

Reprinted

MAR 18 1991

LOCAL GOVERNMENT
Amend (3303) to the Order 3/22 (p. 789)

HOUSE FILE 510
BY HAMMOND and SPEAR

Passed House, Date 3/28/91 (p. 936) Passed Senate, Date 4/25/91 (p. 1502)
Vote: Ayes 96 Nays 0 Vote: Ayes 47 Nays 0
Approved May 21, 1991

A BILL FOR

1 An Act relating to the appointment of a county attorney or
2 sheriff to serve more than one county.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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HOUSE FILE 510

H-3303

1 Amend House File 510 as follows:
2 1. Page 1, by striking lines 4 through 34, and
3 inserting the following: "shall be elected by a
4 majority of the votes cast for the office of county
5 sheriff in all of the counties which the county
6 sheriff will serve as provided in the agreement. The
7 election shall be conducted in accordance with section
8 47.2, subsection 2.
9 2. The effective date of the agreement shall be
10 January 1 of the year following the next general
11 election at which the county sheriff is elected as
12 provided by this section and section 39.17."
13 2. Title page, by striking line 1 and inserting
14 the following: "An Act relating to the election of a
15 county".

By COMMITTEE ON LOCAL GOVERNMENT
DVORSKY of Johnson, Chairperson

H-3303 FILED MARCH 22, 1991
Adopted 3/27 (p. 936)

HF 510

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1 Section 1. NEW SECTION. 331.661 MULTICOUNTY OFFICE.
2 1. If two or more counties agree, pursuant to chapter 28E,
3 to share the services of a county sheriff, the county sheriff
4 shall be appointed by the boards of supervisors of the
5 counties which the sheriff will serve as provided in the
6 agreement, notwithstanding section 39.17. The boards shall
7 set the salary of the county sheriff.

8 2. A person appointed to serve as county sheriff under
9 this section must possess the following qualifications prior
10 to appointment:

- 11 a. The person must be at least twenty-one years of age.
- 12 b. The person must have at least two years' experience as
13 a full-time peace officer.
- 14 c. The person must have earned a certificate of graduation
15 as a law enforcement officer recognized by the Iowa law
16 enforcement academy council or must possess all of the
17 qualifications required by the Iowa law enforcement academy
18 council to be certified as a law enforcement officer.

19 Sec. 2. Section 331.753, subsection 1, Code 1991, is
20 amended by striking the subsection and inserting in lieu
21 thereof the following:

22 1. Two or more counties may agree, pursuant to chapter
23 28E, to share the services of a county attorney. The agree-
24 ment shall provide for either the election of the county
25 attorney by a majority of the votes cast for the office of
26 county attorney in all of the counties which the county
27 attorney will serve, or for the appointment of the county
28 attorney by the boards of supervisors of the counties which
29 the county attorney will serve, notwithstanding section 39.17.
30 If appointed, the boards shall set the salary of the county
31 attorney. If elected, the election shall be conducted in
32 accordance with section 47.2, subsection 2.

33 Sec. 3. Section 331.753, subsection 2, Code 1991, is
34 amended by striking the subsection.

35 EXPLANATION

1 This bill provides that counties may provide by chapter 28E
2 for the appointment or election of a county attorney and for
3 the appointment of a county sheriff to serve more than one
4 county. The boards shall also set the salaries of any
5 attorney or sheriff so appointed.

6 A sheriff appointed to serve more than one county must be
7 at least 21 years of age, have at least two years' experience
8 as a full-time peace officer, and possess a certificate of
9 graduation recognized by the Iowa law enforcement academy
10 council or possess the necessary qualifications.

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Sen Linn & Govt 4/2/91 Do Pass 4/3 (p. 1016)

HOUSE FILE 510
BY HAMMOND and SPEAR

(As Amended and Passed by the House March 28, 1991)

as amended by Senate
Passed House, Date 5/1/91 (p. 1965) Passed Senate, Date 4/25/91 (p. 1503)
Vote: Ayes 92 Nays 0 Vote: Ayes 47 Nays 0
Approved May 21, 1991

A BILL FOR

1 An Act relating to the election of a county sheriff to serve more
2 than one county.

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

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House Amendments _____

1 Section 1. NEW SECTION. 331.661 MULTICOUNTY OFFICE.

33572 1. If two or more counties agree, pursuant to chapter 28E,
3 to share the services of a county sheriff, the county sheriff
4 shall be elected by a majority of the votes cast for the
5 office of county sheriff in all of the counties which the
6 county sheriff will serve as provided in the agreement. The
7 election shall be conducted in accordance with section 47.2,
8 subsection 2.

33579 2. The effective date of the agreement shall be January 1
10 of the year following the next general election at which the
11 county sheriff is elected as provided by this section and
12 section 39.17.

