

House File 2340

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AN ACT
RELATING TO THE TEMPORARY ABSENCE OF AN ELECTED LOCAL
GOVERNMENT OFFICIAL ON ACTIVE MILITARY DUTY AND THE
APPOINTMENT OF A TEMPORARY REPLACEMENT AND PROVIDING AN
EFFECTIVE DATE.

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

Section 1. NEW SECTION. 69.20 TEMPORARY VACANCY DUE TO
MILITARY SERVICE.

1. A temporary vacancy in an elective office of a
political subdivision, community college, and hospital board
of trustees of this state occurs on the date when the person
filling that office is placed on active state service or
federal service, as those terms are defined in section 29A.1,
and when such a person will not be able to attend to the
duties of that person's elective position for a period greater
than sixty consecutive days. The temporary vacancy terminates
on the date when such person is released from such service, or
the term of office expires.

2. A temporary vacancy on an elective board, council, or
other multimember body of a political subdivision may be
filled by appointment by a majority of the remaining members
of the body. A temporary vacancy in any other elective office
in a political subdivision, community college, or hospital
board of trustees may be filled by the governing body of that
political subdivision, community college, or hospital board of
trustees.

3. Upon the termination of a temporary vacancy due to a
person's release from active state service or federal service,
the person who held the elective office just prior to the
temporary vacancy shall immediately be deemed to have been
reinstated to that position and the person who filled the
temporary vacancy shall immediately be deemed to have been
removed from that office.

4. A person filling a temporary vacancy or a person
reinstated to office as described in this section shall
qualify for that office as provided in chapter 63.

5. Upon the resignation or death of the person replaced
under this section, a permanent vacancy occurs and shall be
filled as otherwise provided by law.

Sec. 2. EFFECTIVE DATE. This Act, being deemed of
immediate importance, takes effect upon enactment.

CHRISTOPHER C. RANTS
Speaker of the House

JEFFREY M. LAMBERTI
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2340, Eightieth General Assembly.

MARGARET THOMSON
Chief Clerk of the House

Approved _____, 2004

THOMAS J. VILSACK
Governor