

MAR 10 1997
Place On Calendar

Substituted for SF 317
4-17-97 (P.1241)

HOUSE FILE 515
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HSB 81)
(COMPANION TO SF 317)

Passed House, Date 4-1-97 (P.926) Passed Senate, Date 4-17-97 (P.1241)
Vote: Ayes 99 Nays 0 Vote: Ayes 48 Nays 0

Approved May 14, 1997
Passed 4-22-97
Vote 96-0

(P.1423)

A BILL FOR

1 An Act relating to the determination of annual salaries for
2 deputy sheriffs.

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

4
5
6

HOUSE FILE 515

S-3375

1 Amend House File 515, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 11 through 14 and
4 inserting the following: "deputy sheriff."

Adopted 4-17-97 (P.1241)
By DICK L. DEARDEN

S-3375 FILED APRIL 7, 1997

HF 515

14

SENATE AMENDMENT TO HOUSE FILE 515

H-1801

1 Amend House File 515, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 11 through 14 and
4 inserting the following: "deputy sheriff."

RECEIVED FROM THE SENATE

H-1801 FILED APRIL 17, 1997

House Concurred 4/22/97 (P.1423)

21
22
23

1 Section 1. Section 331.904, subsection 2, Code 1997, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 2. Each deputy sheriff shall receive an annual base salary
5 as follows:

6 a. The annual base salary of a first or second deputy
7 sheriff shall not exceed eighty-five percent of the annual
8 base salary of the sheriff.

9 b. The annual base salary of any other deputy sheriff
10 shall not exceed the annual base salary of the first or second
11 deputy sheriff except that in counties over two hundred fifty
12 thousand population, the annual base salary of any additional
13 deputies shall not exceed seventy-five percent of the annual
14 base salary of the sheriff.

15 c. The sheriff shall set the annual base salary of each
16 deputy sheriff who is classified as exempt under the federal
17 Fair Labor Standards Act of 1938, as amended, subject to the
18 limitations specified in paragraphs "a" and "b". The sheriff
19 shall certify the annual base salaries of the exempt deputy
20 sheriffs to the board and, if the limitations of paragraphs
21 "a" and "b" are not exceeded, the board shall certify the
22 annual base salaries to the county auditor.

23 d. The board shall set the annual base salaries of any
24 deputy sheriffs who are not classified as exempt under the
25 federal Fair Labor Standards Act of 1938, as amended. Upon
26 certification by the sheriff, the board shall review, and may
27 modify, the annual base salaries of the deputy sheriffs who
28 are not classified as exempt. The annual base salaries set by
29 the board are subject to the limitations specified in
30 paragraphs "a" and "b".

31 e. As used in this subsection, "base salary" means the
32 basic compensation excluding overtime pay, longevity pay,
33 shift differential pay, or other supplement pay and fringe
34 benefits.

35

EXPLANATION

1 This bill provides that the sheriff shall set the annual
2 base salary of those deputy sheriffs who are classified as
3 exempt under the federal Fair Labor Standards Act of 1938, as
4 amended. The board of supervisors shall determine the annual
5 base salaries of the deputy sheriffs who are not exempt under
6 the Act. Currently, the annual base salaries of deputy
7 sheriffs are determined by the board of supervisors after
8 certification by the sheriff. The bill also provides
9 limitations so that the annual base salaries of the first and
10 second deputy sheriffs each do not exceed 85 percent of the
11 sheriff's salary and so that any additional deputies do not
12 receive salaries exceeding those of the first and second
13 deputies.

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

Welter, Ch
Dix
Whitead

HSB 81
LOCAL GOVERNMENT

Succeeded By
HOUSE FILE SE (HF) 515
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON VANDE HOEF)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the determination of annual salaries for
2 deputy sheriffs.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. Section 331.904, subsection 2, Code 1997, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 2. Each deputy sheriff shall receive an annual base salary
5 as follows:

6 a. The annual base salary of a first or second deputy
7 sheriff shall not exceed eighty-five percent of the annual
8 base salary of the sheriff.

9 b. The annual base salary of any other deputy sheriff
10 shall not exceed the annual base salary of the first or second
11 deputy sheriff except that in counties over two hundred fifty
12 thousand population, the annual base salary of any additional
13 deputies shall not exceed seventy-five percent of the annual
14 base salary of the sheriff.

15 c. The sheriff shall set the annual base salary of each
16 deputy sheriff who is classified as exempt under the federal
17 Fair Labor Standards Act of 1938, as amended, subject to the
18 limitations specified in paragraphs "a" and "b". The sheriff
19 shall certify the annual base salaries of the exempt deputy
20 sheriffs to the board and, if the limitations of paragraphs
21 "a" and "b" are not exceeded, the board shall certify the
22 annual base salaries to the county auditor.

23 d. The board shall set the annual base salaries of any
24 deputy sheriffs who are not classified as exempt under the
25 federal Fair Labor Standards Act of 1938, as amended. Upon
26 certification by the sheriff, the board shall review, and may
27 modify, the annual base salaries of the deputy sheriffs who
28 are not classified as exempt. The annual base salaries set by
29 the board are subject to the limitations specified in
30 paragraphs "a" and "b".

31 e. As used in this subsection, "base salary" means the
32 basic compensation excluding overtime pay, longevity pay,
33 shift differential pay, or other supplement pay and fringe
34 benefits.

35

EXPLANATION

1 This bill provides that the sheriff shall set the annual
2 base salary of those deputy sheriffs who are classified as
3 exempt under the federal Fair Labor Standards Act of 1938, as
4 amended. The board of supervisors shall determine the annual
5 base salaries of the deputy sheriffs who are not exempt under
6 the Act. Currently, the annual base salaries of deputy
7 sheriffs are determined by the board of supervisors after
8 certification by the sheriff. The bill also provides
9 limitations so that the annual base salaries of the first and
10 second deputy sheriffs each do not exceed 85 percent of the
11 sheriff's salary and so that any additional deputies do not
12 receive salaries exceeding those of the first and second
13 deputies.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

HOUSE FILE 515

AN ACT

RELATING TO THE DETERMINATION OF ANNUAL SALARIES FOR
DEPUTY SHERIFFS.

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

Section 1. Section 331.904, subsection 2, Code 1997, is amended by striking the subsection and inserting in lieu thereof the following:

2. Each deputy sheriff shall receive an annual base salary as follows:

a. The annual base salary of a first or second deputy sheriff shall not exceed eighty-five percent of the annual base salary of the sheriff.

b. The annual base salary of any other deputy sheriff shall not exceed the annual base salary of the first or second deputy sheriff.

c. The sheriff shall set the annual base salary of each deputy sheriff who is classified as exempt under the federal Fair Labor Standards Act of 1938, as amended, subject to the limitations specified in paragraphs "a" and "b". The sheriff shall certify the annual base salaries of the exempt deputy sheriffs to the board and, if the limitations of paragraphs "a" and "b" are not exceeded, the board shall certify the annual base salaries to the county auditor.

d. The board shall set the annual base salaries of any deputy sheriffs who are not classified as exempt under the federal Fair Labor Standards Act of 1938, as amended. Upon certification by the sheriff, the board shall review, and may modify, the annual base salaries of the deputy sheriffs who are not classified as exempt. The annual base salaries set by the board are subject to the limitations specified in paragraphs "a" and "b".

e. As used in this subsection, "base salary" means the basic compensation excluding overtime pay, longevity pay, shift differential pay, or other supplement pay and fringe benefits.

RON J. CORBETT
Speaker of the House

MARY E. KRAMER
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 515, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Approved May 14, 1997

TERRY E. BRANSTAD
Governor