county attorney will serve as provided in the agreement. The election shall be conducted in accordance with section 47.2, subsection 2.

2. The effective date of the agreement shall be January 1 of the year following the next general election at which the county attorney is elected as provided by this section and section 39.17.

[C79, 81, §336.6; S81, §331.753; 81 Acts, ch 117, §753]

331.756 Duties of the county attorney.

The county attorney shall:

1. to 13. Not reprinted.

14. Hear and decide objections to a nomination filed with the county election commissioner as provided in section 44.7.

15. Review the report and recommendations of the ethics and campaign disclosure board and proceed to institute the recommended actions or advise the board that prosecution is not merited, as provided in sections 68B.32C and 68B.32D.

16. to 85. Not reprinted.

[C97, SS15, §301; C24, 27, 31, 35, 39, §5180; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §336.2; S81, §331.756; 81 Acts, ch 117, §756; 82 Acts, ch 1021, §10, 12(1), ch 1100, §28, ch 1104, §59]

83 Acts, ch 96, §111, 112, 157, 159; 84 Acts, ch 1163, §2; 84 Acts, ch 1299, §9; 85 Acts, ch 195, §42; 86 Acts, ch 1001, §21; 86 Acts, ch 1112, §11; 86 Acts, ch 1155, §8; 86 Acts, ch 1238, §17; 86 Acts, ch 1245, §1117; 87 Acts, ch 30, §18; 87 Acts, ch 98, §4; 88 Acts, ch 1134, §73; 89 Acts, ch 197, §30; 90 Acts, ch 1165, §17; 92 Acts, ch 1242, §30, 31; 93 Acts, ch 97, §39; 93 Acts, ch 110, §2-4; 93 Acts, ch 142, §12; 93 Acts, ch 163, §32; 94 Acts, ch 1023, §106; 94 Acts, ch 1170, §53; 94 Acts, ch 1173, §29, 30; 95 Acts, ch 49, §9; 95 Acts, ch 143, §9; 95 Acts, ch 169, §3; 96 Acts, ch 1034, §31; 96 Acts, ch 1111, §2; 96 Acts, ch 1129, §113; 96 Acts, ch 1131, §1; 96 Acts, ch 1186, §23; 97 Acts, ch 41, §32; 98 Acts, ch 1090, §69, 84; 98 Acts, ch 1162, §28, 30

LIBRARY DISTRICTS

336.2 Library districts formed.

A library district may be established composed of one or more counties, one or more cities, or any combination of cities and counties.

Eligible electors residing within the proposed district in a number not less than five percent of those voting for president of the United States or governor, as the case may be, within the district at the last general election may petition the board of supervisors of the county, or the city council, for the establishment of the library district. The petition shall clearly designate the area to be included in the district.

The board of supervisors of each county and the city council of each city containing area within the proposed district shall submit the proposition to the registered voters within their respective counties and cities at any general or primary election, provided said election occurs not less than forty days after the filing of the petition.

A library district shall be established if a majority of the electors voting on the proposition and residing in the proposed library district favor its establishment.

The result of the election within cities maintaining a free public library shall be considered separately, and no city shall be included within the library district unless a majority of its electors voting on the proposition favor its inclusion. In such cases the boundaries of an established district may vary from those of the proposed district.

After the establishment of a library district other areas may be included by mutual agreement of the board of trustees of the library district and the governing body of the area sought to be included.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §358B.2]

C93, §336.2

95 Acts, ch 67, §53; 2001 Acts, ch 158, §26

336.16 Withdrawal from district — termination.

A city may withdraw from the library district upon a majority vote in favor of withdrawal by the electorate of the city in an election held on a motion by the city council. The election shall be held simultaneously with a general or city election. Notice of a favorable vote to withdraw shall be sent by certified mail to the board of library trustees of the library district and the county or city auditor, as appropriate, prior to January 10, and the withdrawal shall be effective on July 1.

A county may withdraw from the district after a majority of the voters of the unincorporated area of the county voting on the issue favor the withdrawal. The board of supervisors shall call for the election which shall be held at the next general election.

A city or county election shall not be called until a hearing has been held on the proposal to submit a proposition of withdrawal to an election. A hearing may be held only after public notice published as provided in section 362.3 in the case of a city or section 331.305 in the case of a county. A copy of the notice submitted for publication shall be mailed to the library on or before the date of publication. The proposal presented at the hearing must include a plan for continuing adequate library service with or without all participants and the respective allocated costs and levels of service shall be stated. At the hearing, any interested person shall be given a reasonable time to be heard, either for or against the withdrawal or the plan to accompany it.

A library district may be terminated if a majority of the electors of the unincorporated area of the county and the cities included in the library district voting on the issue favor the termination. The election shall be held upon motion of the board of supervisors and simultaneously with a primary, general, or other county election. If the vote favors termination, the termination shall be effective on the succeeding July 1.

An election for withdrawal from or termination of a library district shall not be held more than once each four years.

[C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §358B.16]

84 Acts, ch 1168, §2; 85 Acts, ch 125, §1

C93, §336.16

2001 Acts, ch 158, §35

336.18 Contracts to use city library.

1. A school corporation, township, or library district may contract for the use by its residents of a city library. A contract by a county shall supersede all contracts by townships or school corporations within the county outside of cities.

2. *a.* Contracts shall provide for the amount to be contributed. They may, by mutual consent of the contracting parties, be terminated at any time. They may also be terminated by a majority of the voters represented by either of the contracting parties, voting on a proposition to terminate which shall be submitted by the governing body upon a written petition of eligible electors in a number not less than five percent of those who voted in the area for president of the United States or governor at the last general election.

b. The proposition may be submitted at any election provided by law which covers the area of the unit seeking to terminate the contract. The petition shall be presented to the governing body not less than forty days before the election at which the question is to be submitted.

3. The board of trustees of any township which has entered into a contract shall at the April meeting levy a tax not exceeding six and three-fourths cents per thousand dollars of assessed valuation on all taxable property in the township to create a fund to fulfill its obligation under the contract.

4. *a.* Eligible electors of that part of any county outside of cities in a number of not less than twenty-five percent of those in the area who voted for president of the United States or governor at the last general election may petition the board of supervisors to submit the proposition of requiring the board to provide library service for them and their area by contract as provided by this section.

b. The board of supervisors shall submit the proposition to the voters of the county residing outside of cities at the next election, primary or general, provided that the petition has been filed not less than forty days prior to the date of the election at which the question is to be submitted.

c. If a majority of those voting upon the proposition favors it, the board of supervisors shall within thirty days appoint a board of library trustees from residents of the petitioning area. Vacancies shall be filled by the board.

d. The board of trustees may contract with any library for library use or service for the benefit of the residents and area represented by it.

[S13, §592-a, 792-a; SS15, §422; C24, 27, 31, 35, 39, §5859, 5861-5863; C46, 50, 54, 58, 62, 66, 71, 73, §378.11, 378.13-378.15; C75, 77, 79, 81, S81, §358B.18; 81 Acts, ch 117, §1075]

83 Acts, ch 123, §166, 167, 209

C93, §336.18

2001 Acts, ch 56, §25, 26; 2001 Acts, ch 158, §36

CIVIL SERVICE FOR DEPUTY COUNTY SHERIFFS

341A.7 Classifications.

The classified civil service positions covered by this chapter include persons actually serving as deputy sheriffs who are salaried pursuant to section 331.904, subsection 2, but do not include a chief deputy sheriff, two second deputy sheriffs in counties with a population of more than one hundred thousand, and four second deputy sheriffs in counties with a population of more than two hundred thousand. However, a chief deputy sheriff or second deputy sheriff who becomes a candidate for a partisan elective office for remuneration is subject to section 341A.18. A deputy sheriff serving with permanent rank under this chapter may be designated chief deputy sheriff or second deputy sheriff and retain that rank during the period of service as chief deputy sheriff or second deputy sheriff and shall, upon termination of the duties as chief deputy sheriff or second deputy sheriff, revert to the permanent rank.

If the positions of two second deputy sheriffs of a county were exempt from classified civil service coverage under this chapter based on the 1980 decennial census, the two second deputy positions shall remain exempt from classified civil service coverage under this chapter.

[C75, 77, 79, 81, S81, §341A.7; 81 Acts, ch 117, §1219]
90 Acts, ch 1119, §1; 91 Acts, ch 110, §1

341A.18 Civil rights respected.

A person shall not be appointed or promoted to, or demoted or discharged from, any position subject to civil service, or in any way favored or discriminated against with respect to employment in the sheriff's office because of the person's political or religious opinions or affiliations or race or national origin or sex, or age.

A person holding a position subject to civil service shall not, during the person's scheduled working hours or when performing duties or when using county equipment or at any time on county property, take part in any way in soliciting any contribution for any political party or any person seeking political office, nor shall such employee engage in any political activity that will impair the employee's efficiency during working hours or cause the employee to be tardy or absent from work. The provisions of this section do not preclude any employee from holding any office for which no pay is received or any office for which only token pay is received.

A person shall not seek or attempt to use any political endorsement in connection with any appointment to a position subject to civil service.

A person shall not use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure or attempt to secure for any person an appointment or advantage in the appointment to a position subject to civil service, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person or for any consideration.

An employee shall not use the employee's official authority or influence for the purpose of interfering with an election or affecting the results thereof.

Any officer or employee subject to civil service who violates any of the provisions of this section shall be subject to suspension, dismissal, or demotion subject to the right of appeal herein.

All employees shall retain the right to vote as they please and to express their opinions on all subjects.

An officer or employee subject to civil service and a chief deputy sheriff or second deputy sheriff, who becomes a candidate for a partisan elective office for remuneration, upon request, shall automatically be given a leave of absence without pay, commencing thirty days before the date of the primary election and continuing until the person is eliminated as a candidate or wins the primary, and commencing thirty days before the date of the general election and continuing until the person is eliminated as a candidate or wins the general election, and during the leave period shall not perform any duties connected with the office or position so held. The officer or employee subject to civil service, or chief deputy sheriff or second deputy sheriff, may, however, use accumulated paid vacation time for part or all of any leave of absence under this section. The county shall continue to provide health benefit coverages, and may continue to provide other fringe benefits, to any officer or employee subject to civil service, or to any chief deputy sheriff or second deputy sheriff during any leave of absence under this section.

[C75, 77, 79, 81, §341A.18]

90 Acts, ch 1119, §2; 2000 Acts, ch 1033, §1, 2

COUNTY BONDS

346.27 “Authority” for control of joint property.

1. to 9. Not reprinted.

10. After the incorporation of an authority, and before the sale of any issue of revenue bonds, except refunding bonds, the authority shall submit in a single countywide election to the registered voters of the city and county, at a general, primary, or special election called for that purpose, the question of whether an authority shall issue and sell revenue bonds, stating the amount, for any of the purposes for which it is incorporated. An affirmative vote of a majority of the votes cast on the proposition is required to authorize the issuance and sale of revenue bonds. A notice of the election shall be published once each week for at least two weeks in some newspaper published in the county. The notice shall name the time when the question shall be submitted, and a copy of the question to be submitted shall be posted at each polling place during the day of election. The authority shall call this election with the concurrence of both incorporating units, and it shall establish the voting precincts and polling places, and appoint the election judges, and in so doing such election procedures shall be in accordance with the provisions of chapters 49 and 50.

11. to 24. Not reprinted.

25. When all bonds issued by an authority have been retired, the authority may convey the title to the property owned by the authority to the incorporating units in accordance with the provisions therefor contained in the articles of incorporation, or, if none, in accordance with any agreement adopted by the respective governing bodies of the incorporating units, and the authority. The proposition of whether a conveyance shall be made shall be submitted to the legal voters of the city and county, utilizing the election procedures provided for bond issues, and an affirmative vote equal to at least a majority of the total votes cast on the proposition shall be required to authorize the conveyance. If the proposition does not carry, the authority shall continue to operate, maintain, and manage the building under a lease arrangement with the incorporating units.

[C62, §368.50–368.53; C66, 71, 73, §368.54, 368.55, 368.57–368.71; C75, 77, 79, 81, §346.27]

95 Acts, ch 67, §53

COUNTY HOSPITALS

347.7 Tax levies.

If a county hospital is established, the board of supervisors, at the time of levying ordinary taxes, shall levy a tax at the rate voted not to exceed fifty-four cents per thousand dollars of assessed value in any one year for the erection and equipment of the hospital, and also a tax not to exceed twenty-seven cents per thousand dollars of value for the improvement, maintenance, and replacements of the hospital, as certified by the board of hospital trustees. However, in counties having a population of two hundred twenty-five thousand or over, the levy for taxes payable in the fiscal year beginning July 1, 2001, and for subsequent fiscal years, for improvements and maintenance of the hospital shall not exceed two dollars and five cents per thousand dollars of assessed value in any one year. The proceeds of the taxes constitute the county public hospital fund and the fund is subject to review by the board of supervisors in counties having a population of two hundred twenty-five thousand or over. However, the board of trustees of a county hospital, where funds are available in the county public hospital fund of the county which are unappropriated, may use the unappropriated funds for erecting and equipping hospital buildings and additions to the hospital buildings without authority from the voters of the county.

No levy shall be made for the improvement, maintenance, or replacements of the hospital until the hospital has been constructed, staffed, and receiving patients. If revenue bonds are issued and outstanding under section 331.461, subsection 2, paragraph "d", the board may levy a tax to pay operating and maintenance expenses in lieu of the authority otherwise contained in this section not to exceed twenty-seven cents per thousand dollars of assessed value or not to exceed one dollar and twenty-one and one-half cents per thousand dollars of assessed value for improvements and maintenance of the hospital in counties having a population of two hundred twenty-five thousand or over.

In addition to levies otherwise authorized by this section, the board of supervisors may levy a tax at the rate, not to exceed twenty-seven cents per thousand dollars of assessed value, necessary to raise the amount budgeted by the board of hospital trustees for support of ambulance service as authorized in section 347.14, subsection 14.

The tax levy authorized by this section for operation and maintenance of the hospital may be available in whole or in part to any county with or without a county hospital organized under this chapter, to be used to enhance rural health services in the county. However, the tax levied may be expended for enhancement of rural health care services only following a local planning process. The Iowa department of public health shall establish guidelines to be followed by counties in implementing the local planning process which shall require legal notice, public hearings, and a referendum in accordance with this section and section 347.30 prior to the authorization of any new levy or a change in the use of a levy. Enhancement of rural health services for which the tax levy pursuant to this section may be used includes but is not limited to emergency medical services, health care services shared with other hospitals, rural health clinics, and support for rural health care practitioners and public health services. When alternative use of funds from the tax levy authorized by this section is proposed in a county with a county hospital organized under this chapter, use of the funds shall be agreed upon by the elected board of trustees of the county hospital. When alternative use of funds from the tax levy authorized by this section is proposed in a county without a county hospital organized under this chapter, use of the funds shall be agreed upon by the board of supervisors and any publicly elected hospital board of trustees within the county prior to submission of the question to the voters. Moneys raised from a tax levied in accordance with this paragraph shall be designated and administered by the board of supervisors in a manner consistent with the purposes of the levy.

[S13, §409-b, -j; C24, 27, 31, 35, 39, §5353; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, §347.7; 81 Acts, ch 117, §1061]

85 Acts, ch 185, §2; 89 Acts, ch 304, §704; 95 Acts, ch 159, §1, 2; 2001 Acts, ch 75, §1, 2

347.9 Trustees — appointment — terms of office.

When it has been determined by the voters of a county to establish a county public hospital, the board shall appoint seven trustees chosen from among the resident citizens of the county with reference to their fitness for office, and not more than four of the trustees shall be residents of the city at which the hospital is located. The trustees shall hold office until the following general election, at which time their successors shall be elected, two for a term of two years, two for four years, and three for six years, and they shall determine by lot their respective terms, and thereafter their successors shall be elected for regular terms of six years each. A person or spouse of a person with medical or special staff privileges in the county public hospital or who receives direct or indirect compensation in an amount greater than one thousand five hundred dollars in a calendar year from the county public hospital or direct or indirect compensation in an amount greater than one thousand five hundred dollars in a calendar year from a person contracting for services with the hospital shall not be eligible to serve as a trustee for that county public hospital. However, this section does not prohibit a licensed health care practitioner from serving as a hospital trustee if the practitioner's sole use of the county hospital is to provide health care service to an individual with mental retardation as defined in section 222.2.

[S13, §409-c; C24, 27, 31, 35, 39, §5355; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §347.9]

86 Acts, ch 1200, §3; 99 Acts, ch 36, §3; 2001 Acts, ch 65, §1

347.10 Vacancies.

Vacancies in the board of trustees may, until the next general election, be filled by appointment by the remaining members of the board of trustees or, if fewer than four trustees remain on the board, by the board of supervisors for the period until the vacancies are filled by election. If any board member is absent for four consecutive regular board meetings, without prior excuse, the member's position shall be declared vacant and filled as set out in this section.

[S13, §409-e; C24, 27, 31, 35, 39, §5356; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §347.10]

94 Acts, ch 1180, §49

347.14 Powers.

The board of hospital trustees may:

1. to 14. Not reprinted.

15. Submit to the voters at a regular or special election a proposition to sell or lease a county public hospital for use as a private hospital or as a merged area hospital under chapter 145A or to sell or lease a county hospital in conjunction with the establishment of a merged area hospital. The authorization of the board of hospital trustees submitting the proposition may, but is not required to, contain conditions which provide for maintaining hospital care within the county, for the retention of county public hospital employees and staff, and for the continuation of the board of trustees for the purpose of carrying out provisions of contracts. The property listed in section 347.13, subsection 11, may be included in the proposition, but the proceeds from the property shall be used for the purposes listed in section 347.13, subsection 12, or for the purpose of providing health care for residents of the county. Proceeds from the sale or lease of the county hospital or other assets of the board of trustees shall not be used for the prepayment of health care services for residents of the county with the purchaser or lessee of the county hospital or to underwrite the sale or lease of the county hospital. The proposition submitted to the voters of the county shall not be set forth at length, but it shall be in substantially the following form:

“Shall the board of hospital trustees of county, state of Iowa, be authorized to (state authorization which may exclude the conditions) in accordance with the terms of authorization approved at the meeting of (cite date) of the board of hospital trustees?”

If the proposition is approved by a majority of the total votes cast for and against the proposition at the election, the board of hospital trustees shall proceed to carry out the authorization granted.

