

# House File 864 - Enrolled

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HOUSE FILE 864

## AN ACT

PROVIDING FOR CANDIDATE PHYSICAL ABILITY TESTS FOR FIRE FIGHTER APPLICANTS UNDER THE STATEWIDE FIRE AND POLICE RETIREMENT SYSTEM AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 400.8, subsection 1, Code 2007, is amended to read as follows:

1. The commission, when necessary under the rules, including minimum and maximum age limits, which shall be prescribed and published in advance by the commission and posted in the city hall, shall hold examinations for the purpose of determining the qualifications of applicants for positions under civil service, other than promotions, which examinations shall be practical in character and shall relate to matters which will fairly test the mental and physical ability of the applicant to discharge the duties of the position to which the applicant seeks appointment. The physical examination of applicants for appointment to the positions of police officer, police matron, or fire fighter shall be held in accordance with medical protocols established by the board of trustees of the fire and police retirement system established by section 411.5 and shall be conducted in accordance with the directives of the board of trustees. In addition, applicants for appointment to the position of fire fighter covered under the fire and police retirement system established by chapter 411 shall, prior to appointment, pay for and successfully complete the candidate physical ability test established by international organizations representing fire chiefs and fire fighters and conducted by an organization licensed by such international organizations to conduct the test in the state. The department of public safety shall have the authority to adopt rules in accordance with chapter 17A concerning the candidate physical ability test as provided by this subsection. However, the prohibitions of section 216.6, subsection 1, paragraph "d", regarding tests for the presence of the antibody to the human immunodeficiency virus shall not apply to such examinations. The board of trustees may change the medical protocols at any time the board so determines. The physical examination of an applicant for the position of police officer, police matron, or fire fighter shall be conducted after a conditional offer of employment has been made to the applicant. An applicant shall not be discriminated against on the basis of height, weight, sex, or race in determining physical or mental ability of the applicant. Reasonable rules relating to strength, agility, and general health of applicants shall be prescribed. The costs of the physical examination required under this subsection shall be paid from the trust and agency fund of the city.

Sec. 2. EFFECTIVE DATE. This Act takes effect July 1, 2008.

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PATRICK J. MURPHY  
Speaker of the House

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JOHN P. KIBBIE  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 864, Eighty-second General Assembly.

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MARK BRANDSGARD  
Chief Clerk of the House

3 4 Approved \_\_\_\_\_, 2007  
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3 7  
3 8 CHESTER J. CULVER  
3 9 Governor