

Senate File 2290 - Enrolled

Senate File 2290

AN ACT

RELATING TO BOARDS OF TRUSTEES FOR COUNTY AND CITY HOSPITALS.

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

Section 1. NEW SECTION. **66.31 County and city hospital trustees.**

A county or city hospital board of trustees may include in their bylaws a process for removal of a trustee for which there is cause that would be grounds for an equitable action for removal in the district court. The process shall provide for a hearing on written charges filed with the board of trustees.

Sec. 2. Section 347.9, Code 2018, is amended to read as follows:

347.9 Trustees — appointment — terms of office.

1. When it has been determined by the voters of a county to establish a county public hospital, the board shall appoint five or 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 appointed trustees shall hold office until the following general election, at

which time their successors shall be elected, ~~two~~ three for a term of ~~two~~ four years, ~~two for four years, and three for six~~ and the remainder for a term of two years, and they shall determine by lot their respective terms, and thereafter their successors shall be elected for regular terms of ~~six~~ four years each.

2. Upon approval of a majority of the current board of trustees, the board may reduce an existing seven-member board to a five-member board. The board shall establish how to reduce the number of trustees on the board and shall provide for a staggered election cycle for election to the five-member board, which election shall be for a term of four years. However, the manner of reducing the number of trustees shall ensure that the current trustees on the seven-member board may continue to hold office through the end of their respective terms.

Sec. 3. Section 347.10, Code 2018, is amended to read as follows:

347.10 Vacancies.

Vacancies on 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~~ a majority of the trustees remain on the board, by the board of supervisors for the period until the vacancies are filled by election. An appointment made under [this section](#) shall be for the unexpired balance of the term of the preceding trustee. If a board member is absent for four consecutive regular board meetings, without prior excuse, or fails to comply with more stringent attendance requirements for regular board meetings included in the bylaws governing the board, the member's position shall be declared vacant and filled as set out in this section.

Sec. 4. Section 347.11, Code 2018, is amended to read as follows:

347.11 Organization — meetings — quorum.

Hospital trustees shall qualify by taking the usual oath of office as provided in [chapter 63](#) and organize by the election of a chairperson, a secretary, and a treasurer. The secretary

shall report to the county auditor and county treasurer the names of the chairperson, secretary, and treasurer of the board of hospital trustees as soon as practicable after the qualification of each. A board of hospital trustees shall meet as necessary to adequately oversee the operation of the hospital. ~~Four~~ A majority of the board of trustees shall constitute a quorum necessary for actions by the board of hospital trustees. The secretary shall maintain a complete record of board meetings, proceedings, and actions.

Sec. 5. Section 347.13, subsection 3, Code 2018, is amended to read as follows:

3. Adopt bylaws and rules for its own guidance and for the government of the hospital. The bylaws may contain limits on the number of terms a trustee may serve on the board.

Sec. 6. Section 347A.1, subsection 2, paragraph b, Code 2018, is amended to read as follows:

b. 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~~ and three 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~~ four years each. Vacancies on 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](#). If a board member is absent for four consecutive regular board meetings, without prior excuse, or fails to comply with more stringent attendance requirements for regular board meetings included in the bylaws governing the board, the member's position shall be declared vacant and filled as set out in this paragraph.

Sec. 7. Section 392.6, subsection 3, paragraph b, Code 2018, is amended to read as follows:

b. Vacancies on the board of trustees may, until the next general or regular city election, be filled in the same manner as provided in [section 347.10](#). An appointment made under this paragraph shall be for the unexpired balance of the term of the preceding trustee. If a board member is absent for four consecutive regular board meetings, without prior excuse, or fails to comply with more stringent attendance requirements for regular board meetings included in the bylaws governing

the board, the member's position shall be declared vacant and filled as set out in this paragraph.

JACK WHITVER
President of the Senate

LINDA UPMEYER
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2290, Eighty-seventh General Assembly.

W. CHARLES SMITHSON
Secretary of the Senate

Approved _____, 2018

KIM REYNOLDS
Governor