

FEB 6 1989

LOCAL GOV.
DOPAS 3489 (p 29)
~~send to~~ Local Gov. 320-84

HOUSE FILE 252
BY SPEAR

Passed House, Date 2-15-89 (p. 804) Passed Senate, Date 2-2-90 (p. 209)
Vote: Ayes 95 Nays 0 Vote: Ayes 47 Nays 6

Approved March 30, 1990

Repassed House as amended
3-20-90 (p. 1233)
96-0

A BILL FOR

1 An Act relating to leave for a chief deputy sheriff, second
2 deputy sheriff, or other officer or employee subject to civil
3 service who becomes a candidate for elective office.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 252

1 Section 1. Section 341A.7, Code 1989, is amended to read
2 as follows:

3 341A.7 CLASSIFICATIONS.

4 The classified civil service positions covered by this
5 chapter ~~shall~~ include persons actually serving as deputy
6 sheriffs who are salaried pursuant to section 331.904,
7 subsection 2, but do not include a chief deputy sheriff, two
8 second deputy sheriffs in counties with a population of more
9 than one hundred thousand, and four second deputy sheriffs in
10 counties with a population of more than two hundred thousand.
11 However, a chief deputy sheriff or second deputy sheriff who
12 becomes a candidate for a partisan elective office for
13 remuneration is subject to section 341A.18. A deputy sheriff
14 serving with permanent rank under this chapter may be
15 designated chief deputy sheriff or second deputy sheriff and
16 retain ~~such that~~ rank during the period of service as chief
17 deputy sheriff or second deputy sheriff and shall, upon
18 termination of the duties as chief deputy sheriff or second
19 deputy sheriff, revert to the permanent rank.

20 Sec. 2. Section 341A.18, unnumbered paragraph 8, Code
21 1989, is amended to read as follows:

22 Any An officer or employee subject to civil service and a
23 chief deputy sheriff or second deputy sheriff, who shall
24 become becomes a candidate for any a partisan elective office
25 for remuneration, unless running unopposed, shall
26 automatically be given a leave of absence without pay,
27 commencing thirty days prior-to before the date of the primary
28 or-general election and continuing until such the person is
29 eliminated as a candidate, -either-voluntarily-or-otherwise,
30 automatically-receive-leave-of-absence-without-pay or wins the
31 primary, and commencing thirty days before the date of the
32 general election and continuing until the person is eliminated
33 as a candidate or wins the general election, and during such
34 the leave period shall not perform as any duties connected
35 with the office or position so held. The officer or employee

1 subject to civil service, or chief deputy sheriff or second
2 deputy sheriff, may, however, use accumulated paid leave time
3 for part or all of the leave of absence required under this
4 section.

5099
S-5014

EXPLANATION

6 This bill provides that chief deputy sheriffs and second
7 deputy sheriffs, who are currently exempt from the provisions
8 concerning classified civil service positions, are subject to
9 the requirements of section 341A.18 with respect to civil
10 service officers and employees who become candidates for a
11 partisan elective office. The bill provides that the civil
12 service officers and employees, and deputy sheriffs, may use
13 any accumulated paid leave time during the period in which the
14 person is required to be on leave during the election process.
15 The bill also provides that a leave of absence is required
16 during the thirty-day period prior to both the primary
17 election and the general election until the person is
18 eliminated as a candidate or wins the election.

19 This bill may establish a state mandate under chapter 25B.

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HOUSE FILE 252

H-3350

- 1 Amend House File 252 as follows:
2 1. Page 2, line 2, by striking word "leave" and
3 inserting the following: "vacation".
By SPEAR of Lee

H-3350 FILED MARCH 10, 1989
Adopted 3/15 (p. 804)

HOUSE FILE 252

S-5014

- 1 Amend House File 252, as amended and passed by the
2 House, as follows:
3 1. Page 2, line 4, by inserting after the word
4 "section." the following: "The county shall continue
5 to provide health benefit coverages, and may continue
6 to provide other fringe benefits, to any officer or
7 employee subject to civil service, or to any chief
8 deputy sheriff or second deputy sheriff during any
9 leave of absence required under this section."
By JOHN P. KIBBIE

S-5014 FILED JANUARY 25, 1990
Adopted 2/2/90 (p. 304)

SENATE AMENDMENT TO HOUSE FILE 252

H-5099

- 1 Amend House File 252, as amended and passed by the
2 House, as follows:
3 1. Page 2, line 4, by inserting after the word
4 "section." the following: "The county shall continue
5 to provide health benefit coverages, and may continue
6 to provide other fringe benefits, to any officer or
7 employee subject to civil service, or to any chief
8 deputy sheriff or second deputy sheriff during any
9 leave of absence required under this section."

RECEIVED FROM THE SENATE

H-5099 FILED FEBRUARY 7, 1990
House concurred 3/20 (p. 1232)

HOUSE FILE 252

AN ACT

RELATING TO LEAVE FOR A CHIEF DEPUTY SHERIFF, SECOND DEPUTY SHERIFF, OR OTHER OFFICER OR EMPLOYEE SUBJECT TO CIVIL SERVICE WHO BECOMES A CANDIDATE FOR ELECTIVE OFFICE.

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

Section 1. Section 341A.7, Code 1989, is amended to read as follows:

341A.7 CLASSIFICATIONS.

The classified civil service positions covered by this chapter shall 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 ~~such~~ 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.

Sec. 2. Section 341A.18, unnumbered paragraph 8, Code 1989, is amended to read as follows:

Any An officer or employee subject to civil service and a chief deputy sheriff or second deputy sheriff, who shall become a candidate for any a partisan elective office for remuneration, unless running unopposed, shall automatically be given a leave of absence without pay, commencing thirty days prior to before the date of the primary or-general election and continuing until such the person is eliminated as a candidate, either voluntarily or otherwise, automatically receive leave of absence without pay 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 such the leave period shall not perform no 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 the leave of absence required 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 required under this section.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 252, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved March 30, 1990

TERRY E. BRANSTAD
Governor