

MAR 1 1999
LOCAL GOVERNMENT

HOUSE FILE
BY HUSER

431

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

A BILL FOR

1 An Act relating to the nonpartisan election of township officers.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 431

1 Section 1. Section 39.21, Code 1999, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 5. Township trustees as provided in
4 section 39.22.

5 Sec. 2. Section 39.21, Code 1999, is amended by adding the
6 following new subsection:

7 NEW SUBSECTION. 6. Township clerk as provided in section
8 39.22.

9 Sec. 3. Section 39.22, subsection 2, Code 1999, is amended
10 to read as follows:

11 2. BY ELECTION. If the county board of supervisors does
12 not have the power provided under subsection 1 to fill the
13 offices of trustee and clerk within a township by appointment,
14 then the offices of township trustee and township clerk shall
15 be filled by election on a nonpartisan basis. Township
16 trustees and the township clerk, in townships which do not
17 include a city, shall be elected by the voters of the entire
18 township. In townships which include a city, the officers
19 shall be elected by the voters of the township who reside
20 outside the corporate limits of the city, but a township
21 officer may be a resident of the city.

22 a. TOWNSHIP OFFICERS. The election of township officers
23 shall take place at the general election on ballots which
24 shall not reflect a nominee's political affiliation.
25 Nomination shall be made by petition in accordance with
26 chapter 45. The petition form shall be furnished by the
27 county commissioner of elections and shall be filed with the
28 county commissioner of elections. A plurality is sufficient
29 to elect the township officers, and no primary election for
30 the offices shall be held.

31 a- b. TOWNSHIP TRUSTEES. Township trustees shall be
32 elected biennially to succeed those whose terms of office
33 expire on the first day of January following the election
34 which is not a Sunday or legal holiday. The term of office of
35 each elected township trustee is four years, except as

1 provided in subsection 1 for initial terms following
2 restoration of the election process.

3 b- c. TOWNSHIP CLERK. At the general election held in the
4 year 1990 and every four years thereafter, in each civil
5 township one township clerk shall be elected who shall hold
6 office for the term of four years.

7 Sec. 4. Section 43.53, Code 1999, is amended to read as
8 follows:

9 43.53 NOMINEES FOR SUBDIVISION OFFICE -- WRITE-IN
10 CANDIDATES.

11 The nominee of each political party for any office to be
12 filled by the voters of any ~~township-or-other~~ political
13 subdivision within the county shall be the person receiving
14 the highest number of votes cast in the primary election by
15 the voters of that party for the office. That person shall
16 appear as the party's candidate for the office on the general
17 election ballot. A person whose name is not printed on the
18 official primary ballot shall not be declared nominated as a
19 candidate for such office in the general election unless that
20 person receives at least five votes. Nomination of a
21 candidate for the office of county supervisor elected from a
22 district within the county shall be governed by section 43.52
23 and not by this section.

24 Sec. 5. Section 49.37, subsection 3, Code 1999, is amended
25 to read as follows:

26 3. The commissioner shall arrange the partisan county
27 offices on the ballot with the board of supervisors first,
28 followed by the other county offices ~~and-township-offices~~ in
29 the same sequence in which they appear in sections 39.17 and
30 39.22. Nonpartisan offices, with the township offices first,
31 shall be listed after partisan offices.

32 Sec. 6. Section 43.21, Code 1999, is repealed.

33 EXPLANATION

34 This bill changes the offices of township trustee and
35 township clerk to nonpartisan offices nominated for election

1 by the petition process, without regard to political
2 affiliation. A nominating petition for a township office
3 requires signatures of at least 10 eligible electors of the
4 township.

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