16. Not reprinted.

[S13, §409-d, -k, -o, -q; C24, 27, 31, 35, 39, §5360; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, §347.14; 81 Acts, ch 78, §20, 47]

85 Acts, ch 185, §4; 91 Acts, ch 160, §11; 99 Acts, ch 36, §7, 8

347.23 City hospital changed to county hospital.

Any hospital organized and existing as a city hospital may become a county hospital organized and managed as provided for in this chapter, upon a proposition for such purpose being submitted to and approved by a majority of the electors of both the city in which such hospital is located and of the county under whose management it is proposed that such hospital be placed, at any general or special election called for such purpose. The proposition shall be placed upon the ballot by the board of supervisors when requested by a petition signed by eligible electors of the county equal in number to five percent of the votes cast for president of the United States or governor, as the case may be, at the last general election. The proposition may be submitted at the next general election or at a special election called for that purpose. Upon the approval of the proposition the hospital, its assets and liabilities, will become the property of the county and this chapter will govern its future management. The question shall be submitted in substantially the following form: "Shall the municipal hospital of, Iowa, be transferred to and become the property of, and be managed by the county of, Iowa?"

For the purpose of computing whether or not said proposition is carried, the votes of the residents of the city in which said hospital is located shall be counted both for the purpose of ascertaining whether or not the proposition is carried within the city and also for the purpose of ascertaining whether or not the proposition is carried within the county.

[C62, 66, 71, 73, §347.23, 380.12; C75, 77, 79, 81, §347.23]

2001 Acts, ch 56, §27

347.23A Memorial hospital or county hospital payable from revenue bonds changed to county hospital.

1. A hospital established as a memorial hospital under chapter 37 or a county hospital supported by revenue bonds and organized under chapter 347A may become, in accordance with the provisions of this section, a county hospital organized and managed as provided for in this chapter. If the hospital is established by a city as a memorial hospital, the city must be located in the county which will own and manage the hospital. A proposition for the change must be submitted to and approved by a majority of the electors of the county which will own and manage the hospital as provided for in this chapter. In addition, if the hospital is a memorial hospital organized by a city under chapter 37, the proposition must also be approved by a majority of the electors of that city. The proposition may be submitted to the electors at any general or special election called by the county board of supervisors for this purpose.

2. The proposition shall be placed upon the ballot by the board of supervisors if requested by the hospital's board of trustees or governing commission and the request is endorsed by a petition for this purpose signed by eligible electors of the county equal in number to five percent of the votes cast for president of the United States or governor, as the case may be, at the last general election. Upon the approval of the proposition the hospital, its assets and liabilities, shall become the property of the county and this chapter shall govern its future management.

a. The question for a memorial hospital established by a city under chapter 37 shall be submitted in substantially the following form: "Shall the hospital of, Iowa, be transferred to and become the property of, and be managed by the county of, Iowa, under provision of chapter 347 of the Code of Iowa?"

b. The question for a memorial hospital established by a county under chapter 37 or a county hospital supported by revenue bonds and organized under chapter 347A shall be submitted in substantially the following form: "Shall the hospital of, Iowa, organized and governed under chapter of the Code of Iowa be changed to be established and governed under chapter 347 of the Code of Iowa?"

3. For the purpose of computing whether or not the proposition is carried, if the hospital is a memorial hospital established by a city under the provisions of chapter 37, the votes of the residents of that city shall be counted both for the purpose of ascertaining whether or not the proposition is carried within the city and also for the purpose of ascertaining whether or not the proposition is carried within the county.

94 Acts, ch 1135, §2; 2001 Acts, ch 56, §28

347.25 Election of trustees.

The election of hospital trustees whose offices are established by this chapter or chapter 145A or 347A shall take place at the general election on ballots which shall not reflect a nominee's political affiliation. Nomination shall be made by petition in accordance with chapter 45. The petition form shall be furnished by the county commissioner of elections, signed by fifty eligible electors of the county, and shall be filed with the county commissioner of elections. A plurality is sufficient to elect hospital trustees.

If any of the provisions of this section shall be in conflict with any of the laws of this state, then the provisions of this section shall prevail.

[C62, 66, 71, 73, 75, 77, 79, 81, §347.25]

85 Acts, ch 135, §1; 91 Acts, ch 129, §26

COUNTY HOSPITALS PAYABLE FROM REVENUE

347A.1 Revenue bonds — trustees — administration.

A county having a population less than one hundred fifty thousand may issue revenue bonds for a county hospital as provided in section 331.461, subsection 2, paragraph "e". The administration and management of the hospital shall be vested in a board of hospital trustees consisting of five or seven members. Appointments for a five-member board shall be made by the board of supervisors from among the resident citizens of the county with reference to their fitness for office, and not more than two of the trustees shall be residents of the same township. Expansion from a five-member to a seven-member board of trustees shall occur only on approval of a majority of the five-member board of trustees. The five-member board of trustees shall appoint members to the additional vacancies; one appointee shall serve until the succeeding general election and the other appointee shall serve until the second succeeding general election at which times successors shall be elected.

The trustees shall hold office until the next succeeding election, at which time their successors shall be elected, two for a term of two years, two for a term of four years and one for a term of six years, and thereafter their successors shall be elected for regular terms of six years each. Vacancies in the board of trustees may be filled in the same manner as original appointments, to hold office until the vacancies are filled pursuant to section 69.12. The trustees shall qualify by taking the usual oath of office as provided in chapter 63, but no bond shall be required of them. The trustees shall receive no compensation but shall be reimbursed for all expenses incurred by them with the approval of the board of trustees in the performance of their duties. The board first appointed shall organize promptly following its appointment, and shall serve until successors are elected and qualified; thereafter no later than December 1 of each year the board shall reorganize by the appointment of a chairperson, secretary, and treasurer. The secretary and treasurer shall each file with the chairperson of the board a surety bond in the amount the board of trustees requires, with sureties to be approved by the board of trustees, for the use and benefit of the county hospital. The reasonable cost of the bonds shall be paid from the operating funds of the hospital. The secretary shall report to the county auditor and the county treasurer the names of the chairperson, secretary, and treasurer of the board as soon as practicable after the appointment of each.

Unnumbered paragraphs 3–5 not reprinted.

[C50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, S81, §347A.1; 81 Acts, ch 117, §1063]

84 Acts, ch 1003, §7; 90 Acts, ch 1118, §1; 92 Acts, ch 1024, §3; 97 Acts, ch 170, §87; 99 Acts, ch 36, §10

357E.9 Trustees — term and qualification.

At the election, the names of at least three candidates for trustee shall be written in by the voters on blank ballots without formal nomination and the board of supervisors shall appoint three from among the five receiving the highest number of votes as trustees for the district. One trustee shall be appointed to serve for one year, one for two years, and one for three years. The trustees shall give bond in the amount required by the board, the premium of which shall be paid by the district. The trustees must be residents of the district. Vacancies shall be filled by election, but if there are no candidates for a trustee office, the vacancy may be filled by appointment by the board. The terms of the succeeding trustees are for three years.

If the state owns at least four hundred acres of land contiguous to a lake within the district, the natural resource commission shall appoint two members of the board of trustees in addition to the three members provided in this section. The additional two members must be citizens of the state, not less than eighteen years of age, and property owners within the district. The two additional members have voting and other authority equal to the other members of the board and hold office at the pleasure of the natural resource commission.

88 Acts, ch 1194, §9; 91 Acts, ch 111, §7; 2001 Acts, ch 24, §48

357E.11 Bonds in anticipation of revenue.

A district may anticipate the collection of taxes by the levy authorized in this chapter, and to carry out the purposes of this chapter may issue bonds payable in not more than twenty equal installments with the rate of interest not exceeding that permitted by chapter 74A. An indebtedness shall not be incurred under this chapter until authorized by an election. The election shall be held and notice given in the same manner as provided in section 357E.8, and the same majority vote is necessary to authorize indebtedness. Both propositions may be submitted to the voters at the same election.

88 Acts, ch 1194, §11

EMERGENCY MEDICAL SERVICES DISTRICTS

357F.8 Election on proposed levy and candidates for trustees.

When a preliminary plat has been approved by the board, an election shall be held within the district within sixty days to approve or disapprove the levy of a tax of not more than one dollar per thousand dollars of assessed value on all the taxable property within the district and to choose candidates for the offices of trustees of the district. The ballot shall set out the reason for the tax and the amount needed. The tax shall be set to raise only the amount needed. Notice of the election, including the time and place of holding the election, shall be given as provided in section 357F.4. The vote shall be by ballot which shall state clearly the proposition to be voted upon and any registered voter residing within the district at the time of the election may vote. It is not mandatory for the county commissioner of elections to conduct elections held pursuant to this chapter, but the elections shall be conducted in accordance with chapter 49 where not in conflict with this chapter. Judges shall be appointed to serve without pay by the board from among the registered voters of the district to be in charge of the election. The proposition is approved if sixty percent of those voting on the proposition vote in favor of it.

92 Acts, ch 1226, §9; 94 Acts, ch 1169, §64

357F.9 Trustees — term and qualification.

At the election, the names of up to three candidates for trustee shall be written in by the voters on blank ballots without formal nomination and the board shall appoint three from among the five receiving the highest number of votes as trustees for the district. One trustee shall be appointed to serve for one year, one for two years, and one for three years. The trustees and their successors must be residents of the district and shall give bond in the amount required by the board, the premium of which shall be paid by the district. Vacancies shall be filled by election, but if there are no candidates for a trustee office, the vacancy may be filled by appointment by the board. The term of succeeding trustees shall be three years.

92 Acts, ch 1226, §10

357F.11 Bonds in anticipation of revenue.

A district may anticipate the collection of taxes by the levy authorized in this chapter, and to carry out the purposes of this chapter may issue bonds payable in not more than ten equal installments with the rate of interest not exceeding that permitted by chapter 74A. An indebtedness shall not be incurred under this chapter until authorized by an election. The election shall be held and notice given in the same manner as provided in section 357F.8, and the same sixty percent vote shall be necessary to authorize indebtedness. Both propositions may be submitted to the voters at the same election.

92 Acts, ch 1226, §12

TOWNSHIPS AND TOWNSHIP OFFICERS

359.10 New township — first election.

When a new township is formed, in which township officers are to be elected, the board of supervisors shall call the first township election, to be held at such place as it may designate, on the day of the next general election. If at any time a new township has been created in a year in which no general election is held, the board may call a special election for the election of the township officers of the new township, who shall continue in office until their successors are elected and qualified.

[C51, §231; R60, §453; C73, §385; C97, §557; S13, §1074-a; C24, 27, 31, 35, 39, §5536; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §359.10]

359.11 Officers to be elected.

At said election there shall be elected one trustee for a term of two years, one trustee for a term of three years, and one trustee for a term of four years, and other officers as provided by law.

[S13, §1074-a; C24, 27, 31, 35, 39, §5537; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §359.11]

359.12 Order for election.

The county commissioner of elections shall issue an order for such first election, stating the time and place of the same, the officers to be elected, and any other business to be transacted; and no business not named in such order shall be transacted at such election.

[C51, §232; R60, §454; C73, §386; C97, §558; C24, 27, 31, 35, 39, §5538; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §359.12]

359.13 Service and return.

Such order may be directed to any citizen of the same township, by name, and shall be served by posting copies thereof, in three of the most public places in the township, fifteen days before the day of the election; the original order shall be returned to the presiding officer of the election, to be returned to the clerk when elected, with a return thereon of the manner of service, verified by oath, if served by any other than an officer.

[C51, §233; R60, §455; C73, §387; C97, §559; C24, 27, 31, 35, 39, §5539; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §359.13]

359.17 Trustees — duties — meetings.

The board of township trustees in each township shall consist of three registered voters of the township. The trustees shall act as fence viewers and shall perform other duties assigned them by law. The board of trustees shall meet not less than two times a year. At least one of the meetings shall be scheduled to meet the requirements of section 359.49.

[C51, §221, 224; R60, §443, 446; C73, §389, 393, 969; C97, §574, 1074, 1538; S13, §1074, 1528; C24, 27, 31, 35, 39, §5543; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §359.17]

2000 Acts, ch 1113, §1, 3, 4; 2000 Acts, ch 1117, §22; 2001 Acts, ch 56, §30

TOWNSHIP HALLS

360.1 Election.

The trustees, on a petition of a majority of the resident freeholders of any civil township, shall request the county commissioner of elections to submit the question of building or acquiring by purchase, or acquiring by a lease with purchase option, a public hall to the electors thereof. The county commissioner shall conduct the election pursuant to the applicable provisions of chapters 39 to 53 and certify the result to the trustees. The form of the proposition shall be: "Shall the proposition to levy a tax of cents per thousand dollars of assessed value for the erection of a public hall be adopted?" Notice of the election shall be given as provided by chapter 49.

[C97, §567; C24, 27, 31, 35, 39, §5574; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §360.1]

CITIES
DEFINITIONS AND
MISCELLANEOUS PROVISIONS

362.3 Publication of notices.

Unless otherwise provided by state law:

1. If notice of an election, hearing, or other official action is required by the city code, the notice must be published at least once, not less than four nor more than twenty days before the date of the election, hearing, or other action.

2. A publication required by the city code must be in a newspaper published at least once weekly and having general circulation in the city. However, if the city has a population of two hundred or less, or in the case of ordinances and amendments to be published in a city in which no newspaper is published, a publication may be made by posting in three public places in the city which have been permanently designated by ordinance.

In the case of notices of elections, a city with a population of two hundred or less meets the publication requirement of this section by posting notices of elections in three public places which have been designated by ordinance.

[R60, §1133; C73, §492; C97, §686, 687; C24, 27, 31, 35, §5720, 5721, 5721-a1; C39, §5720, 5721, 5721.1; C46, 50, §366.7-366.9; C54, 58, 62, 66, 71, 73, §366.7; C75, 77, 79, 81, §362.3]

93 Acts, ch 143, §48; 94 Acts, ch 1180, §50

362.4 Petition of eligible electors.

If a petition of the voters is authorized by the city code, the petition is valid if signed by eligible electors of the city equal in number to ten percent of the persons who voted at the last preceding regular city election, but not less than ten persons, unless otherwise provided by state law. The petition shall include the signatures of the petitioners, a statement of their place of residence, and the date on which they signed the petition.

The petition shall be examined before it is accepted for filing. If the petition appears valid on its face it shall be accepted for filing. If it lacks the required number of signatures it shall be returned to the petitioner.

Petitions which have been accepted for filing are valid unless written objections are filed with the city clerk within five working days after the petition is received. The objection process in section 44.8 shall be followed.

[C75, 77, 79, 81, §362.4]

89 Acts, ch 136, §70; 94 Acts, ch 1180, §51

362.9 Application of city code.

The provisions of this chapter and chapters 364, 368, 372, 376, 380, 384, 388 and 392 are applicable to all cities.

[C75, 77, 79, 81, §362.9]

POWERS AND DUTIES OF CITIES

364.2 Vesting of power — franchises.

1. A power of a city is vested in the city council except as otherwise provided by a state law.

2. The enumeration of a specific power of a city does not limit or restrict the general grant of home rule power conferred by the Constitution. A city may exercise its general powers subject only to limitations expressly imposed by a state or city law.

3. An exercise of a city power is not inconsistent with a state law unless it is irreconcilable with the state law.

4. *a.* A city may grant to any person a franchise to erect, maintain, and operate plants and systems for electric light and power, heating, telegraph, cable television, district telegraph and alarm, motor bus, trolley bus, street railway or other public transit, waterworks, or gasworks, within the city for a term of not more than twenty-five years. When considering whether to grant, amend, extend, or renew a franchise, a city shall hold a public hearing on the question. Notice of the time and place of the hearing shall be published as provided in section 362.3. The franchise may be granted, amended, extended, or renewed only by an ordinance, but no exclusive franchise shall be granted, amended, extended, or renewed.

b. Such an ordinance shall not become effective unless approved at an election. The proposal may be submitted by the council on its own motion to the voters at any city election. Upon receipt of a valid petition as defined in section 362.4 requesting that a proposal be submitted to the voters, the council shall submit the proposal at the next regular city election or at a special election called for that purpose before the next regular city election. However, the city council may dispense with such election as to the grant, amendment, extension, or renewal of an electric light and power, heating, or gasworks franchise unless there is a valid petition requesting submission of the proposal to the voters, or the party seeking such franchise, grant, amendment, extension, or renewal requests an election. If a majority of those voting approves the proposal, the city may proceed as proposed. The complete text of the ordinance shall be included on the ballot if paper ballots are used. If an electronic voting system or voting machine is used, the proposal shall be stated on the ballot and the full text of the ordinance posted for the voters pursuant to section 52.25. All absentee voters shall receive the full text of the ordinance.

c. Notice of the election shall be given by publication as prescribed in section 49.53 in a newspaper of general circulation in the city.

d. The person asking for the granting, amending, extension, or renewal of a franchise shall pay the costs incurred in holding the election, including the costs of the notice. A franchise shall not be finally effective until an acceptance in writing has been filed with the council and payment of the costs has been made.

e. The franchise ordinance may regulate the conditions required and the manner of use of the streets and public grounds of the city, and it may, for the purpose of providing electrical, gas, heating, or water service, confer the power to appropriate and condemn private property upon the person franchised.

f. If a city franchise fee is assessed to customers of a franchise, the fee shall not be assessed to the city as a customer.

g. If a city grants more than one cable television franchise, the material terms and conditions of any additional franchise shall not give undue preference or advantage to the new franchisee. A city shall not grant a new franchise that does not include the same territory as that of the existing franchise. A new franchisee shall be given a reasonable period of time to build the new system throughout the territory.

