

Senate Study Bill 82

Bill Text

PAG LIN

1 1 Section 1. Section 331.904, subsection 2, Code 1997, is
1 2 amended by striking the subsection and inserting in lieu
1 3 thereof the following:
1 4 2. Each deputy sheriff shall receive an annual base salary
1 5 as follows:
1 6 a. The annual base salary of a first or second deputy
1 7 sheriff shall not exceed eighty-five percent of the annual
1 8 base salary of the sheriff.
1 9 b. The annual base salary of any other deputy sheriff
1 10 shall not exceed the annual base salary of the first or second
1 11 deputy sheriff except that in counties over two hundred fifty
1 12 thousand population, the annual base salary of any additional
1 13 deputies shall not exceed seventy-five percent of the annual
1 14 base salary of the sheriff.
1 15 c. The sheriff shall set the annual base salary of each
1 16 deputy sheriff who is classified as exempt under the federal
1 17 Fair Labor Standards Act of 1938, as amended, subject to the
1 18 limitations specified in paragraphs "a" and "b". The sheriff
1 19 shall certify the annual base salaries of the exempt deputy
1 20 sheriffs to the board and, if the limitations of paragraphs
1 21 "a" and "b" are not exceeded, the board shall certify the
1 22 annual base salaries to the county auditor.
1 23 d. The board shall set the annual base salaries of any
1 24 deputy sheriffs who are not classified as exempt under the
1 25 federal Fair Labor Standards Act of 1938, as amended. Upon
1 26 certification by the sheriff, the board shall review, and may
1 27 modify, the annual base salaries of the deputy sheriffs who
1 28 are not classified as exempt. The annual base salaries set by
1 29 the board are subject to the limitations specified in
1 30 paragraphs "a" and "b".
1 31 e. As used in this subsection, "base salary" means the
1 32 basic compensation excluding overtime pay, longevity pay,
1 33 shift differential pay, or other supplement pay and fringe
1 34 benefits.

1 35

EXPLANATION

2 1 This bill provides that the sheriff shall set the annual
2 2 base salary of those deputy sheriffs who are classified as
2 3 exempt under the federal Fair Labor Standards Act of 1938, as
2 4 amended. The board of supervisors shall determine the annual
2 5 base salaries of the deputy sheriffs who are not exempt under
2 6 the Act. Currently, the annual base salaries of deputy
2 7 sheriffs are determined by the board of supervisors after
2 8 certification by the sheriff. The bill also provides
2 9 limitations so that the annual base salaries of the first and
2 10 second deputy sheriffs each do not exceed 85 percent of the
2 11 sheriff's salary and so that any additional deputies do not
2 12 receive salaries exceeding those of the first and second
2 13 deputies.
2 14 LSB 1685SC 77
2 15 tj/jj/8