

Reprinted

JAN 22 1891

HOUSE FILE 73

LOCAL GOVERNMENT
La. Case 2/5/41

BY ROYER

Passed House, Date 2/15/41 (p. 376) Passed Senate, Date 3/12/91 (P. 592)
Vote: Ayes 96 Nays 4 Vote: Ayes 45 Nays 0
Approved March 23, 1991

A BILL FOR

1 An Act relating to the definition of vacancy in office for
2 elected county officers.

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

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HF 73

1 Section 1. Section 69.2, unnumbered paragraph 1, Code
2 1991, is amended to read as follows:

3 Every civil office shall be vacant ~~upon-the-happening-of~~
4 ~~either-of~~ if any of the following events occur:

5 Sec. 2. Section 69.2, Code 1991, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 7. The board of supervisors declares a
8 vacancy in an elected county office upon finding that the
9 county officer has been physically absent from the county for
10 sixty consecutive days.

11 EXPLANATION

12 This bill provides that the board of supervisors may
13 declare the office of an elected county officer vacant if the
14 officer is physically absent from the county for 60
15 consecutive days.

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HOUSE FILE 73

H-3049

- 1 Amend House File 73 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "days" the words "unless the absence is caused by
- 4 illness or injury".

By TYRRELL of Iowa

H-3049 FILED FEBRUARY 11, 1991

w/ls 2/18 (p 374)

HOUSE FILE 73

H-3050

- 1 Amend House File 73 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "days" the words "except in the case of a medical
- 4 emergency".

By MUHLBAUER of Crawford
ROYER of Page

H-3050 FILED FEBRUARY 11, 1991

Adopted 2/18 (p 374)

HOUSE FILE 73

H-3052

- 1 Amend House File 73 as follows:
- 2 1. Page 1, by inserting after line 4 the
- A 3 following:
- 4 "Sec. ____ Section 69.2, subsection 6, Code 1991,
- 5 is amended to read as follows:
- 6 6. The conviction of incumbent of a felony, an
- 7 aggravated misdemeanor, or of any public offense
- 8 involving the violation of the incumbent's oath of
- 9 office."
- 10 2. Page 1, by striking lines 7 through 10 and
- B 11 inserting the following:
- 12 "NEW SUBSECTION. 7. The board of supervisors
- 13 declares a vacancy in an elected county office upon
- 14 finding that the county officer has willfully or
- 15 habitually neglected or refused to perform the duties
- 16 of the office."
- 17 3. By numbering and renumbering as necessary.

By SPEAR of Lee

H-3052 FILED FEBRUARY 11, 1991

A- Adopted 2/18 (p 375) B- w/ls

HOUSE FILE 73

H-3054

- 1 Amend House File 73 as follows:
- 2 1. Page 1, line 9, by striking the word
- 3 "physically".

By SPEAR of Lee

H-3054 FILED FEBRUARY 12, 1991

Adopted 2/18 (p 376)

HOUSE FILE 73
BY ROYER

(As Amended and Passed by the House February 18, 1991)

Passed House, Date 2/18/91 (p. 376) Passed Senate, Date 3/12/91 (p. 577)
Vote: Ayes 86 Nays 4 Vote: Ayes 45 Nays 0
Approved March 23, 1991 (p. 879)

A BILL FOR

1 An Act relating to the definition of vacancy in office for
2 elected county officers.

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

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House Amendments _____

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1 Section 1. Section 69.2, unnumbered paragraph 1, Code
2 1991, is amended to read as follows:

3 Every civil office shall be vacant ~~upon-the-happening-of~~
4 ~~either-of~~ if any of the following events occur:

5 Sec. 2. Section 69.2, subsection 6, Code 1991, is amended
6 to read as follows:

7 6. The conviction of incumbent of a felony, an aggravated
8 misdemeanor, or of any public offense involving the violation
9 of the incumbent's oath of office.

10 Sec. 3. Section 69.2, Code 1991, is amended by adding the
11 following new subsection:

12 NEW SUBSECTION. 7. The board of supervisors declares a
13 vacancy in an elected county office upon finding that the
14 county officer has been physically absent from the county for
15 sixty consecutive days except in the case of a medical
16 emergency.

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sixty consecutive days except in the case of a medical emergency.

HOUSE FILE 73

AN ACT
RELATING TO THE DEFINITION OF VACANCY IN OFFICE FOR ELECTED
COUNTY OFFICERS.

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

Section 1. Section 69.2, unnumbered paragraph 1, Code 1991, is amended to read as follows:

Every civil office shall be vacant ~~upon the happening of either of if any of~~ the following events occur:

Sec. 2. Section 69.2, subsection 6, Code 1991, is amended to read as follows:

6. The conviction of incumbent of a felony, an aggravated misdemeanor, or of any public offense involving the violation of the incumbent's oath of office.

Sec. 3. Section 69.2, Code 1991, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The board of supervisors declares a vacancy in an elected county office upon finding that the county officer has been physically absent from the county for

ROBERT C. ARNOULD
Speaker of the House

JOB J. WELSH
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 73, Seventy-fourth General Assembly.

Approved March 23, 1991

JOSEPH O'HERN
Chief Clerk of the House

TERRY E. BRANSTAD
Governor

HF 73