[C51, §664; R60, §1047, 1056, 1057, 1090, 1094, 1095; C73, §454–456, 471, 473, 474, 517, 523, 524; C97, §695, 720–722, 775, 776; S13, §695, 720–722, 776; C24, 27, 31, 35, §5738, 5904, 5904-c1, 5905–5909, 6128, 6131–6134; C39, §5738, 5904, 5904.1, 5905–5909, 6128, 6131–6134; C46, 50, §368.1, 386.1–386.7, 397.2, 397.5–397.8; C54, 58, 62, 66, §368.2, 386.1–386.7, 388.5–388.9, 397.2, 397.5–397.8; C71, 73, §368.2, 386.1–386.7, 397.2, 397.5–397.8; C75, 77, 79, 81, §364.2]

83 Acts, ch 127, §5; 93 Acts, ch 143, §49; 98 Acts, ch 1123, §15; 98 Acts, ch 1148, §1, 9; 2001 Acts, ch 82, §1; 2001 Acts, ch 98, §1

364.4 Property and services outside of city — lease-purchase — insurance.

A city may:

1. to 3. Not reprinted.
4. Enter into leases or lease-purchase contracts for real or personal property in accordance with the following terms and procedures:
 - a. A city shall lease or lease-purchase property only for a term which does not exceed the economic life of the property, as determined by the governing body.
 - b. A lease or lease-purchase contract entered into by a city may contain provisions similar to those sometimes found in leases between private parties, including, but not limited to, the obligation of the lessee to pay any of the costs of operation or ownership of the leased property and the right to purchase the leased property.
 - c. A provision of a lease or lease-purchase contract which stipulates that a portion of the rent payments be applied as interest is subject to chapter 74A. Other laws relating to interest rates do not apply. Chapter 75 is not applicable. A city utility or city enterprise is a separate entity under this subsection whether it is governed by the governing body of the city or another governing body.
 - d. The governing body must follow substantially the same authorization procedure required for the issuance of general obligation bonds issued for the same purpose to authorize a lease or a lease-purchase contract made payable from the debt service fund.

e. The governing body may authorize a lease or lease-purchase contract which is payable from the general fund and which would not cause the total of annual lease or lease-purchase payments of the city due from the general fund of the city in any future year for lease or lease-purchase contracts in force on the date of the authorization, excluding payments to exercise purchase options or to pay the expenses of operation or ownership of the property, to exceed ten percent of the last certified general fund budget amount in accordance with the following procedures:

(1) The governing body must follow substantially the authorization procedures of section 384.25 to authorize a lease or lease-purchase contract for personal property which is payable from the general fund. The governing body must follow substantially the authorization procedures of section 384.25 to authorize the lease or lease-purchase contract for real property which is payable from the general fund if the principal amount of the lease-purchase contract does not exceed the following limits:

(a) Four hundred thousand dollars in a city having a population of five thousand or less.

(b) Seven hundred thousand dollars in a city having a population of more than five thousand but not more than seventy-five thousand.

(c) One million dollars in a city having a population of more than seventy-five thousand.

(2) The governing body must follow the following procedures to authorize a lease or lease-purchase contract for real property which is payable from the general fund if the principal amount of the lease or lease-purchase contract exceeds the limits set forth in subparagraph (1):

(a) The governing body must institute proceedings to enter into a lease or lease-purchase contract payable from the general fund by causing a notice of the meeting to discuss entering into the lease or lease-purchase contract, including a statement of the principal amount and purpose of the lease or lease-purchase contract and the right to petition for an election, to be published at least once in a newspaper of general circulation within the city at least ten days prior to the discussion meeting. No sooner than thirty days following the discussion meeting shall the governing body hold a meeting at which it is proposed to take action to enter into the lease or lease-purchase contract.

10. "Island" means land which is not part of a city and which is completely surrounded by the corporate boundaries of one or more cities. However, a part of the boundary of an "island" may be contiguous with a boundary of the state, a river, or similar natural barrier which prevents service access from an adjoining area of land outside the boundaries of a city.

11. "Public utility" means a public utility subject to regulation pursuant to chapter 476.

12. "Registered voter" means a person who is registered to vote pursuant to chapter 48A.

13. "Severance" means the deletion of territory from a city.

14. "Territory" means the land area or areas proposed to be incorporated, annexed, or severed, whether or not contiguous to all other areas proposed to be incorporated, annexed, or severed. Except as provided for by an agreement pursuant to chapter 28E, "territory" having a common boundary with the right-of-way of a secondary road extends to the center line of the road.

15. "Urbanized area" means any area of land within two miles of the boundaries of a city.

[C58, 62, 66, 71, 73, §362.1; C75, 77, 79, 81, §368.1]

89 Acts, ch 98, §1; 89 Acts, ch 299, §1; 91 Acts, ch 187, §1; 91 Acts, ch 250, §1; 92 Acts, ch 1174, §1; 93 Acts, ch 152, §1-3; 94 Acts, ch 1169, §61

GENERAL PROVISIONS

368.2 Name change.

A city may change its name as follows:

1. The council shall propose the name change and shall notify the county commissioner of elections that the question shall be submitted at the next regular city election.

2. The county commissioner of elections shall publish notice, as provided in section 362.3, of the proposed new name, and of the fact that the question will be submitted at the next regular city election. The county commissioner of elections shall report the results of the balloting on the question to the mayor and the city council.

3. If a majority of those voting on the question approves the proposed new name, the city clerk shall enter the new name upon the city records and file certified copies of the proceedings, including the council's proposal, proof of publication of notice, and certification of the election result, with the county recorder of each county which contains part of the city, and with the secretary of state. Upon proper filing the name change is complete and effective.

[C97, §628-630; C24, 27, 31, 35, 39, §5619-5622; C46, 50, 54, §362.34-362.37; C58, 62, 66, 71, 73, §362.38-362.41; C75, 77, 79, 81, §368.2]

368.3 Discontinuance — cemetery fund transfer.

Unnumbered paragraph 1 not reprinted.

A city may also be discontinued in accordance with the following procedures. The council shall adopt a resolution of intent to discontinue and shall call a public hearing on the proposal to discontinue. Notice of the time and place of the public hearing and the proposed action shall be published as provided in section 362.3, except that at least ten days' notice must be given. At the public hearing, the council shall receive oral and written comments regarding the proposal from any person. Thereafter, the council, at the same meeting or at a subsequent meeting, may pass a resolution of discontinuance or pass a resolution abandoning the proposal. If the council passes a resolution of discontinuance, a petition may be filed with the clerk in the manner provided in section 362.4, within thirty days following the effective date of the resolution, requesting that the question of discontinuance be submitted to the registered voters of the city. Upon receipt of a petition requesting an election, the council shall direct the county commissioner of elections to call a special election on the question of discontinuance or shall adopt a resolution abandoning the discontinuance. Notice of the election shall be given by publication as required in section 49.53. If a majority of those voting approve the discontinuance or if no petition for an election is filed, the clerk shall send a copy of the resolution of discontinuance and, if an election is held, the results of the election to the board. The board shall take control of the property of the discontinued city and shall supervise procedures necessary to carry out the discontinuance in accordance with section 368.21.

Unnumbered paragraph 3 not reprinted.

[C46, 50, 54, 58, 62, 66, 71, 73, §362.18; C75, 77, 79, 81, §368.3]
91 Acts, ch 188, §2; 2000 Acts, ch 1006, §1

CITY DEVELOPMENT BOARD**368.11 Petition for involuntary city development action.**

A petition for incorporation, discontinuance, or boundary adjustment may be filed with the board by a city council, a county board of supervisors, a regional planning authority, or five percent of the registered voters of a city or territory involved in the proposal. Notice of the filing, including a copy of the petition, must be served upon the council of each city for which a discontinuance or boundary adjustment is proposed, the board of supervisors for each county which contains a portion of a city to be discontinued or territory to be incorporated, annexed or severed, the council of a city if an incorporation includes territory within the city's urbanized area, and any regional planning authority for the area involved.

At least ten days before a petition for involuntary annexation is filed as provided in this section, the petitioner shall make its intention known by sending a letter of intent by certified mail to the council of each city whose urbanized area contains a portion of the territory, the board of supervisors of each county which contains a portion of the territory, the regional planning authority of the territory involved, each affected public utility, and to each property owner listed in the petition. The written notification shall include notice that the petitioners shall hold a public meeting on the petition for involuntary annexation prior to the filing of the petition.

Before a petition for involuntary annexation may be filed, the petitioner shall hold a public meeting on the petition. Notice of the meeting shall be published in an official county newspaper in each county which contains a part of the territory at least five days before the date of the public meeting. The mayor of the city proposing to annex the territory, or that person's designee, shall serve as chairperson of the public meeting. The city clerk of the same city or the city clerk's designee shall record the proceedings of the public meeting. Any person attending the meeting may submit written comments and may be heard on the petition. The minutes of the public meeting and all documents submitted at the public meeting shall be forwarded to the board by the chairperson of the meeting.

[R60, §1031, 1038, 1043; C73, §421, 426, 430, 431, 447, 448; C97, §599, 604, 610, 611, 615, 617, 621; S13, §615; C24, 27, 31, 35, 39, §5588, 5598, 5612-5614, 5616; C46, 50, §362.1, 362.11, 362.26, 362.28, 362.29, 362.31; C54, 58, 62, 66, 71, 73, §362.1, 362.11, 362.26, 362.31; C75, 77, 79, 81, §368.11]

89 Acts, ch 299, §3; 91 Acts, ch 250, §6; 92 Acts, ch 1174, §4; 93 Acts, ch 152, §9; 2001 Acts, ch 56, §31

368.12 Dismissal.

The board may dismiss a petition only if it finds that the petition does not meet the requirements of this chapter, or that substantially the same incorporation, discontinuance, or boundary adjustment has been disapproved by a committee formed to consider the proposal, or by the voters, within the two years prior to the date the petition is filed with the board, or that the territory to be annexed, or a portion of that territory, has been voluntarily annexed under section 368.7. The board shall file for record a statement of each dismissal and the reason for it, and shall promptly notify the parties to the proceeding of its decision.

[C75, 77, 79, 81, §368.12]

91 Acts, ch 250, §7

368.13 Board may initiate proceedings.

Based on the results of its studies, the board may initiate proceedings for the incorporation, discontinuance, or boundary adjustment of a city. The board may request a city to submit a plan for city development or may formulate its own plan for city development. A plan submitted at the board's initiation must include the same information as a petition and be filed and acted upon in the same manner as a petition. A petition or plan may include any information relevant to the proposal, including but not limited to results of studies and surveys, and arguments.

[C75, 77, 79, 81, §368.13]

93 Acts, ch 152, §10

368.14 Local representatives.

If an involuntary petition is not dismissed, the board shall direct the appointment of local representatives to serve with board members as a committee to consider the proposal. Each local representative is entitled to receive from the state the representative's actual and necessary expenses spent in performance of committee duties. Three board members and one local representative, or if the number of local representatives exceeds one, three board members and at least one-half of the appointed local representatives, are required for a quorum of the committee. A local representative must be a registered voter of the territory or city which the representative represents, and must be selected as follows:

1. From a territory to be incorporated, one representative appointed by the county board of supervisors. If the territory is in more than one county, the board shall direct the appointment of a local representative from each county involved.

2. From a city to be discontinued, one representative appointed by the city council.

3. From a territory to be annexed to or severed from a city, one representative appointed by the county board of supervisors. If there are no registered voters residing in an area to be annexed to or severed from a city, the county board of supervisors shall appoint as local representative an individual owning property in the territory whether or not the individual is a registered voter or appoint a designee of such individual. If the territory is in more than one county, the board shall direct the appointment of a local representative from each county involved by its board of supervisors.

4. From a city to which territory is to be annexed or from which territory is to be severed, one representative appointed by the city council. If the territory is in more than one county, the board shall direct the appointment of an equal number of city and county local representatives.

5. From each city to be consolidated, one representative appointed by each city council.

[C75, 77, 79, 81, §368.14]

91 Acts, ch 250, §8; 94 Acts, ch 1169, §64

d. All measures in effect remain effective until amended or repealed, unless they are irreconcilable with the adopted form.

e. Upon the effective date of the adopted form, the city shall adopt by ordinance a new charter embodying the adopted form, and shall file a copy of its charter with the secretary of state, and maintain copies available for public inspection.

[C73, §434–439; C97, §631–635, 637; S13, §633, 1056-a17, -a18, -a19, -a20, -a39; SS15, §1056-b1, -b2, -b22, -b26; C24, 27, 31, 35, 39, §6478, 6482–6487, 6491, 6549, 6568, 6569, 6616, 6617, 6619, 6620, 6623, 6680–6682, 6687, 6689, 6690, 6936–6940, 6942; C46, 50, §416.3, 416.6, 416.7–416.11, 416.15, 416.73, 416.93, 416.94, 419.2, 419.3, 419.5, 419.6, 419.9, 419.67–419.69, 419.74, 419.76, 419.77, 420.289–420.293, 420.295; C54, 58, 62, 66, 71, 73, §363.31–363.38, 363B.6, 363C.12, 420.289–420.293, 420.295; C75, 77, 79, 81, §372.2]

89 Acts, ch 39, §6, 7; 94 Acts, ch 1180, §52, 53; 97 Acts, ch 170, §88

372.3 Home rule charter.

If a petition for appointment of a home rule charter commission is filed with the city clerk not more than ten days after the council has published notice announcing the date of the special election on adoption of another form of government, the special election shall not be held until the charter proposed by the home rule charter commission is filed. Both forms must be published as provided in section 372.9 and submitted to the voters at the special election.

[C75, 77, 79, 81, §372.3]

97 Acts, ch 170, §89

372.4 Mayor-council form.

A city governed by the mayor-council form has a mayor and five council members elected at large, unless the council representation plan is changed pursuant to section 372.13, subsection 11. The council may, by ordinance, provide for a city manager and prescribe the manager's powers and duties, and as long as the council contains an odd number of council members, may change the number of wards, abolish wards, or increase the number of council members at large without changing the form.

However, a city governed, on July 1, 1975, by the mayor-council form composed of a mayor and a council consisting of two council members elected at large, and one council member from each of four wards, or a special charter city governed, on July 1, 1975, by the mayor-council form composed of a mayor and a council consisting of two council members elected at large and one council member elected from each of eight wards, may continue until the form of government is changed as provided in section 372.2 or section 372.9. While a city is thus operating with an even number of council members, the mayor may vote to break a tie vote on motions not involving ordinances, resolutions or appointments made by the council alone, and in a special charter city operating with ten council members under this section, the mayor may vote to break a tie vote on all measures.

The mayor shall appoint a council member as mayor pro tem, and shall appoint and dismiss the marshal or chief of police except where an intergovernmental agreement makes other provisions for police protection or as otherwise provided in section 400.13. However, the appointment and dismissal of the marshal or chief of police are subject to the consent of a majority of the council. Other officers must be selected as directed by the council. The mayor is not a member of the council and shall not vote as a member of the council.

In a city having a population of five thousand or less, the city council may, or shall upon petition of the electorate meeting the numerical requirements of section 372.2, subsection 1, submit a proposal at the next regular or special city election to reduce the number of council members to three. If a majority of the voters voting on the proposal approves it, the proposal is adopted. If the proposal is adopted, the new council shall be elected at the next regular or special city election. The council shall determine by ordinance whether the three council members are elected at large or by ward.

[R60, §1081, 1086, 1093, 1095, 1098, 1103, 1105, 1106; C73, §511, 515, 521, 524, 528, 532, 534, 535; C97, §645, 646, 652, 654, 655; S13, §645, 646, 652, 654, 655; SS15, §679-1a, 937; C24, 27, 31, 35, 39, §5631, 5634-5636, 6611, 6691; C46, 50, §363.9, 363.13-363.15, 418.1, 420.1; C54, 58, 62, §363A.2, 363A.3, 363D.1; C66, 71, 73, §363A.2, 363A.3, 363A.5, 363D.1; C75, 77, 79, 81, §372.4]

86 Acts, ch 1171, §2; 87 Acts, ch 97, §1; 91 Acts, ch 256, §36; 97 Acts, ch 23, §38; 2001 Acts, ch 35, §1

372.5 Commission form.

A city governed by the commission form has five departments as follows:

1. Department of public affairs.
2. Department of accounts and finances.
3. Department of public safety.
4. Department of streets and public improvements.
5. Department of parks and public property.

A city governed by the commission form has a council composed of a mayor and four council members elected at large, unless the council representation plan is changed pursuant to section 372.13, subsection 11. The mayor administers the department of public affairs and each other council member is elected to administer one of the other four departments.

However, a city governed, on July 1, 1975, by the commission form and having a council composed of a mayor and two council members elected at large may continue with a council of three until the form of government is changed as provided in section 372.2 or section 372.9 or without changing the form, may submit to the voters the question of increasing the council to five members assigned to the five departments as set out in this section.

The mayor shall supervise the administration of all departments and report to the council all matters requiring its attention. The mayor is a member of the council and may vote on all matters before the council.

The council member elected to administer the department of accounts and finances is mayor pro tem.

CHAPTER 373

CONSOLIDATED METROPOLITAN CORPORATIONS

- 373.1 Creation of commission.
 - 373.2 Appointment of commission members.
 - 373.3 Organization and expenses.
 - 373.4 Commission procedures and reports.
 - 373.5 Consolidation charter.
 - 373.6 Referendum — effective date.
 - 373.7 Form of ballot.
 - 373.8 Effect of consolidation.
 - 373.9 Metropolitan council.
 - 373.10 Taxing authority.
 - 373.11 Service delivery.
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373.1 Creation of commission.

1. Cities within a county may unite to form a single unit of local government in accordance with this chapter. Any city located in two or more counties shall be allowed to participate in a metropolitan consolidation in the county where at least fifty percent of its population resides. An alternative form of metropolitan government shall be submitted to the electorate by a commission in the form of a charter or charter amendment proposed in accordance with this chapter.

2. Participation in a charter commission under this chapter may be proposed by:

- a. The city council adopting a resolution calling for participation.
- b. By petition of the number of eligible electors of the city equal to at least twenty-five percent of the votes cast in the city at the last regular city election petitioning the council to adopt a resolution calling for participation. The council shall within thirty days of the filing of a valid petition adopt such a resolution.

91 Acts, ch 256, §40

373.2 Appointment of commission members.

1. Within forty-five days after the establishment of a commission, the members of the commission shall be appointed as follows:

- a. One member shall be appointed by the city council of each city participating in the charter process.
- b. An additional member shall be appointed by each city council for every twenty-five thousand residents in the participating city.
- c. One member shall be appointed by each state legislator whose legislative district is located in the commission area if a majority of the constituents of that legislative district resides in the commission area. However, if a commission area does not have a state legislative district which has a majority of its constituents residing in the commission area, the legislative district having the largest plurality of constituents residing in the commission area shall appoint one member.