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HOUSE FILE 510

S-3347

1 Amend House File 510, as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by inserting before line 1 the
4 following:

5 "Section 1. Section 331.651, subsection 2, Code
6 1991, is amended by striking the subsection and
7 inserting in lieu thereof the following:

8 2. A person elected to the office of county
9 sheriff must have attained the age of 21 prior to the
*10 date of the election. A person appointed to fill a
11 vacancy in the office of county sheriff must have
12 attained the age of 21, must have at least two years
*13 experience as a full-time peace officer, and must have
14 earned a certificate of graduation as a law
15 enforcement officer recognized by the Iowa law
16 enforcement academy council or possess all of the
17 qualifications required by the Iowa law enforcement
18 academy council to be certified as a law enforcement
19 officer prior to assuming the duties of the office of
20 sheriff.

21 A person elected or appointed to the office of
22 sheriff shall qualify by taking the oath of office as
23 provided in section 63.10 and give bond as provided in
24 section 64.8."

25 2. Title, line 1, by inserting before the word
26 "election" the following: "qualifications of an
27 elected or appointed county sheriff and to the".

By EUGENE FRAISE LEONARD L. BOSWELL
MICHAEL E. GRONSTAL ALVIN V. MILLER
EMIL J. HUSAK DONALD V. DOYLE
DONALD E. GETTINGS

S-3347 FILED APRIL 8, 1991

Amended, passed and printed 4/24/91

HOUSE FILE 510

S-3357

1 Amend House File 510, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 2 and 3, and
4 inserting the following:

5 "1. Two or more county boards of supervisors may
6 adopt resolutions proposing to share the services of a
7 county sheriff. The resolutions shall also propose
8 that the question of establishing the office of
9 multicounty sheriff be submitted to the electorate of
10 the counties proposing to share the services of a
11 county sheriff. The proposal is adopted in those
12 counties where a majority of the electors voting
13 approves the proposal.

14 2. The county sheriff".

15 2. Page 1, line 6, by striking the words "as
16 provided in the agreement".

17 3. Page 1, by striking line 9, and inserting the
18 following:

19 "3. The office of multicounty sheriff is created
20 effective on January 1".

21 4. By renumbering as necessary.

Adopted 4/25/91 (p 1565)

By JOHN W. JENSEN

HOUSE FILE 510

S-3557

1 Amend the amendment, S-3347, to House File 510, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 10, by inserting after the word
5 "election" the following: "and must, upon election,
6 successfully complete five weeks of training from the
7 Iowa law enforcement academy. A county sheriff is
8 also required to annually complete law enforcement
9 related in-service training from the Iowa law
10 enforcement academy".

11 2. Page 1, line 13, by inserting after the word
12 "officer" the following: "at the federal, state, or
13 local level, or two years experience as a reserve
14 peace officer, or have earned an associate arts or
15 baccalaureate degree from an accredited college or
16 university".

By MARK R. HAGERLA
BERL E. PRIEBE

S-3557 FILED APRIL 24, 1991
WITHDRAWN (p. 459)

HOUSE FILE 510

S-3559

1 Amend the amendment, S-3347, to House File 510, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, line 10, by inserting after the word
5 "election" the following: "and must, upon election,
6 successfully complete five weeks of training from the
7 Iowa law enforcement academy. A county sheriff is
8 also required to annually complete law enforcement
9 related in-service training from the Iowa law
10 enforcement academy".

11 2. Page 1, line 13, by inserting after the word
12 "officer" the following: "at the federal, state, or
13 local level, or two years experience as a reserve
14 peace officer, or have earned an associate arts or
15 baccalaureate degree from an accredited college or
16 university".

17 3. Page 1, line 13, by striking the word "and"
18 and inserting the following: "or".

By MARK R. HAGERLA
BERL E. PRIEBE

S-3559 FILED APRIL 24, 1991
ADOPTED (p. 1459)

SENATE AMENDMENT TO HOUSE FILE 510

H-3975

1 Amend House File 510, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 1, by striking lines 2 and 3, and
4 inserting the following:

5 "1. Two or more county boards of supervisors may
6 adopt resolutions proposing to share the services of a
7 county sheriff. The resolutions shall also propose
8 that the question of establishing the office of
9 multicounty sheriff be submitted to the electorate of
10 the counties proposing to share the services of a
11 county sheriff. The proposal is adopted in those
12 counties where a majority of the electors voting
13 approves the proposal.

14 2. The county sheriff".

15 2. Page 1, line 6, by striking the words "as
16 provided in the agreement".

17 3. Page 1, by striking line 9, and inserting the
18 following:

19 "3. The office of multicounty sheriff is created
20 effective on January 1".

21 4. By renumbering as necessary.

RECEIVED FROM THE SENATE

H-3975 FILED APRIL 30, 1991

4/30/91 5/1/91 (p 1905)

at which the county sheriff is elected as provided by this section and section 39.17.

HOUSE FILE 510

AN ACT

RELATING TO THE ELECTION OF A COUNTY SHERIFF TO SERVE MORE THAN ONE COUNTY.

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

Section 1. NEW SECTION. 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

ROBERT C. ARNOULD
Speaker of the House

JOE J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 510, Seventy-fourth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved _____, 1991

TERRY E. BRANSTAD
Governor

HF 510