2. Only eligible electors of the county not holding a city, county, or state office shall be members of the commission. In counties having multiple state legislative districts, the districts shall be represented as equally as possible. The membership shall be bipartisan and gender balanced and each appointing authority under subsection 1 shall provide for representation of various age groups, racial minorities, economic groups, and representatives of identifiable geographically defined populations, all in reasonable relationship to the proportions in which these groups are present in the population of the commission area. A vacancy on the commission shall be filled by appointment in the same manner as the original appointment. The county auditor shall notify the appropriate appointing authority of a vacancy.

The legislative appointing authorities shall be considered one appointing authority for the purpose of complying with this subsection. The senior legislative appointing authority in terms of length of legislative service shall convene the legislative appointing authorities to consult for the purpose of complying with this subsection.

91 Acts, ch 256, §41

373.3 Organization and expenses.

1. Within thirty days after the appointment of the members of the commission, the city clerk of the participating city with the largest population shall give written notice of the date, time, and location of the first meeting of the commission. At the first meeting the commission shall organize by electing a chairperson, vice chairperson, and other officers as necessary. The commission shall adopt rules governing the conduct of its meetings, subject to chapter 21.

2. The members of the commission shall serve without compensation, but they are entitled to travel and other necessary expenses relating to their duties of office.

3. The participating cities shall make available to the commission in-kind services such as office space, printing, supplies, and equipment and shall pay the other necessary expenses of the commission, including compensation for secretarial, clerical, professional, and consultant services. The total annual expenses, not including the value of in-kind expenses, to be paid from public funds shall not exceed one hundred thousand dollars or an amount equal to thirty cents times the population of the commission area, according to the most recent certified federal census. The commission may employ staff as necessary.

4. The expenses of the commission may be paid from the general fund of the participating cities or from any combination of public or private funds available for that purpose. The commission's annual expenses may exceed the amount in subsection 3 only if the excess is paid from private funds. If a proposed charter is submitted to the electorate, private funds donated to the commission may be used to promote passage of the proposed charter.

91 Acts, ch 256, §42

373.4 Commission procedures and reports.

1. Within sixty days after its organization, the commission shall hold at least one public hearing for the purpose of receiving information and material which will assist in the drafting of a charter. Notice of the date, time, and place of the hearing shall be published in the official county newspapers of each county in which the participating cities are located.

2. Within nine months after the organization of the commission, the commission shall submit a preliminary report to the councils of the participating cities, which report may include the text of the proposed charter. If a proposed charter is included in the preliminary report, the report shall also include an analysis of the fiscal impact of the proposed charter. Sufficient copies of the report shall be made available for distribution to residents of the participating cities who request a copy. The commission shall hold at least one public hearing after submission of the preliminary report to obtain public comment.

3. Within twenty months after organization, the commission shall submit the final report to the councils of the participating cities. If the commission recommends a charter of consolidation, the final report shall include the full text and an explanation of the proposed charter, an analysis of the fiscal impact of the proposed charter, any comments deemed desirable by the commission, and any minority reports. The final report may recommend no change to the existing form of government and that no charter be submitted to the electorate, or it may recommend consolidation of the participating cities with the county. If the board of supervisors by resolution agrees to participate in consolidation, then the participating cities and county shall proceed under sections 331.231 through 331.252.

4. The final report of the commission shall be made available to the residents of the participating cities upon request. A summary of the final report shall be published in the official newspapers of the county. If a charter is not recommended, the commission is dissolved upon submission of its final report to the councils of the participating cities.

91 Acts, ch 256, §43

373.5 Consolidation charter.

A proposed charter written by a charter commission shall specify the consolidated metropolitan form of government. The proposed consolidation charter shall do all of the following:

1. Provide the official name of the consolidated unit of local government and establish its geographic boundaries.

2. Establish an elective legislative body pursuant to section 373.9, including provisions on terms of office, initial compensation, meetings, and rules of procedure.

3. Provide for the at-large election of an officer to preside over the metropolitan council and perform other duties as specified, and provide for the election of other necessary officers.

4. Provide for the nonpartisan election of officers of the consolidated metropolitan corporation government.

5. Specify the powers and duties of the metropolitan council, its administrative officers, and elected officials.

6. Provide for delivery of certain services to the member cities, pursuant to section 373.11, and may provide for the abolition or consolidation of a department, agency, board, or commission and the assumptions of its powers and duties by the metropolitan council or another officer.

7. Provide for a system of revenue collection pursuant to section 373.10.

8. Provide for the orderly transition to the charter form of metropolitan consolidation.

9. Include other provisions which the consolidation charter commission elects to include and which are not inconsistent with state law.

10. Specify a charter amendment process pursuant to section 372.11.

11. Provide for the appointment of a manager by the metropolitan council pursuant to section 372.8.

91 Acts, ch 256, §44

373.6 Referendum — effective date.

1. If a proposed charter for consolidation is received not later than sixty days before the next general election, the council of the participating city with the largest population shall direct the county commissioner of elections to submit to the registered voters of the participating cities at the next general election the question of whether the proposed charter shall be adopted. A summary of the proposed charter shall be published in a newspaper of general circulation in each city participating in the charter commission process at least ten but not more than twenty days before the date of the election. The proposed charter shall be effective in regard to a city only if a majority of the electors of the city voting approves the proposed charter.

2. If a proposed charter for consolidation is adopted:

a. The adopted charter shall take effect July 1 following the election at which it is approved unless the charter provides a later effective date. A special election shall be called to elect the new elective officers.

b. The adoption of the consolidated metropolitan corporation form of government does not alter any right or liability of any participating city in effect at the time of the election at which the charter was adopted.

c. All departments and agencies shall continue to operate until replaced.

d. All ordinances or resolutions in effect remain effective until amended or repealed, unless they are irreconcilable with the adopted charter.

e. Upon the effective date of the adopted charter, the participating cities shall adopt the consolidation form by ordinance, and shall file a copy with the secretary of state, and maintain available copies for public inspection.

a. The public transportation company shall provide the city with copies of state and federal income tax returns for the five years preceding the year for which payment is contemplated or for such lesser period of time as the company has been in operation.

b. The city shall, in any given year, be authorized to pay over only such sums as will yield not to exceed two percent of the public transportation company's investment as the same is valued in its tax depreciation schedule, provided that corporate profits and losses for the five preceding years or for such lesser period of time as the company has been in operation shall not average in excess of a two percent net return. Taxes levied under this subsection may not be used to subsidize losses incurred prior to the election required by this subsection.

10. A tax for the operation and maintenance of a municipal transit system, and for the creation of a reserve fund for the system, in an amount not to exceed ninety-five cents per thousand dollars of assessed value each year, when the revenues from the transit system are insufficient for such purposes, but proceeds of the tax may not be used to pay interest and principal on bonds issued for the purposes of the transit system.

11. If a city has entered into a lease of a building or complex of buildings to be operated as a civic center, a tax sufficient to pay the installments of rent and for maintenance, insurance and taxes not included in the lease rental payments.

12. A tax not to exceed thirteen and one-half cents per thousand dollars of assessed value each year for operating and maintaining a civic center owned by a city.

13. A tax not to exceed six and three-fourths cents per thousand dollars of assessed value for planning a sanitary disposal project.

14. A tax not to exceed twenty-seven cents per thousand dollars of assessed value each year for an aviation authority as provided in section 330A.15.

15. If a city has joined with the county to form an authority for a joint county-city building, as provided in section 346.27, and has entered into a lease with the authority, a tax sufficient to pay the annual rent payable under the lease.

16. A tax not to exceed six and three-fourths cents per thousand dollars of assessed value each year for a levee improvement fund in special charter cities as provided in section 420.155.

17. A tax not to exceed twenty and one-half cents per thousand dollars of assessed value each year to maintain an institution received by gift or devise, subject to an election as required under subsection 1.

18. A tax to pay the premium costs on tort liability insurance, property insurance, and any other insurance that may be necessary in the operation of the city, the costs of a self-insurance program, the costs of a local government risk pool and amounts payable under any insurance agreements to provide or procure such insurance, self-insurance program, or local government risk pool.

19. A tax to fund an emergency medical services district under chapter 357G.

20. A tax that exceeds any tax levy limit within this chapter, provided the question has been submitted at a special levy election and received a simple majority of the votes cast on the proposition to authorize the enumerated levy limit to be exceeded for the proposed budget year.

a. The election may be held as specified in this subsection if notice is given by the city council, not later than thirty-two days before the second Tuesday in March, to the county commissioner of elections that the election is to be held.

b. An election under this subsection shall be held on the second Tuesday in March and be conducted by the county commissioner of elections in accordance with the law.

c. The ballot question shall be in substantially the following form:

WHICH TAX LEVY SHALL BE ADOPTED FOR THE CITY OF?

(Vote for only one of the following choices.)

CHANGE LEVY AMOUNT

Add to the existing levy amount a tax for the purpose of (state purpose of proposed levy) at a rate of (rate) which will provide an additional \$..... (amount).

KEEP CURRENT LEVY

Continue under the current maximum rate of, providing \$..... (amount).

d. The commissioner of elections conducting the election shall notify the city officials and other county auditors where applicable, of the results within two days of the canvass which shall be held beginning at one o'clock on the second day following the special levy election.

e. Notice of the election shall be published twice in accordance with the provisions of section 362.3, except that the first such notice shall be given at least two weeks before the election.

f. The cost of the election shall be borne by the city.

g. The election provisions of this subsection shall supersede other provisions for elections only to the extent necessary to comply with the provisions hereof.

h. The provisions of this subsection apply to all cities, however organized, including special charter cities which may adopt ordinances where necessary to carry out these provisions.

i. The council shall certify the city's budget with the tax askings not exceeding the amount approved by the special levy election.

21. A tax not to exceed twenty-seven cents per thousand dollars of assessed value for support of a public library, subject to petition and referendum requirements of subsection 1, except that if a majority approves the levy, it shall be imposed.

22. A tax for the support of a local emergency management commission established pursuant to chapter 29C.

1. [C24, 27, 31, 35, 39, §5835-5839; C46, 50, 54, 58, 62, 66, 71, 73, §375.1-375.5; C75, 77, 79, 81, S81, §384.12(1)]

2. [C75, 77, 79, 81, S81, §384.12(2)]

3. [C50, 54, 58, 62, 66, 71, 73, §379A.1-379A.5; C75, 77, 79, 81, S81, §384.12(3)]

4. [C62, 66, 71, 73, §379B.1, 379B.2; C75, 77, 79, 81, S81, §384.12(4)]

5, 6. [R60, §710; C73, §796; C97, §758-764, 888, 895, 1303; C24, 27, 31, 35, 39, §5882-5887, 6209, 6221; C46, 50, §381.9-381.14, 404.3, 404.15; C54, 58, 62, 66, 71, 73, §381.9-381.14, 404.7; C75, 77, 79, 81, S81, §384.12(5, 6)]

7. [S13, §766-a, 766-b; C24, 27, 31, 35, 39, §5890, 5891, 5894; C46, 50, 54, 58, 62, 66, 71, 73, §381.17, 381.18, 382.1; C75, 77, 79, 81, S81, §384.12(7)]

8. [C97, §766; C24, 27, 31, 35, 39, §5889; C46, 50, 54, 58, 62, 66, 71, 73, §381.16; C75, 77, 79, 81, S81, §384.12(8)]

9. [C58, 62, 66, 71, 73, §386A.1, 386A.4, 386A.9, 386A.12; C75, 77, 79, 81, S81, §384.12(9)]

10. [C58, 62, 66, 71, 73, §386B.12; C75, 77, 79, 81, S81, §384.12(10)]

11. [C71, 73, §378A.6; C75, 77, 79, 81, S81, §384.12(11)]

12. [C71, 73, §378A.10; C75, 77, 79, 81, S81, §384.12(12)]

13. [C71, 73, §404.27; C75, 77, 79, 81, S81, §384.12(13)]

14. [C75, 77, 79, 81, S81, §384.12(14)]

15. [C66, 71, 73, §368.67; C75, 77, 79, 81, S81, §384.12(15); 81 Acts, ch 117, §1081; 82 Acts, ch 1104, §14]

16. [C75, 77, 79, 81, S81, §384.12(16)]

17. [S13, §740; C24, 27, 31, 35, 39, §10190; C46, 50, 54, 58, 62, 66, 71, 73, §565.8; C75, 77, 79, 81, S81, §384.12(18); 81 Acts, ch 117, §1081]

18. [C75, 77, 79, 81, S81, §384.12(19)]

20. [C81, S81, §384.12(20)]

83 Acts, ch 101, §82; 85 Acts, ch 195, §46; 86 Acts, ch 1211, §23; 88 Acts, ch 1213, §1; 89 Acts, ch 203, §1; 91 Acts, ch 247, §1; 92 Acts, ch 1139, §29; 94 Acts, ch 1075, §15; 94 Acts, ch 1180, §56; 95 Acts, ch 189, §21

GENERAL OBLIGATION BONDS

384.24 Definitions.

As used in this division, unless the context otherwise requires:

1. "*General obligation bond*" means a negotiable bond issued by a city and payable from the levy of unlimited ad valorem taxes on all the taxable property within the city through its debt service fund which is required to be established by section 384.4.

2. "*City enterprise*" means any of the following, including the real estate, fixtures, equipment, accessories, appurtenances, and all property necessary or useful for the operation of any of the following:

a. Parking facilities systems, which may include parking lots and other off-street parking areas, parking ramps and structures on, above, or below the surface, parking meters, both on-street and off-street, and all other fixtures, equipment, accessories, appurtenances, and requisites useful for the successful operation of a parking facilities system.

b. Civic centers or civic center systems, which may include auditoriums, music halls, theatres, sports arenas, armories, exhibit halls, meeting rooms, convention halls, or combinations of these.

c. Recreational facilities or recreational facilities systems, including, without limitation, real and personal property, water, buildings, improvements, and equipment useful and suitable for administering recreation programs, and also including without limitation, zoos, museums, and centers for art, drama, and music, as well as those programs more customarily identified with the term "recreation" such as public sports, games, pastimes, diversions, and amusement, on land or water, whether or not such facilities are located in or as a part of any public park.

d. Port facilities or port facilities systems, including without limitation, real and personal property, water, buildings, improvements and equipment useful and suitable for taking care of the needs of commerce and shipping, and also including without limitation, wharves, docks, basins, piers, quay walls, warehouses, tunnels, belt railway facilities, cranes, dock apparatus, and other machinery necessary for the convenient and economical accommodation and handling of watercraft of all kinds and of freight and passengers.

e. Airport and airport systems.

f. Solid waste collection systems and disposal systems.

g. Bridge and bridge systems.

h. Hospital and hospital systems.

i. Transit systems.

j. Stadiums.

k. Housing for persons who are elderly or persons with physical disabilities.

l. Child care centers providing child care or preschool services, or both. For purposes of this paragraph, “*child care*” means providing for the care, supervision, and guidance of a child by a person other than the parent, guardian, relative, or custodian for periods of less than twenty-four hours per day on a regular basis. For purposes of this paragraph, “*preschool*” means child care which provides to children ages three through five, for periods of time not exceeding three hours per day, programs designed to help the children to develop intellectual skills, and motor skills, and to extend their interest and understanding of the world about them.

3. “*Essential corporate purpose*” means:

a. The opening, widening, extending, grading, and draining of the right-of-way of streets, highways, avenues, alleys, public grounds, and market places, and the removal and replacement of dead or diseased trees thereon; the construction, reconstruction, and repairing of any street improvements; the acquisition, installation, and repair of traffic control devices; and the acquisition of real estate needed for any of the foregoing purposes.

b. The acquisition, construction, improvement, and installation of street lighting fixtures, connections, and facilities.

c. The construction, reconstruction, and repair of sidewalks and pedestrian underpasses and overpasses, and the acquisition of real estate needed for such purposes.

d. The acquisition, construction, reconstruction, extension, improvement, and equipping of works and facilities useful for the collection, treatment, and disposal of sewage and industrial waste in a sanitary manner, for the collection and disposal of solid waste, and for the collection and disposal of surface waters and streams.

e. The acquisition, construction, reconstruction, enlargement, improvement, and repair of bridges, culverts, retaining walls, viaducts, underpasses, grade crossing separations, and approaches thereto.

f. The settlement, adjustment, renewing, or extension of any part or all of the legal indebtedness of a city, whether evidenced by bonds, warrants, or judgments, or the funding or refunding of the same, whether or not such indebtedness was created for a purpose for which general obligation bonds might have been issued in the original instance.

g. The undertaking of any project jointly or in co-operation with any other governmental body which, if undertaken by the city alone, would be for an essential corporate purpose, including the joint purchase, acquisition, construction, ownership, or control of any real or personal property.

h. The acquisition, construction, reconstruction, improvement, and extension of works and facilities useful for the control and elimination of any and all sources of air, water, and noise pollution, and the acquisition of real estate needed for such purposes.

i. The acquisition, construction, reconstruction, and improvement of all waterways, and real and personal property, useful for the protection or reclamation of property situated within the corporate limits of cities from floods or high waters, and for the protection of property in cities from the effects of flood waters, including the deepening, widening, alteration, change, diversion, or other improvement of watercourses, within or without the city limits, the construction of levees, embankments, structures, impounding reservoirs, or conduits, and the establishment, improvement, and widening of streets, avenues, boulevards, and alleys across and adjacent to the project, as well as the development and beautification of the banks and other areas adjacent to flood control improvements.

j. The equipping of fire, police, sanitation, street, and civil defense departments and the acquiring, developing, and improving of a geographic computer data base system suitable for automated mapping and facilities management.

k. The acquisition and improvement of real estate for cemeteries, and the construction, reconstruction, and repair of receiving vaults, mausoleums, and other cemetery facilities.

l. The acquisition of ambulances and ambulance equipment.

m. The reconstruction and improvement of dams already owned.

n. The reconstruction, extension, and improvement of an airport owned or operated by the city, an agency of the city, or a multimember governmental body of which the city is a participating member.

o. The rehabilitation and improvement of parks already owned, including the removal, replacement and planting of trees in the parks, and facilities, equipment, and improvements commonly found in city parks.

p. The rehabilitation and improvement of area television translator systems already owned.

q. The aiding in the planning, undertaking, and carrying out of urban renewal projects under the authority of chapter 403, and all of the purposes set out in section 403.12. However, bonds issued for this purpose are subject to the right of petition for an election as provided in section 384.26, without limitation on the amount of the bond issue or the size of the city, and the council shall include notice of the right of petition in the notice required under section 384.25, subsection 2.

r. The acquisition, construction, reconstruction, improvement, repair, and equipping of waterworks, water mains, and extensions, and real and personal property, useful for providing potable water to residents of a city.

s. The provision of insurance, or funding a self-insurance program or local government risk pool, including but not limited to the investigation and defense of claims, the establishment of reserve funds for claims, the payment of claims, and the administration and management of such self-insurance program or local government risk pool.

- k. [R60, §1060; C73, §458; C97, §697; C24, 27, 31, 35, 39, §5750; C46, 50, §368.13; C54, 58, 62, 66, 71, 73, §368.29; C75, 77, 79, 81, §384.24(3, k)]
- l. [C66, 71, 73, §368.74; C75, 77, 79, 81, §384.24(3, l)]
- m.-p. [C77, 79, 81, §384.24(3, m-p)]
- q. [C75, §384.24(4, g); C77, 79, 81, §384.24(3, q)]
- r. [82 Acts, ch 1089, §1]
4. a. [S13, §741-w2, 1306-b; C24, 27, 31, 35, 39, §5902, 6239; C46, 50, §384.3, 407.3(1); C54, 58, 62, 66, 71, 73, §384.3, 390.13, 407.3(1); C75, 77, 79, 81, §384.24(4, a)]
- b. [R60, §1111; C73, §538; C97, §852, 957; S13, §850-c; SS15, §879-r; C24, 27, 31, 35, 39, §5793, 5830, 5844, 6239, 6742; C46, 50, §368.9, 370.7, 374.1, 377.1, 407.3(2, 3), 420.53; C54, 58, 62, 66, 71, 73, §368.30, 370.7, 374.1, 377.1, 407.3(2, 3); C75, 77, 79, 81, §384.24(4, b)]
- c. [R60, §1116; C73, §542; C97, §732, 735; S13, §668, 732, 741-r; SS15, §741-f; C24, 27, §5772, 6239; C31, §5772, 6239, 6600-c1; C35, §5772, 6239, 6579-f; C39, §5772, 6239, 6579.1; C46, 50, §368.40, 407.3(4-6), 416.107; C54, 58, 62, 66, §368.15, 368.41, 407.3(4-6); C71, 73, §368.15, 368.41, 407.3(4-6, 9); C75, 77, 79, 81, §384.24(4, c)]
- d. [C27, 31, 35, 39, §6239; C46, 50, 54, 58, 62, 66, 71, 73, §407.3(7); C75, 77, 79, 81, §384.24(4, d)]
- e. [S13, §1056-a65; SS15, §997-a, -c; C24, 27, 31, 35, 39, §6608, 6744, 6746; C46, 50, §416.138, 420.55, 420.57; C54, 58, 62, 66, 71, 73, §368.32; C75, 77, 79, 81, §384.24(4, e)]
- f. [C75, 77, 79, 81, §384.24(4, f)]
- g. [C77, 79, 81, §384.24(4, g)]
- h. [C31, 35, §5766-c1; C39, §5766.2; C46, §368.31; C50, §368.31, 368.57, 392.1; C54, 58, 62, 66, 71, 73, §368.12, 368.19, 392.1; C75, 77, 79, 81, §384.24(4, h)]
- i. [C75, 77, 79, 81, §384.24(4, i)]
5. [C75, 77, 79, 81, §384.24(5)]
- 83 Acts, ch 90, §21; 86 Acts, ch 1211, §24; 87 Acts, ch 103, §6-8; 89 Acts, ch 182, §10; 89 Acts, ch 189, §3; 96 Acts, ch 1129, §86; 96 Acts, ch 1204, §36; 2001 Acts, ch 88, §1, 2

384.24A Loan agreements.

A city may enter into loan agreements to borrow money for any public purpose in accordance with the following terms and procedures:

1. A loan agreement entered into by a city may contain provisions similar to those sometimes found in loan agreements between private parties, including, but not limited to, the issuance of notes to evidence its obligations.
2. A provision of a loan agreement which stipulates that a portion of the payments be applied as interest is subject to chapter 74A. Other laws relating to interest rates do not apply. Chapter 75 is not applicable. A city utility or city enterprise is a separate entity under this section whether it is governed by the governing body of the city or another governing body.

3. The governing body shall follow substantially the same authorization procedure required for the issuance of general obligation bonds issued for the same purpose to authorize a loan agreement made payable from the debt service fund.

4. The governing body may authorize a loan agreement which is payable from the general fund and which would not cause the total of scheduled annual payments of principal or interest or both principal and interest of the city due from the general fund of the city in any future year with respect to all loan agreements in force on the date of the authorization to exceed ten percent of the last certified general fund budget amount in accordance with the following procedures:

a. The governing body must follow substantially the authorization procedures of section 384.25 to authorize a loan agreement for personal property which is payable from the general fund. The governing body must follow substantially the authorization procedures of section 384.25 to authorize a loan agreement for real property which is payable from the general fund if the principal amount of the loan agreement does not exceed the following limits:

(1) Four hundred thousand dollars in a city having a population of five thousand or less.

(2) Seven hundred thousand dollars in a city having a population of more than five thousand but not more than seventy-five thousand.

(3) One million dollars in a city having a population of more than seventy-five thousand.

b. The governing body must follow the following procedures to authorize a loan agreement for real property which is payable from the general fund if the principal amount of the loan agreement exceeds the limits set forth in paragraph "a":

(1) The governing body must institute proceedings to enter into a loan agreement payable from the general fund by causing a notice of the meeting to discuss entering into the loan agreement, including a statement of the principal amount and purpose of the loan agreement and the right to petition for an election, to be published at least once in a newspaper of general circulation within the city at least ten days prior to the discussion meeting. No sooner than thirty days following the discussion meeting shall the governing body hold a meeting at which it is proposed to take action to enter into the loan agreement.

[C73, §461; C97, §727, 741-4, 852-855; S13, §727, 741-q, -r, -v, -w2, 850-c, -e, -f, 1306-d, -e; SS15, §696-b, 741-f, -g, -h, 879-r, -s; C24, 27, §5793-5795, 5800-5804, 5902, 6241, 6244-6246, 6248; C31, 35, §5793-5795, 5800-5804, 5902, 5903-c5, 6241, 6244-6246, 6248; C39, §5793-5795, 5800-5804, 5902, 5903.05, 6241, 6244-6246, 6248, 6261.1; C46, 50, §330.7, 330.8, 370.7-370.9, 370.15-370.19, 384.3, 407.5, 407.8-407.10, 407.12, 408.11; C54, 58, 62, 66, §330.7, 370.7, 384.3, 390.13, 407.5, 407.8-407.10, 407.12; C71, 73, §330.7, 370.7, 378A.11, 384.3, 390.13, 407.5, 407.8-407.10, 407.12, 408A.1, 408A.2, 408A.6; C75, 77, 79, 81, §384.26]

92 Acts, ch 1138, §6; 95 Acts, ch 67, §53

REVENUE FINANCING

384.84A Special election.

1. The governing body of a city may institute proceedings to issue revenue bonds for storm water drainage construction projects under section 384.84, subsection 5, by causing notice of the proposed project, with a description of the proposed project and a description of the formula for the determination of the rate or rates applied to users for payment of the bonds, and a description of the bonds and maximum rate of interest and the right to petition for an election if the project meets the requirement of subsection 2, to be published at least once in a newspaper of general circulation within the city at least thirty days before the meeting at which the governing body proposes to take action to institute proceedings for issuance of revenue bonds for the storm water drainage construction project.

2. If, before the date fixed for taking action to authorize the issuance of revenue bonds for the storm water drainage construction project, a petition signed by eligible electors residing within the city equal in number to at least three percent of the registered voters of the city, asking that the question of issuing revenue bonds for the storm water drainage construction project be submitted to the registered voters of the city, the council, by resolution, shall declare the project abandoned or shall direct the county commissioner of elections to call a special election upon the question of issuing the bonds for the storm water drainage construction project if the cost of the project and population of the city meet one of the following criteria:

a. The project cost is seven hundred fifty thousand dollars or more in a city having a population of five thousand or less.

b. The project cost is one million five hundred thousand dollars or more in a city having a population of more than five thousand but not more than seventy-five thousand.

c. The project cost is two million dollars or more in a city having a population of more than seventy-five thousand.

3. The proposition of issuing revenue bonds for a storm water drainage construction project under this section is not approved unless the vote in favor of the proposition is equal to a majority of the votes cast on the proposition.

4. If a petition is not filed, or if a petition is filed and the proposition is approved at an election, the council may issue the revenue bonds.

5. If a city is required by the federal environmental protection agency to file application for storm water sewer discharge or storm water drainage system under the federal Clean Water Act of 1987, this section does not apply to that city with respect to improvements and facilities required for compliance with EPA regulations, or any city that enters into a chapter 28E agreement to implement a joint storm water discharge or drainage system with a city that is required by the federal environmental protection agency to file application for storm water discharge or storm water drainage system.

90 Acts, ch 1206, §3; 95 Acts, ch 67, §53; 2001 Acts, ch 56, §33

CITY UTILITIES

388.2 Submission to voters.

The proposal of a city to establish, acquire, lease, or dispose of a city utility, except a sanitary sewage or storm water drainage system, in order to undertake or to discontinue the operation of the city utility, or the proposal to establish or dissolve a combined utility system, or the proposal to establish or discontinue a utility board, is subject to the approval of the voters of the city, except that a board may be discontinued by resolution of the council when the city utility, city utilities, or combined utility system it administers is disposed of or leased for a period of over five years.

The proposal may be submitted to the voters at any city election by the council on its own motion. Upon receipt of a valid petition as defined in section 362.4, requesting that a proposal be submitted to the voters, the council shall submit the proposal at the next regular city election.

A proposal for the establishment of a utility board must specify a board of either three or five members.

If a majority of those voting for and against the proposal approves the proposal, the city may proceed as proposed.

If a majority of those voting for and against the proposal does not approve the proposal, the same or a similar proposal may not be submitted to the voters of the city for at least four years from the date of the election at which the proposal was defeated.

[C73, §471; C97, §720, 721; S13, §720, 721; C24, 27, 31, 35, 39, §6131-6133, 6144; C46, 50, 54, 58, §397.5-397.7, 397.29; C62, 66, 71, 73, §397.5-397.7, 397.29, 397.43; C75, 77, 79, 81, §388.2]

90 Acts, ch 1206, §4

JOINT WATER UTILITIES

389.2 Submission to voters.

A joint water utility may be established by two or more cities. A proposal to establish a joint water utility or to join an existing joint water utility may be submitted to the voters of a city by the city council upon its own motion, or upon receipt of a valid petition pursuant to section 362.4. If the proposal is to establish a joint water utility, the proposal shall be submitted to the voters of each city proposing to establish the joint water utility. If a majority of the electorate in each of at least two cities approves the proposal, the cities approving the proposal may establish a joint water utility.

If the proposal is to join an existing joint water utility, the proposal must first be submitted to the joint water utility board for its approval. If the proposal is approved by the board, the proposal shall be submitted to the electorate of the city wishing to join. The proposal must receive a majority affirmative vote for passage.

91 Acts, ch 168, §3

ADMINISTRATIVE AGENCIES

392.1 Establishment by ordinance.

If the council wishes to establish an administrative agency, it shall do so by an ordinance which indicates the title, powers, and duties of the agency, the method of appointment or election, qualifications, compensation, and term of members, and other appropriate matters relating to the agency. The title of an administrative agency must be appropriate to its function. The council may not delegate to an administrative agency any of the powers, authorities, and duties prescribed in division V of chapter 384 or in chapter 388, except that the council may delegate to an administrative agency established for the purpose of operating an airport any of its powers and duties prescribed in division V of chapter 384, and the council may delegate to an administrative agency power to establish and collect charges, and disburse the moneys received for the use of a city facility, including a city enterprise, as defined in section 384.24, if the delegation to an administrative agency is strictly subject to the limitations imposed by the revenue bonds or pledge orders outstanding which are payable from the revenues of the city enterprise. Except as otherwise provided in this chapter, the council may delegate rulemaking authority to the agency for matters within the scope of the agency's powers and duties, and may prescribe penalties for violation of agency rules which have been adopted by ordinance. Rules governing the use by the public of any city facility must be made readily available to the public.

[C75, 77, 79, 81, §392.1]

95 Acts, ch 21, §1

392.5 Library board.

A city library board of trustees functioning on the effective date of the city code shall continue to function in the same manner until altered or discontinued as provided in this section.

In order for the board to function in the same manner, the council shall retain all applicable ordinances, and shall adopt as ordinances all applicable state statutes repealed by 1972 Iowa Acts, chapter 1088.

A library board may accept and control the expenditure of all gifts, devises, and bequests to the library.

A proposal to alter the composition, manner of selection, or charge of a library board, or to replace it with an alternate form of administrative agency, is subject to the approval of the voters of the city.

The proposal may be submitted to the voters at any city election by the council on its own motion. Upon receipt of a valid petition as defined in section 362.4, requesting that a proposal be submitted to the voters, the council shall submit the proposal at the next regular city election. A proposal submitted to the voters must describe with reasonable detail the action proposed.

If a majority of those voting approves the proposal, the city may proceed as proposed.

If a majority of those voting does not approve the proposal, the same or a similar proposal may not be submitted to the voters of the city for at least four years from the date of the election at which the proposal was defeated.

[C97, §728, 729; S13, §729; SS15, §728; C24, 27, 31, 35, 39, §5851, 5858; C46, 50, 54, 58, 62, 66, 71, 73, §378.3, 378.10; C75, 77, 79, 81, §392.5]
2001 Acts, ch 24, §49

392.6 Hospital trustees.

If a hospital or health care facility is established by a city, the city shall by ordinance provide for the election, at a general, city, or special election, of three trustees, whose terms of office shall be four years. However, at the first election, three shall be elected and hold their office, one for four years and two for two years, and they shall by lot determine their respective terms. A board of trustees elected pursuant to this section shall serve as the sole and only board of trustees for any and all institutions established by a city as provided for in this section.

AMENDMENT OF CHARTER

420.286 Procedure.

On the presentation of a petition signed by one-fourth of the electors, as shown by the vote at the next preceding city election, of any city acting under a special charter or act of incorporation, to the governing body thereof, asking that the question of the amendment of such special charter or act of incorporation be submitted to the electors of such city, such governing body shall immediately propose sections amendatory of said charter or act of incorporation, and shall submit the same, as requested, at the first ensuing city election. At least ten days before such election the mayor of such city shall issue a proclamation setting forth the nature and character of such amendment, and shall cause such proclamation to be published in a newspaper published therein, or, if there be none, the mayor shall cause the same to be posted in five public places in such city. On the day specified, the proposition to adopt the amendment shall be submitted to the electors thereof for adoption or rejection, in the manner provided by the general election laws.

[R60, §1141; C73, §548; C97, §1047; C24, 27, 31, 35, 39, §6933; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §420.286]

Public measure submitted to voters, §49.43 et seq.

420.287 Proclamation of result.

If a majority of the votes cast be in favor of adopting said amendment, the mayor shall issue a proclamation accordingly; and the amendment shall thereafter constitute a part of said charter.

[R60, §1142; C73, §549; C97, §1048; C24, 27, 31, 35, 39, §6934; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §420.287]

420.288 Submission at special election.

The legislative body of said city may submit any amendment to the vote of the people as aforesaid at any special election, provided one-half of the electors as aforesaid petition for that purpose, and the proceedings shall be the same as at the general election.

[R60, §1143; C73, §550; C97, §1049; C24, 27, 31, 35, 39, §6935; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §420.288]

DEPARTMENT OF REVENUE AND FINANCE

421.3 Director to have no conflicting interests.

The director of revenue and finance shall not hold any other office under the laws of the United States or of this or any other state or hold any other position of profit. The director shall not engage in any occupation, business, or profession interfering with or inconsistent with the director's duties, serve on or under any committee of any political party, or contribute to the campaign fund of any person or political party. The director shall be of high moral character, shall be recognized for executive and administrative capacity, and shall possess expert knowledge and skills in the fields of taxation and property tax assessment. The director shall devote full time to the duties of the office.

[C31, 35, §6943-c14; C39, §6943.013; C46, 50, 54, 58, 62, 66, §421.4; C71, 73, 75, 77, 79, 81, §421.3]

HOTEL AND MOTEL TAX

422A.1 Hotel and motel tax.

A city or county may impose by ordinance of the city council or by resolution of the board of supervisors a hotel and motel tax, at a rate not to exceed seven percent, which shall be imposed in increments of one or more full percentage points upon the gross receipts from the renting of sleeping rooms, apartments, or sleeping quarters in a hotel, motel, inn, public lodging house, rooming house, manufactured or mobile home which is tangible personal property, or tourist court, or in any place where sleeping accommodations are furnished to transient guests for rent, whether with or without meals; except the gross receipts from the renting of sleeping rooms in dormitories and in memorial unions at all universities and colleges located in the state of Iowa and the guests of a religious institution if the property is exempt under section 427.1, subsection 8, and the purpose of renting is to provide a place for a religious retreat or function and not a place for transient guests generally. The tax when imposed by a city shall apply only within the corporate boundaries of that city and when imposed by a county shall apply only outside incorporated areas within that county. "Renting" and "rent" include any kind of direct or indirect charge for such sleeping rooms, apartments, or sleeping quarters, or their use. However, the tax does not apply to the gross receipts from the renting of a sleeping room, apartment, or sleeping quarters while rented by the same person for a period of more than thirty-one consecutive days.

Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of the hotel and motel tax, the county auditor shall give written notice by sending a copy of the abstract of votes from the favorable election to the director of revenue and finance.

A local hotel and motel tax shall be imposed on January 1, April 1, July 1, or October 1, following the notification of the director of revenue and finance. Once imposed, the tax shall remain in effect at the rate imposed for a minimum of one year. A local hotel and motel tax shall terminate only on March 31, June 30, September 30, or December 31. At least forty-five days prior to the tax being effective or prior to a revision in the tax rate, or prior to the repeal of the tax, a city or county shall provide notice by mail of such action to the director of revenue and finance.

A city or county shall impose a hotel and motel tax or increase the tax rate, only after an election at which a majority of those voting on the question favors imposition or increase. However, a hotel and motel tax shall not be repealed or reduced in rate if obligations are outstanding which are payable as provided in section 422A.2, unless funds sufficient to pay the principal, interest, and premium, if any, on the outstanding obligations at and prior to maturity have been properly set aside and pledged for that purpose. The election shall be held at the time of that city's or county's general election or at the time of a special election.

The director of revenue and finance shall administer a local hotel and motel tax as nearly as possible in conjunction with the administration of the state sales tax law. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting local hotel and motel tax liability. All moneys received or refunded one hundred eighty days after the date on which a city or county terminates its local hotel and motel tax shall be deposited in or withdrawn from the state general fund.

The director, in consultation with local officials, shall collect and account for a local hotel and motel tax and shall credit all revenues to a "local transient guest tax fund" established by section 422A.2.

No tax permit other than the state tax permit required under section 422.53 may be required by local authorities.

The tax levied shall be in addition to any state sales tax imposed under section 422.43. Section 422.25, subsection 4, sections 422.30, 422.48 to 422.52, 422.54 to 422.58, 422.67, 422.68, 422.69, subsection 1, and sections 422.70 to 422.75, consistent with the provisions of this chapter, apply with respect to the taxes authorized under this chapter, in the same manner and with the same effect as if the hotel and motel taxes were retail sales taxes within the meaning of those statutes. Notwithstanding this paragraph, the director shall provide for quarterly filing of returns as prescribed in section 422.51 and for other than quarterly filing of returns as prescribed in section 422.51, subsection 2. The director may require all persons, as defined in section 422.42, who are engaged in the business of deriving gross receipts subject to tax under this chapter, to register with the department.

[C79, 81, §422A.1]

86 Acts, ch 1199, §1; 86 Acts, ch 1241, §30; 86 Acts, ch 1244, §49; 87 Acts, ch 136, §2; 88 Acts, ch 1153, §5; 89 Acts, ch 251, §30; 89 Acts, ch 294, §1; 2001 Acts, ch 116, §12; 2001 Acts, ch 153, §15; 2001 Acts, ch 176, §80

422A.2 Local transient guest tax fund.

1. to 3. Not reprinted.

4. The revenue derived from any hotel and motel tax authorized by this chapter shall be used as follows:

a. to e. Not reprinted.

f. A city or county acting on behalf of an unincorporated area may, in lieu of calling an election, institute proceedings for the issuance of bonds under this section by causing a notice of the proposal to issue the bonds, including a statement of the amount and purpose of the bonds, together with the maximum rate of interest which the bonds are to bear, and the right to petition for an election, to be published at least once in a newspaper of general circulation within the city or unincorporated area at least ten days prior to the meeting at which it is proposed to take action for the issuance of the bonds.

If at any time before the date fixed for taking action for the issuance of the bonds, a petition signed by eligible electors residing in the city or the unincorporated area equal in number to at least three percent of the registered voters of the city or unincorporated area, asking that the question of issuing the bonds be submitted to the registered voters of the city or unincorporated area, the council or board of supervisors acting on behalf of an unincorporated area shall either by resolution declare the proposal to issue the bonds to have been abandoned or shall direct the county commissioner of elections to call a special election upon the question of issuing the bonds.

The proposition of issuing bonds under this section is not approved unless the vote in favor of the proposition is equal to a majority of the vote cast.

If no petition is filed, or if a petition is filed and the proposition of issuing the bonds is approved at an election, the council or board of supervisors acting on behalf of an unincorporated area may proceed with the authorization and issuance of the bonds.

Bonds may be issued for the purpose of refunding outstanding and previously issued bonds under this subsection without otherwise complying with this paragraph.

[C79, 81, §422A.2; 82 Acts, ch 1178, §1]

83 Acts, ch 123, §175, 209; 84 Acts, ch 1067, §38; 90 Acts, ch 1024, §1; 94 Acts, ch 1107, §12; 95 Acts, ch 67, §53; 2001 Acts, ch 56, §34

7. More than one of the authorized local option taxes may be submitted at a single election and the different taxes shall be separately implemented as provided in this section.

Costs of local option tax elections shall be apportioned among jurisdictions within the county voting on the question at the same election on a pro rata basis in proportion to the number of registered voters in each taxing jurisdiction and the total number of registered voters in all of the taxing jurisdictions.

8. Local option taxes authorized to be imposed as provided in this chapter are a local sales and services tax and a local vehicle tax. The rate of the tax shall be in increments of one dollar per vehicle for a vehicle tax as set on the petition seeking to impose the vehicle tax. The rate of a local sales and services tax shall not be more than one percent as set by the governing body.

9. In a county that has imposed a local option sales and services tax, the board of supervisors shall, notwithstanding any contrary provision of this chapter, repeal the local option sales and services tax in the unincorporated areas or in an incorporated city area in which the tax has been imposed upon adoption of its own motion for repeal in the unincorporated areas or upon receipt of a motion adopted by the governing body of that incorporated city area requesting repeal. The board of supervisors shall repeal the local option sales and services tax effective on the later of the date of the adoption of the repeal motion or the earliest date specified in section 422B.9, subsection 1. For purposes of this subsection, incorporated city area includes an incorporated city which is contiguous to another incorporated city.

10. Notwithstanding subsection 9 or any other contrary provision of this chapter, a local option sales and services tax shall not be repealed or reduced in rate if obligations are outstanding which are payable as provided in section 422B.12, unless funds sufficient to pay the principal, interest, and premium, if any, on the outstanding obligations at and prior to maturity have been properly set aside and pledged for that purpose.

85 Acts, ch 32, §89; 85 Acts, ch 198, §6; 86 Acts, ch 1199, §2-6; 89 Acts, ch 146, §1; 89 Acts, ch 276, §1; 90 Acts, ch 1256, §21; 92 Acts, ch 1063, §1; 93 Acts, ch 143, §50; 95 Acts, ch 67, §53; 95 Acts, ch 186, §1-4, 9; 96 Acts, ch 1079, §22, 23; 99 Acts, ch 156, §5-11, 23; 2000 Acts, ch 1058, §36

422B.9 Administration.

1. *a.* A local sales and services tax shall be imposed either January 1 or July 1 following the notification of the director of revenue and finance but not sooner than ninety days following the favorable election. However, a jurisdiction which has voted to continue imposition of the tax may impose that tax without repeal of the prior tax.

b. A local sales and services tax shall be repealed only on June 30 or December 31 but not sooner than ninety days following the favorable election if one is held. However, a local sales and services tax shall not be repealed before the tax has been in effect for one year. At least forty days before the imposition or repeal of the tax, a county shall provide notice of the action by certified mail to the director of revenue and finance.

c. If a local sales and services tax has been imposed prior to April 1, 2000, and at the time of the election a date for repeal was specified on the ballot, the local sales and services tax may be repealed on that date, notwithstanding paragraph "b".

2. a. The director of revenue and finance shall administer a local sales and services tax as nearly as possible in conjunction with the administration of state gross receipts tax laws. The director shall provide appropriate forms or provide on the regular state tax forms for reporting local sales and services tax liability.

b. The ordinance of a county board of supervisors imposing a local sales and services tax shall adopt by reference the applicable provisions of the appropriate sections of chapter 422, division IV, and chapter 423. All powers and requirements of the director to administer the state gross receipts tax law and use tax law are applicable to the administration of a local sales and services tax law and the local excise tax, including but not limited to, the provisions of section 422.25, subsection 4, sections 422.30, 422.48 to 422.52, 422.54 to 422.58, 422.67, 422.68, 422.69, subsection 1, sections 422.70 to 422.75, 423.6, subsections 2 to 4, and sections 423.11 to 423.18, and 423.21. Local officials shall confer with the director of revenue and finance for assistance in drafting the ordinance imposing a local sales and services tax. A certified copy of the ordinance shall be filed with the director as soon as possible after passage.

c. Frequency of deposits and quarterly reports of a local sales and services tax with the department of revenue and finance are governed by the tax provisions in section 422.52. Local tax collections shall not be included in computation of the total tax to determine frequency of filing under section 422.52.

3. a. The director, in consultation with local officials, shall collect and account for a local sales and services tax. The director shall certify each quarter the amount of local sales and services tax receipts and any interest and penalties to be credited to the "local sales and services tax fund" established in the office of the treasurer of state.

b. All local tax moneys and interest and penalties received or refunded one hundred eighty days or more after the date on which the county repeals its local sales and services tax shall be deposited in or withdrawn from the state general fund.

85 Acts, ch 32, § 97; 86 Acts, ch 1245, § 441; 89 Acts, ch 276, § 3; 97 Acts, ch 145, §1; 99 Acts, ch 151, §33, 89; 99 Acts, ch 156, §13, 23; 2001 Acts, ch 116, §14

422B.12 Issuance of bonds.

1. For purposes of this section unless the context otherwise requires:

a. "Bond issuer" or "issuer" means a city, a county, or a secondary recipient.

b. "Designated portion" means the portion of the local option sales and services tax revenues which is authorized to be expended for one or a combination of purposes under an adopted public measure.

c. "Secondary recipient" means a political subdivision of the state which is to receive revenues from a local option sales and services tax over a period of years pursuant to the terms of a chapter 28E agreement with one or more cities or counties.

2. An issuer of public bonds which is a recipient of revenues from a local option sales and services tax imposed pursuant to this chapter may issue bonds in anticipation of the collection of one or more designated portions of the local option sales and services tax and may pledge irrevocably an amount of the revenue derived from the designated portions for each of the years the bonds remain outstanding to the payment of the bonds. Bonds may be issued only for one or more of the purposes set forth on the ballot proposition concerning the imposition of the local option sales and services tax, except bonds shall not be issued which are payable from that portion of tax revenues designated for property tax relief. The bonds may be issued in accordance with the procedures set forth in either subsection 3 or 4.

3. The governing body of an issuer may authorize the issuance of bonds which are payable from the designated portion of the revenues of the local option sales and services tax, and not from property tax, by following the authorization procedures set forth for cities in section 384.83. Bonds may be issued for the purpose of refunding outstanding and previously issued bonds under this subsection without otherwise complying with the provisions of this subsection.

4. To authorize the issuance of bonds payable as provided in this subsection, the governing body of an issuer shall comply with all of the procedures as follows:

a. A bond issuer may institute proceedings for the issuance of bonds by causing a notice of the proposal to issue the bonds, including a statement of the amount and purpose of the bonds, together with the maximum rate of interest which the bonds are to bear, and the right to petition for an election, to be published at least once in a newspaper of general circulation within the political subdivision or unincorporated area at least ten days prior to the meeting at which it is proposed to take action for the issuance of the bonds.

If at any time before the date fixed for taking action for the issuance of the bonds, a petition signed by eligible electors residing within the jurisdiction seeking to issue the bonds in a number equal to at least three percent of the registered voters of the bond issuer is filed, asking that the question of issuing the bonds be submitted to the registered voters, the governing body shall either by resolution declare the proposal to issue the bonds to have been abandoned or shall direct the county commissioner of elections to call a special election upon the question of issuing the bonds. The proposition of issuing bonds under this subsection is not approved unless the vote in favor of the proposition is equal to at least sixty percent of the vote cast. If a petition is not filed, or if a petition is filed and the proposition of issuing the bonds is approved at an election, the governing body acting on behalf of the issuer may proceed with the authorization and issuance of the bonds. Bonds may be issued for the purpose of refunding outstanding and previously issued bonds under this subsection without otherwise complying with the provisions of this subsection.

b. The provisions of chapter 76 apply to the bonds payable as provided in this subsection, except that the mandatory levy to be assessed pursuant to section 76.2 shall be at a rate to generate an amount which together with the receipts from the pledged designated portion of the local option sales and services tax is sufficient to pay the interest and principal on the bonds. All amounts collected as a result of the levy assessed pursuant to section 76.2 and paid out in the first instance for bond principal and interest shall be repaid to the bond issuer which levied the tax from the first available designated portion of local option sales and services tax collections received in excess of the requirement for the payment of the principal and interest of the bonds and when repaid shall be applied in reduction of property taxes. The amount of bonds which may be issued under section 76.3 shall be the amount which could be retired from the actual collections of the designated portions of the local option sales and services tax for the last four calendar quarters, as certified by the director of revenue and finance. The amount of tax revenues pledged jointly by other cities or counties may be considered for the purpose of determining the amount of bonds which may be issued. If the local option sales and services tax has been in effect for less than four calendar quarters, the tax collected within the shorter period may be adjusted to project the collections of the designated portion for the full year for the purpose of determining the amount of the bonds which may be issued. The provisions of this section constitute separate authorization for the issuance of bonds and shall prevail in the event of conflict with any other provision of the Code limiting the amount of bonds which may be issued or the source of payment of the bonds. Bonds issued under this section shall not limit or restrict the authority of the bond issuer to issue bonds under other provisions of the Code.

5. A city or county, jointly with one or more other political subdivisions as provided in chapter 28E, may pledge irrevocably any amount derived from the designated portions of the revenues of the local option sales and services tax to the support or payment of bonds of an issuer, issued for one or more purposes set forth on the ballot proposition concerning the imposition of the local option sales and services tax or a political subdivision may apply the proceeds of its bonds to the support of any such purpose.

6. Bonds issued pursuant to this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and shall not be subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued pursuant to this section are declared to be issued for an essential public and governmental purpose. Bonds issued pursuant to this section shall be authorized by resolution of the governing body and may be issued in one or more series and shall bear the date or dates, be payable on demand or mature at the time or times, bear interest at the rate or rates not exceeding that permitted by chapter 74A, be in the denomination or denominations, be in the form, have the rank or priority, be executed in the manner, be payable in the medium of payment, at the place or places, be subject to the terms of redemption, with or without premium, be secured in the manner, and have the other characteristics, as may be provided by the resolution authorizing their issuance. The bonds may be sold at public or private sale at a price as may be determined by the governing body.

95 Acts, ch 186, §7, 9; 96 Acts, ch 1079, §22, 23; 2001 Acts, ch 56, §35

OPTIONAL TAXES FOR EMERGENCY MEDICAL SERVICES

422D.1 Authorization — election — imposition and repeal — use of revenues.

1. A county board of supervisors may offer for voter approval any of the following taxes or a combination of the following taxes:

- a. Local option income surtax.
- b. An ad valorem property tax.

Revenues generated from these taxes shall be used for emergency medical services as provided in section 422D.6.

2. The taxes for emergency medical services shall only be imposed after an election at which a majority of those voting on the question of imposing the tax or combination of taxes specified in subsection 1, paragraph "a" or "b", vote in favor of the question. However, the tax or combination of taxes specified in subsection 1 shall not be imposed on property within or on residents of a benefited emergency medical services district under chapter 357F. The question of imposing the tax or combination of the taxes may be submitted at the regular city election, a special election, or state general election. Notice of the question shall be provided by publication at least sixty days before the time of the election and shall identify the tax or combination of taxes and the rate or rates, as applicable. If a majority of those voting on the question approve the imposition of the tax or combination of taxes, the tax or combination of taxes shall be imposed as follows:

b. A local sales and services tax shall be repealed on either June 30 or December 31 but not sooner than ninety days following the favorable election, if one is held.

c. If a local sales and services tax has been imposed prior to April 1, 2000, and at the time of the election a date for repeal was specified on the ballot, the local sales and services tax may be repealed on that date, notwithstanding paragraph "b".

2. a. Upon receipt by a county board of supervisors of a petition requesting imposition of a local sales and services tax for infrastructure purposes, signed by eligible electors of the whole county equal in number to five percent of the persons in the whole county who voted at the last preceding state general election, the board shall within thirty days direct the county commissioner of elections to submit the question of imposition of the tax to the registered voters of the whole county.

b. Alternatively, the question of imposition of a local sales and services tax for school infrastructure purposes may be proposed by motion or motions, requesting such submission, adopted by the governing body of a school district or school districts located within the county containing a total, or a combined total in the case of more than one school district, of at least one-half of the population of the county, or by the county board of supervisors. Upon adoption of such motion, the governing body of a school district shall notify the board of supervisors of the adoption of the motion. The county board of supervisors shall submit the motion to the county commissioner of elections, who shall publish notice of the ballot proposition concerning the imposition of the local sales and services tax. A motion ceases to be valid at the time of the holding of the regular election for the election of members of the governing body which adopted the motion.

3. The county commissioner of elections shall submit the question of imposition of a local sales and services tax for school infrastructure purposes at a state general election or at a special election held at any time other than the time of a city regular election. The election shall not be held sooner than sixty days after publication of notice of the ballot proposition. The ballot proposition shall specify the rate of tax, the date the tax will be imposed and repealed, and shall contain a statement as to the specific purpose or purposes for which the revenues shall be expended. The dates for the imposition and repeal of the tax shall be as provided in subsection 1. The rate of tax shall not be more than one percent as set by the county board of supervisors. The state commissioner of elections shall establish by rule the form for the ballot proposition which form shall be uniform throughout the state.

4. *a.* The tax may be repealed or the rate increased, but not above one percent, or decreased after an election at which a majority of those voting on the question of repeal or rate change favored the repeal or rate change. The election at which the question of repeal or rate change is offered shall be called and held in the same manner and under the same conditions as provided in this section for the election on the imposition of the tax. The election may be held at any time but not sooner than sixty days following publication of the ballot proposition. However, the tax shall not be repealed before it has been in effect for one year.

b. Within ten days of the election at which a majority of those voting on the question favors the imposition, repeal, or change in the rate of the tax, the county auditor shall give written notice of the result of the election by sending a copy of the abstract of the votes from the favorable election to the director of revenue and finance. Election costs shall be apportioned among school districts within the county on a pro rata basis in proportion to the number of registered voters in each school district and the total number of registered voters in all of the school districts within the county.

A local option sales and services tax shall not be repealed or reduced in rate if obligations are outstanding which are payable as provided in section 422E.4, unless funds sufficient to pay the principal, interest, and premium, if any, on the outstanding obligations at and prior to maturity have been properly set aside and pledged for that purpose.

98 Acts, ch 1130, §2, 6; 99 Acts, ch 156, §15, 16, 23; 2000 Acts, ch 1058, §37; 2001 Acts, ch 24, §50

422E.3 Collection of tax.

1. If a majority of those voting on the question of imposition of a local sales and services tax for school infrastructure purposes favors imposition of the tax, the tax shall be imposed by the county board of supervisors within the county pursuant to section 422E.2, at the rate specified for a ten-year duration on the gross receipts taxed by the state under chapter 422, division IV.

2. The tax shall be imposed on the same basis as the state sales and services tax or in the case of the use of natural gas, natural gas service, electricity, or electric service on the same basis as the state use tax and shall not be imposed on the sale of any property or on any service not taxed by the state, except the tax shall not be imposed on the gross receipts from the sale of motor fuel or special fuel as defined in chapter 452A which is consumed for highway use or in watercraft or aircraft if the fuel tax is paid on the transaction and a refund has not or will not be allowed, on the gross receipts from the rental of rooms, apartments, or sleeping quarters which are taxed under chapter 422A during the period the hotel and motel tax is imposed, on the gross receipts from the sale of equipment by the state department of transportation, on the gross receipts from the sale of self-propelled building equipment, pile drivers, motorized scaffolding, or attachments customarily drawn or attached to self-propelled building equipment, pile drivers, and motorized scaffolding, including auxiliary attachments which improve the performance, safety, operation, or efficiency of the equipment, and replacement parts and are directly and primarily used by contractors, subcontractors, and builders for new construction, reconstruction, alterations, expansion, or remodeling of real property or structures, and on the gross receipts from the sale of a lottery ticket or share in a lottery game conducted pursuant to chapter 99E and except the tax shall not be imposed on the gross receipts from the sale or use of natural gas, natural gas service, electricity, or electric service in a city or county where the gross receipts from the sale of natural gas or electric energy are subject to a franchise fee or user fee during the period the franchise or user fee is imposed.

3. The tax is applicable to transactions within the county where it is imposed and shall be collected by all persons required to collect state gross receipts or local excise taxes. However, a person required to collect state retail sales tax under chapter 422, division IV, is not required to collect local sales and services tax on transactions delivered within the area where the local sales and services tax is imposed unless the person has physical presence in that taxing area. The amount of the sale, for purposes of determining the amount of the tax, does not include the amount of any state gross receipts or excise taxes or other local option sales or excise taxes. A tax permit other than the state tax permit required under section 422.53 or 423.10 shall not be required by local authorities.

4. The director of revenue and finance shall credit tax receipts and interest and penalties from the local sales and services tax for school infrastructure purposes to an account within the county's local sales and services tax fund, as created in section 422B.10, subsection 1, maintained in the name of the school district or school districts located within the county. If the director is unable to determine from which county any of the receipts were collected, those receipts shall be allocated among the possible counties based on allocation rules adopted by the director.

5. *a.* The director of revenue and finance within fifteen days of the beginning of each fiscal year shall send to each school district where the tax is imposed an estimate of the amount of tax moneys each school district will receive for the year and for each month of the year. At the end of each month, the director may revise the estimates for the year and remaining months.

b. The director shall remit ninety-five percent of the estimated tax receipts for the school district to the school district on or before August 31 of the fiscal year and on or before the last day of each following month.

c. The director shall remit a final payment of the remainder of tax moneys due for the fiscal year before November 10 of the next fiscal year. If an overpayment has resulted during the previous fiscal year, the November payment shall be adjusted to reflect any overpayment.

If more than one school district, or a portion of a school district, is located within the county, tax receipts shall be remitted to each school district or portion of a school district in which the county tax is imposed in a pro rata share based upon the ratio which the percentage of actual enrollment for the school district that attends school in the county bears to the percentage of the total combined actual enrollments for all school districts that attend school in the county. The combined actual enrollment for a county, for purposes of this section, shall be determined for each county imposing a sales and services tax for school infrastructure purposes by the department of management based on the actual enrollment figures reported by October 1 to the department of management by the department of education pursuant to section 257.6, subsection 1. The combined actual enrollment count shall be forwarded to the director of the department of management by March 1, annually, for purposes of supplying estimated tax payment figures and making estimated tax payments pursuant to this section for the following fiscal year.

6. The local sales and services tax for school infrastructure purposes shall be administered as provided in section 422B.9.

7. Construction contractors may make application to the department for a refund of the additional local sales and services tax paid under this chapter by reason of taxes paid on goods, wares, or merchandise under the conditions specified in section 422B.11. The refund shall be paid by the department from the appropriate school district's account in the local sales and services tax fund. The penalty provisions contained in section 422B.11, subsection 3, shall apply regarding an erroneous application for refund of local sales and services tax paid under this chapter.

98 Acts, ch 1130, §3, 6; 99 Acts, ch 151, §37-39, 89; 99 Acts, ch 156, §17-19, 23; 2001 Acts, ch 116, §16

422E.4 Bonding.

The board of directors of a school district shall be authorized to issue negotiable, interest-bearing school bonds, without election, and utilize tax receipts derived from the sales and services tax for school infrastructure purposes for principal and interest repayment. Proceeds of the bonds issued pursuant to this section shall be utilized solely for school infrastructure needs as school infrastructure is defined in section 422E.1, subsection 3. Issuance of bonds pursuant to this section shall be permitted only in a district which has imposed a local sales and services tax for school infrastructure purposes pursuant to section 422E.2. The provisions of sections 298.22 through 298.24 shall apply regarding the form, rate of interest, registration, redemption, and recording of bond issues pursuant to this section, with the exception that the maximum period during which principal on the bonds is payable shall not exceed a ten-year period, or the date of repeal stated on the ballot proposition.

A school district in which a local option sales tax for school infrastructure purposes has been imposed shall be authorized to enter into a chapter 28E agreement with one or more cities or a county whose boundaries encompass all or a part of the area of the school district. A city or cities entering into a chapter 28E agreement shall be authorized to expend its designated portion of the local option sales and services tax revenues for any valid purpose permitted in this chapter or authorized by the governing body of the city. A county entering into a chapter 28E agreement with a school district in which a local option sales tax for school infrastructure purposes has been imposed shall be authorized to expend its designated portion of the local option sales and services tax revenues to provide property tax relief within the boundaries of the school district located in the county. A school district where a local option sales and services tax is imposed is also authorized to enter into a chapter 28E agreement with another school district which is located partially or entirely in or is contiguous to the county where the tax is imposed. The school district shall only expend its designated portion of the local option sales and services tax for infrastructure purposes.

The governing body of a city may authorize the issuance of bonds which are payable from its designated portion of the revenues of the local option sales and services tax, and not from property tax, by following the authorization procedures set forth for cities in section 384.83. A city may pledge irrevocably any amount derived from its designated portions of the revenues of the local option sales and services tax to the support or payment of such bonds.

98 Acts, ch 1130, §4, 6; 99 Acts, ch 156, §20, 23

TAX COLLECTION

445.1 Definition of terms.

Unnumbered paragraph 1 not reprinted.

1. and 2. Not reprinted.

3. "*County system*" means a method of data storage and retrieval as approved by the auditor of state including, but not limited to, tax lists, books, records, indexes, registers, or schedules.

4. to 7. Not reprinted.

[R60, §751; C73, §846; C97, §1390; C24, 27, 31, 35, 39, §7184; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §445.1]

86 Acts, ch 1139, §2; 91 Acts, ch 191, §26; 92 Acts, ch 1163, §85; 93 Acts, ch 73, §5; 95 Acts, ch 57, §11; 2001 Acts, ch 153, §15; 2001 Acts, ch 176, §80

468.502 Election.

The board, at the next regular, adjourned, or special session shall canvass the petition and if signed by the requisite number of landowners, it shall order an election to be held at some convenient place in the district not less than forty nor more than sixty days from the date of such order, for the election of three trustees of such district. It shall appoint from the freeholders of the district who reside in the county or counties, three judges and two clerks of election. It shall not be mandatory for the county commissioner of elections to conduct elections held pursuant to this subchapter, but they shall be conducted in accordance with the provisions of chapter 49 where not in conflict with this subchapter.

[S13, §1989-a52b; SS15, §1989-a63; C24, 27, 31, 35, 39, §7676; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.3]
89 Acts, ch 126, §2
CS89, §468.502

468.503 Intercounty district.

If the district extends into two or more counties, a duplicate of the petition shall be filed in the office of the auditor of each county. The boards of supervisors shall, within thirty days after the filing of such petition, meet in joint session and canvass the same, and if found to be signed by a majority of the owners of land in the district assessed for benefits, they shall by joint action order such election and appoint judges and clerks of election as provided in section 468.502.

[S13, §1989-a52b; SS15, §1989-a62, -a63; C24, 27, 31, 35, 39, §7677; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.4]
89 Acts, ch 126, §2
CS89, §468.503

468.504 Election districts.

When a petition has been filed for the election of trustees to manage a district containing twenty thousand acres or more, the board, or, if the district extends into more than one county, the boards of the counties by joint action, shall, before the election, divide the district into three election districts for the purpose of securing a proper distribution of trustees in the district, and the division shall be so made that each election district will have substantially equal voting power and acreage, as nearly as may be. After the division is made there shall be elected one trustee for each of the election districts, but at the election all the qualified voters for the entire district shall be entitled to vote for each trustee. The division here provided for shall be for the purposes only of a proper distribution of trustees in the district and shall not otherwise affect the district or its management and control.

[C24, 27, 31, 35, 39, §7678; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.5]

89 Acts, ch 126, §2
CS89, §468.504
2001 Acts, ch 89, §1

468.505 Record and plat of election districts.

At the time of making a division into election districts, as provided in section 468.504, the board or boards shall designate by congressional divisions, subdivisions, metes and bounds, or other intelligible description, the lands embraced in each election district, and the auditor, or auditors if more than one county shall make a plat thereof in the drainage record of the district indicating thereon the boundary lines of each election district, numbering them, one, two, and three, respectively.

[C24, 27, 31, 35, 39, §7679; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.6]

89 Acts, ch 126, §2
CS89, §468.505

468.506 Eligibility of trustees.

Each trustee shall be a citizen of the United States not less than eighteen years of age, and one of the following:

1. The bona fide owner of agricultural land in the election district for which the trustee is elected, and a resident of the county in which that district is located or of a county which is contiguous to or corners on that county.

2. The bona fide owner of nonagricultural land in the election district for which the trustee is elected, and a resident of that district. This subsection applies only when the election district is wholly within the corporate limits of a city.

3. A stockholder of a family farm corporation as defined in section 9H.1, subsection 8, which owns land in the election district who is a resident of the county in which that district is located or of a county which is contiguous to or corners on that county.

4. In a district which is a levee and drainage district which has eighty-five percent of its acreage within the corporate limits of a city and has been under the control of a city under subchapter II, part 3, a bona fide owner of benefited land in the district. If the owner is a family farm corporation as defined by section 9H.1, subsection 8, a business corporation organized and existing under chapter 490 or 491, or a partnership, a stockholder or officer authorized by the corporation or a general partner may be elected as a trustee of the district.

[C24, 27, 31, 35, 39, §7680; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.7]

83 Acts, ch 163, §2; 89 Acts, ch 126, §2
CS89, §468.506
90 Acts, ch 1205, §15; 93 Acts, ch 126, §5

468.513 Vote of minor or person under legal incompetency.

The vote of any person who is a minor or under legal incompetency shall be cast by the parent, guardian, or other legal representative of the person. The person casting the vote shall deliver to the judges and clerks of election a written sworn statement giving the name, age, and place of residence of the minor or person under legal incompetency, and any false statement knowingly made to secure permission to cast such vote shall render the party so making it guilty of the crime of perjury.

[C24, 27, 31, 35, 39, §7687; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.14]

89 Acts, ch 126, §2

CS89, §468.513

96 Acts, ch 1129, §95

468.514 Ballots — petition for printed ballots.

Candidates for drainage district trustee shall have their names placed on printed ballots provided a petition therefor is signed by ten qualified voters of the district and filed with the clerk of the board at least twenty-five days but not more than sixty-five days before the election. Space shall also be provided on the ballot for write-in votes.

[C24, 27, 31, 35, 39, §7688; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.15]

86 Acts, ch 1099, §3; 89 Acts, ch 126, §2

CS89, §468.514

2001 Acts, ch 56, §36

468.515 Candidates voted for.

Each qualified voter for the whole district shall be entitled to vote for one candidate for each district for which a trustee is to be elected.

[C24, 27, 31, 35, 39, §7689; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.16]

89 Acts, ch 126, §2

CS89, §468.515

468.516 Election — canvass of votes — returns.

On the day designated for said election the polls shall open at one o'clock p.m. and remain open until five o'clock p.m. unless otherwise provided under section 468.522. If no convenient polling place is to be found within the district, the election may be held at some convenient place outside the district. The judges of election shall canvass the vote and certify the result, and deposit with the auditor the ballots cast, together with the pollbooks showing the names of the voters; but if there is more than one county in the district, the returns shall be filed with the auditor of the county having the greatest acreage of said district.

[S13, §1989-a52c; SS15, §1989-a64; C24, 27, 31, 35, 39, §7690; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.17]
 89 Acts, ch 126, §2
 CS89, §468.516
 91 Acts, ch 54, §1

468.517 Canvass — certificates of election.

The canvass of the returns by the board or boards of supervisors shall be on the next Monday following the election. If the district is in more than one county, the board of supervisors of the county with the greatest acreage in the district shall canvass the vote. The board of supervisors of the other counties in which the district is located may attend and participate in the canvass of the returns. It or they shall make a return of the results of the canvass to the auditor, who shall issue certificates to the trustees elected, and when the district extends into more than one county, then the auditor with whom the election returns were filed shall issue the certificates and certify an abstract of the canvass to each other county in which the district is located.

[S13, §1989-a52c; SS15, §1989-a64; C24, 27, 31, 35, 39, §7691; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.18]
 85 Acts, ch 163, §11; 89 Acts, ch 126, §2
 CS89, §468.517

468.518 Tenure of office.

The trustees so elected shall hold office until the fourth Saturday in January next succeeding their election and until their successors are elected and qualify. On the third Saturday in the January next succeeding their original election, an election shall be held at which three trustees shall be chosen, one for one year, one for two years, and one for three years, and each shall qualify and enter upon the duties of the office on the fourth Saturday of the same January. On the third Saturday in each succeeding January, an election shall be held to choose a successor to the trustee whose term is about to expire, and the term of the trustee's office shall be for three years and until a successor has qualified.

[SS15, §1989-a52d, -a65-a67; C24, 27, 31, 35, 39, §7692; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §462.19]
 89 Acts, ch 126, §2
 CS89, §468.518

468.519 Levee and pumping station districts.

In levee and drainage districts having pumping stations trustees shall hold office until the fourth Saturday in January three years after election. On the third Saturday in January of each year a trustee shall be elected for a term of three years to succeed the member of the board whose term will expire on the following Saturday. At the election there shall also be elected, if necessary, a trustee to fill any vacancy which occurred before the election.

UTILITIES DIVISION

474.10 General counsel.

The board* shall employ a competent attorney to serve as its general counsel, and assistants to the general counsel as it finds necessary for the full and efficient discharge of its duties. The general counsel is the attorney for, and legal advisor of, the board and is exempt from the merit system provisions of chapter 19A. Assistants to the general counsel are subject to the merit system provisions of chapter 19A. The general counsel or an assistant to the general counsel shall provide the necessary legal advice to the board in all matters and represent the board in all actions instituted in a state or federal court challenging the validity of a rule or order of the board. The existence of a fact which disqualifies a person from election or from acting as a utilities board member disqualifies the person from employment as general counsel or assistant general counsel. The general counsel shall devote full time to the duties of the office. During employment the counsel shall not be a member of a political committee, contribute to a political campaign fund other than through the income tax checkoff for contributions to the Iowa election campaign fund and the presidential election campaign fund, participate in a political campaign, or be a candidate for a political office.

83 Acts, ch 127, §7; 86 Acts, ch 1245, §741; 88 Acts, ch 1158, §77

*Utilities board

CONSUMER ADVOCATE

475A.1 Consumer advocate.

1. to 3. Not reprinted.

4. *Political activity prohibited.* The consumer advocate shall devote the advocate's entire time to the duties of the office; and during the advocate's term of office the advocate shall not be a member of a political committee or contribute to a political campaign fund other than through the income tax checkoff for contributions to the Iowa election campaign fund and the presidential election campaign fund or take part in political campaigns or be a candidate for a political office.

5. Not reprinted.

83 Acts, ch 127, §8, 46; 86 Acts, ch 1245, §742, 743

JUDICIAL BRANCH

602.1216 Retention of clerks of the district court.

A clerk of the district court shall stand for retention in office, in the county of the clerk's office, upon the petition signed by eligible electors residing in the county equal in number to at least ten percent of all registered voters in the county to the state commissioner of elections, at the judicial election in 1988 and every four years thereafter, under sections 46.17 through 46.24. The petition shall be filed in the office of the state commissioner not later than one hundred twenty days before the general election. A clerk who is not retained in office is ineligible to serve as clerk, in the county in which the clerk was not retained, for the four years following the retention vote.

83 Acts, ch 186, §1215, 10201; 89 Acts, ch 136, §74; 2001 Acts, ch 56, §37

SUPREME COURT

602.4101 Justices — quorum.

1. Not reprinted.

2. Justices of the supreme court shall be nominated and appointed and shall stand for retention in office as provided in chapter 46. Justices of the supreme court shall qualify for office as provided in chapter 63.

83 Acts, ch 186, §5101, 10201; 98 Acts, ch 1184, §1, 4

COURT OF APPEALS

602.5102 Judges — quorum.

1. Not reprinted.

2. Judges of the court of appeals shall be nominated and appointed and shall stand for retention in office as provided in chapter 46. Judges of the court of appeals shall qualify for office as provided in chapter 63.

3. and 4. Not reprinted.

83 Acts, ch 186, §6102, 10201; 83 Acts, ch 204, §11, 12; 98 Acts, ch 1184, §2, 4

DISTRICT COURT

Map of judicial election districts is printed on page 527

602.6109 Judicial election districts.

1. Judicial election districts are established for purposes of nomination, appointment, and retention of district judges and for other purposes specifically provided by law.

83 Acts, ch 96, §159, 160; 83 Acts, ch 186, §9102, 10201; 85 Acts, ch 21, §45, 46; 85 Acts, ch 82, §2; 85 Acts, ch 178, §10, 11; 85 Acts, ch 195, §53; 85 Acts, ch 197, §17-19; 85 Acts, ch 201, §3; 86 Acts, ch 1108, §7; 86 Acts, ch 1112, §12; 86 Acts, ch 1140, §2; 86 Acts, ch 1220, §40; 87 Acts, ch 41, §1; 87 Acts, ch 115, §77, 78; 87 Acts, ch 157, §3; 88 Acts, ch 1134, §102-104; 88 Acts, ch 1158, §97; 89 Acts, ch 50, §13; 89 Acts, ch 83, §80; 89 Acts, ch 178, §6; 90 Acts, ch 1035, §2; 90 Acts, ch 1081, §3; 90 Acts, ch 1205, §61; 90 Acts, ch 1236, §52; 91 Acts, ch 86, §2; 91 Acts, ch 116, §8; 91 Acts, ch 267, §415; 92 Acts, ch 1163, §111-114; 93 Acts, ch 70, §8, 9; 93 Acts, ch 79, §52; 93 Acts, ch 110, §7; 93 Acts, ch 180, §51; 94 Acts, ch 1046, §25; 94 Acts, ch 1124, §1; 94 Acts, ch 1169, §62; 94 Acts, ch 1173, §39; 95 Acts, ch 67, §46; 95 Acts, ch 91, §3; 95 Acts, ch 124, §22, 26; 95 Acts, ch 143, §10; 95 Acts, ch 191, §26; 96 Acts, ch 1129, §103, 113; 97 Acts, ch 23, §75; 97 Acts, ch 126, §45; 97 Acts, ch 173, §16; 98 Acts, ch 1071, §1; 98 Acts, ch 1073, §10; 98 Acts, ch 1115, §16; 98 Acts, ch 1170, §14, 18; 98 Acts, ch 1185, §9; 99 Acts, ch 96, §49; 99 Acts, ch 103, §46; 99 Acts, ch 151, §84, 89; 2000 Acts, ch 1145, §23; 2001 Acts, ch 168, §1

TRANSITION PROVISIONS

602.11110 Judgeships for election districts 5A and 5C.

As soon as practicable after January 1, 1985, the supreme court administrator shall recompute the number of judgeships to which judicial election districts 5A and 5C are entitled. Notwithstanding section 602.6201, subsection 2, the seventeen incumbent district judges in judicial election district 5A on December 31, 1984 may reside in either judicial election district 5A or 5C beginning January 1, 1985. The supreme court administrator shall apportion to judicial election district 5C those incumbent district judges who were appointed to replace district judges residing in Polk county or who were appointed to fill newly created judgeships while residing in Polk county. The incumbent district judges residing in Polk county on January 1, 1985 who are not so apportioned to judicial election district 5C shall be apportioned to judicial election district 5A but shall be reapportioned to judicial election district 5C, in the order of their seniority as district judges, as soon as the first vacancies occur in judicial election district 5C due to death, resignation, retirement, removal, or failure of retention. Such a reapportionment constitutes a vacancy in judicial election district 5A for purposes of section 602.6201. Notwithstanding section 602.6201, subsection 2, the seventeen incumbent district judges in judicial election district 5A on December 31, 1984 shall stand for retention in the judicial election district to which the district judges are apportioned or reapportioned under this section. Commencing on January 1, 1985, vacancies within judicial election districts 5A and 5C shall be determined and filled under section 602.6201, subsections 4 through 8. For purposes of the recomputations, the supreme court administrator shall determine the average case filings for the latest available three-year period by reallocating the actual case filings during the three-year period to judicial election districts 5A and 5C as if they existed throughout the three-year period.

83 Acts, ch 186, §10201, 10310; 85 Acts, ch 197, §35

602.11111 Judicial nominating commissions for election districts 5A and 5C.

The membership of district judicial nominating commissions for judicial election districts 5A and 5C shall be as provided in chapter 46, subject to the following transition provisions:

1. Those judicial nominating commissioners of judicial election district 5A who are residents of Polk county shall be disqualified from serving in election district 5A on January 1, 1985, and their offices shall be deemed vacant. The vacancies thus created shall be filled as provided in section 46.5 for the remainder of the unexpired terms.

2. After January 1, 1985 the governor shall appoint five eligible electors of judicial election district 5C to the district judicial nominating commission for terms commencing immediately upon appointment. Two of the appointees shall serve terms ending January 31, 1988, two of the appointees shall serve terms ending January 31, 1990, and the remaining appointee shall serve a term ending January 31, 1992, as determined by the governor. At the end of these terms and each six years thereafter the governor shall appoint commissioners pursuant to section 46.3.

3. After January 1, 1985 elective judicial nominating commissioners for judicial election district 5C shall be elected as provided in chapter 46 to terms of office commencing immediately upon election. One of those elected shall serve a term ending January 31, 1988, two shall serve terms ending January 31, 1990, and two shall serve terms ending January 31, 1992, as determined by the drawing of lots by the persons elected. At the end of these terms and every six years thereafter elective commissioners shall be elected pursuant to chapter 46.

83 Acts, ch 186, §10201, 10311

PROBATE COURT

633.20C Full-time associate probate judges — term, retention, qualifications.

1. Full-time associate probate judges shall serve terms and shall stand for retention in office within the judicial election districts of their residences as provided under sections 46.16 through 46.24.

2. A person does not qualify for appointment to the office of full-time associate probate judge unless the person is at the time of appointment a resident of the county in which the vacancy exists, licensed to practice law in Iowa, and will be able, measured by the person's age at the time of appointment, to complete the initial term of office prior to reaching age seventy-two. An applicant for full-time associate probate judge shall file a certified application form, to be provided by the supreme court, with the chairperson of the county magistrate appointing commission.

3. A full-time associate probate judge must be a resident of a county in which the office is held during the entire term of office. A full-time associate probate judge shall serve within the judicial district in which appointed, as directed by the chief judge, and is subject to reassignment under section 602.6108.

4. Full-time associate probate judges shall qualify for office as provided in chapter 63 for district judges.

99 Acts, ch 93, §14, 15

OPENING GUARDIANSHIPS

633.556 Appointment of guardian.

1. If the allegations of the petition as to the status of the proposed ward and the necessity for the appointment of a guardian are proved by clear and convincing evidence, the court may appoint a guardian. If the court appoints a guardian based upon mental incapacity of the proposed ward, the court shall make a separate determination as to the ward's competency to vote. The court shall find a ward incompetent to vote only upon determining that the person lacks sufficient mental capacity to comprehend and exercise the right to vote.

2. In all proceedings to appoint a guardian, the court shall consider the functional limitations of the proposed ward and whether a limited guardianship, as authorized in section 633.635, is appropriate.

3. Section 633.551 applies to the appointment of a guardian.

[R60, §1449; C73, §2272; C97, §3219; C24, 27, 31, 35, 39, §12614; C46, 50, 54, 58, 62, §670.2; C66, 71, 73, 75, 77, 79, 81, §633.556]

97 Acts, ch 178, §6; 98 Acts, ch 1100, §79; 98 Acts, ch 1185, §10

TERMINATION OF GUARDIANSHIPS AND CONSERVATORSHIPS

633.679 Petition to terminate — request for voting rights reinstatement.

At any time after the appointment of a guardian or conservator, the person under guardianship or conservatorship may apply to the court by petition, alleging that the person is no longer a proper subject thereof, and asking that the guardianship or conservatorship be terminated. A person under an order appointing a guardian which order found the person incompetent to vote may include a request for reinstatement of the person's voting rights in a petition to terminate the guardianship or by filing a separate petition for modification of this determination.

[C97, §3222; C24, 27, 31, 35, 39, §12623; C46, 50, 54, 58, 62, §670.11; C66, 71, 73, 75, 77, 79, 81, §633.679]

89 Acts, ch 178, §20; 98 Acts, ch 1185, §11

LIBEL AND SLANDER

659.4 Candidate — retraction — time — imputing sexual misconduct.

If the plaintiff was a candidate for office at the time of the libelous publication, no retraction shall be available unless published in a conspicuous place on the editorial page, nor if the libel was published within two weeks next before the election. This section and sections 659.2 and 659.3 do not apply to libel imputing sexual misconduct to any persons.

[SS15, §3592-a; C24, 27, 31, 35, 39, §12415; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §659.4]

85 Acts, ch 99, §11

OFFICIAL MISCONDUCT

721.1 Felonious misconduct in office.

Any public officer or employee, who knowingly does any of the following, commits a class "D" felony:

1. Makes or gives any false entry, false return, false certificate, or false receipt, where such entries, returns, certificates, or receipts are authorized by law.

2. Falsifies any public record, or issues any document falsely purporting to be a public document.

3. Falsifies a writing, or knowingly delivers a falsified writing, with the knowledge that the writing is falsified and that the writing will become a public record of a government body.

4. For purposes of this section, "government body" and "public record" mean the same as defined in section 22.1.

[C51, §2677; R60, §4304, 4309; C73, §3968, 3971; C97, §1136, 4907, 4910; C24, 27, 31, 35, 39, §13283, 13311, 13314; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §738.21, 740.9, 740.12; C79, 81, §721.1]

2001 Acts, ch 31, §1

721.2 Nonfelonious misconduct in office.

Any public officer or employee, or any person acting under color of such office or employment, who knowingly does any of the following, commits a serious misdemeanor:

1. Makes any contract which contemplates an expenditure known by the person to be in excess of that authorized by law.

2. Fails to report to the proper officer the receipt or expenditure of public moneys, together with the proper vouchers therefor, when such is required of the person by law.

3. Requests, demands, or receives from another for performing any service or duty which is required of the person by law, or which is performed as an incident of the person's office or employment, any compensation other than the fee, if any, which the person is authorized by law to receive for such performance.

4. By color of the person's office and in excess of the authority conferred on the person by that office, requires any person to do anything or to refrain from doing any lawful thing.

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[C51, §2647, 2649, 2650, 2652; R60, §4274, 4276, 4277, 4279; C73, §3939, 3941, 3942, 3944; C97, §4875, 4877, 4878, 4880, 4886; C24, 27, 31, 35, 39, §13292, 13294, 13295, 13297, 13302; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §739.1, 739.3, 739.4, 739.6, 739.11; C79, 81, §722.1]

87 Acts, ch 213, §9

722.2 Accepting bribe.

A person who is serving or has been elected, selected, appointed, employed, or otherwise engaged to serve in a public capacity, including a public officer or employee, a referee, juror, or jury panel member, or a witness in a judicial or arbitration hearing or any official inquiry, or a member of a board of arbitration who solicits or knowingly accepts or receives a promise or anything of value or a benefit given pursuant to an understanding or arrangement that the promise or thing of value or benefit will influence the act, vote, opinion, judgment, decision, or exercise of discretion of the person with respect to the person's services in that capacity commits a class "C" felony. In addition, a person convicted under this section is disqualified from holding public office under the laws of this state.

[C51, §2648, 2649, 2651, 2653, 2655, 2656; R60, §4275, 4276, 4278, 4280, 4282, 4283; C73, §3940, 3941, 3943, 3945, 3947, 3948; C97, §4876, 4877, 4879, 4881, 4883-4885; C24, 27, 31, 35, 39, §13293, 13294, 13296, 13298-13301; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §739.2, 739.3, 739.5, 739.7-739.10; C79, 81, §722.2]

87 Acts, ch 213, §10

722.4 Bribery of elector or election officials.

1. A person who offers, promises, or gives anything of value or any benefit to any elector for the purpose of influencing the elector's vote, in any election authorized by law, or any elector who receives anything of value or any benefit knowing that it was given for such purpose, commits an aggravated misdemeanor.

2. A person who offers, promises, or gives anything of value or any benefit to any precinct election official authorized by law, or to any executive officer attending the same, conditioned on some act done or omitted to be done contrary to the person's official duty in relation to such election, commits an aggravated misdemeanor.

[C51, §2691; R60, §4333; C73, §3993; C97, §4914-4916; C24, 27, 31, 35, 39, §13263-13265; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §738.1-738.3; C79, 81, §722.4]

2000 Acts, ch 1201, §12

722.5 Improper voting.

Any person who does any of the following commits a serious misdemeanor:

1. Votes more than once in any election which may be held by virtue of any law of this state.

2. Votes at any election authorized by law, knowing oneself not to be qualified.

[C51, §2692, 2693; R60, §4334, 4335; C73, §3994, 3995; C97, §4918, 4919; S13, §4919-a; C24, 27, 31, 35, 39, §13269, 13270, 13286, 13287; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §738.7, 738.8, 738.24, 738.25; C79, 81, §722.5]

722.7 Misconduct by election official.

A precinct election official who knowingly does any of the following commits a serious misdemeanor:

1. Furnishes a voter with a ballot other than the proper ballot to be used at that election.

2. Causes a voter to cast a vote contrary to the voter's intention or wishes.

3. Changes any ballot, or in any way causes any vote to be recorded contrary to the intent of the person casting that vote.

4. Makes or consents to any false entry on the list of voters or poll books.

5. Places or permits another election official to place into a ballot box anything other than a ballot as provided in section 49.85, or who permits any person other than an election official to place anything into a ballot box.

6. Takes out of a ballot box, or permits to be so taken out, any ballot deposited therein, except in the manner prescribed by law.

7. Destroys or alters any ballot which has been given to an elector.

8. Permits any person to vote in a manner prohibited by law.

9. Refuses or rejects the vote of any registered voter.

10. Wrongfully does any act or refuses to act for the purpose of avoiding an election, or of rendering invalid the ballots cast from any precinct or other district.

11. Having been deputized to carry the poll books of any election to the place where they are to be canvassed, willfully or negligently fails to deliver them to such place, safe, with seals unbroken, and within the time specified by law.

[C51, §2697, 2701–2704; R60, §4339, 4343–4346; C73, §3999, 4003–4006; C97, §4923, 4927–4930; C24, 27, 31, 35, 39, §13274, 13278–13281; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §738.12, 738.16–738.19; C79, 81, §722.7]

2001 Acts, ch 56, §38

722.8 Duress to prevent or procure voting.

1. A person who unlawfully and by force, or threats of force, prevents or endeavors to prevent an elector from giving the elector's vote at any public election commits an aggravated misdemeanor.

2. A person who procures, or endeavors to procure, the vote of an elector for or against any candidate or for or against any issue by means of violence, threats of violence, or by any means of duress commits an aggravated misdemeanor.

[C51, §2698; R60, §4340; C73, §4000; C97, §4924; C24, 27, 31, 35, 39, §13275; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, §738.13; C79, 81, §722.8]

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411	October 1991	431	October 2001
412 (BLANK)		432	October 2001
412a	October 1994	432a	October 2001
412b	October 1994	432b	October 2001
412c	October 1994	433	October 2001
412d	October 1994	434	October 2001
412e	October 1992	435	October 2001
412f	October 1992	436	October 2001
412g	October 2001	436a	October 2000
412h	October 2001	436b	October 2000
412i	October 1999	436c	October 2000
412j (BLANK)		436d	October 2000

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(through October 2001)

Page	Date	Page	Date
437	October 2000	459	October 1998
438	October 2000	460	October 1998
439	October 2000	460a	October 1999
440	October 2000	460b	October 1999
441	October 2000	461	October 1997
442	October 2000	462	October 1997
442a	October 2001	463	October 2001
442b	October 2001	464	October 2001
443	October 1998	465	October 1997
444	October 1998	466	October 1997
444a	October 2000	467	July 1989
444b	October 2000	468	October 1991
445	October 1995	469	October 1997
446	October 1995	470	October 1997
447	October 1998	471	October 1994
448	October 1998	472	October 1994
448a	October 1998	472a	October 1997
448b	October 1998	472b	October 1997
448c	October 1998	472c	October 2001
448d	October 1998	472d	October 2001
449	October 1998	472e	October 2001
450 (BLANK)		472f	October 2001
450a	October 2000	472g	October 1995
450b	October 2000	472h	October 1995
450c	October 1996	473	October 1995
450d	October 1996	474	October 1995
450e	October 1996	475	October 1998
450f	October 1996	476	October 1998
450g	October 2001	477	October 1997
450h	October 2001	478	October 1997
451	October 2001	479	July 1989
452	October 2001	480	July 1989
452a	October 2001	481	July 1989
452b	October 2001	482	July 1989
453	October 1999	483	October 2001
454	October 1999	484	October 2001
455	October 2001	485	October 2001
456	October 2001	486	October 2001
456a	October 2000	487	October 2001
456b (BLANK)		488	October 2001
457	October 2001	489	October 1996
458	October 2001	490	October 1996

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(through October 2001)

Page	Date	Page	Date
490a	October 2001	513	October 2001
490b	October 2001	514	October 2001
491	October 1995	515	October 1993
492	October 1995	516	October 1993
492a	October 2001	517	October 2000
492b	October 2001	518	October 2000
492c	October 2001	519	October 2001
492d	October 2001	520	October 2001
492e	October 2000	521	October 1999
492f (BLANK)		522	October 1999
493	October 2000	522a	October 2001
494	October 2000	522b	October 2001
495	October 1998	523	October 1999
496	October 1998	524	October 1999
497	October 1998	525	October 1999
498	October 1998	526	October 1999
499	October 1998	526a	October 2000
500	October 1998	526b	October 2000
501	October 2001	526c	October 2001
502	October 2001	526d	October 2001
503	October 2001	527	October 1998
504	October 2001	528 (BLANK)	
505	October 1999	529	October 2001
506	October 1999	530	October 2001
507	October 2000	530a	October 2001
508	October 2000	530b (BLANK)	
508a	October 2001	531	October 1998
508b	October 2001	532	October 1998
509	October 2001	533	October 2001
510	October 2001	534	October 2001
510a	October 2001	535	October 2000
510b	October 2001	536	October 2000
510c	October 2000	I-1	October 2001
510d	October 2000	I-2	October 2001
510e	October 2001	I-3	October 2001
510f	October 2001	I-4	October 2001
510g	October 2001	I-5	October 2001
510h	October 2001	I-6	October 2001
510i	October 2001	I-7	October 2001
510j	October 2001	I-8	October 2001
511	October 1995	I-9	October 2001
512	October 1995	I-10	October 2001

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(through October 2001)

Page	Date	Page	Date
I-11	October 2001	I-26	October 2001
I-12	October 2001	I-27	October 2001
I-13	October 2001	I-28	October 2001
I-14	October 2001	I-29	October 2001
I-15	October 2001	I-30	October 2001
I-16	October 2001	I-31	October 2001
I-17	October 2001	I-32	October 2001
I-18	October 2001	I-33	October 2001
I-19	October 2001	I-34	October 2001
I-20	October 2001	I-35	October 2001
I-21	October 2001	I-36	October 2001
I-22	October 2001	I-37	October 2001
I-23	October 2001	I-38	October 2001
I-24	October 2001	I-39	October 2001
I-25	October 2001		