

**House Study Bill 635 - Introduced**

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
LOCAL GOVERNMENT BILL BY  
CHAIRPERSON GASKILL)

**A BILL FOR**

1 An Act relating to the determination of city population for  
2 purposes of civil service commissions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 400.1, subsection 2, Code Supplement  
2 2009, is amended to read as follows:

3 2. For the purpose of determining the population of a city  
4 under this chapter, the most recent decennial federal census  
5 ~~conducted in 1980~~ shall be used. However, if a city had a  
6 population of eight thousand or more according to any decennial  
7 federal census conducted during or after 1980, the most recent  
8 decennial federal census in which the city's population was  
9 eight thousand or more shall be used for determining the  
10 population of the city for any purpose under this chapter.

11 Sec. 2. IMPLEMENTATION OF ACT. Section 25B.2, subsection  
12 3, shall not apply to this Act.

13 EXPLANATION

14 Code section 400.1 currently requires a city having a  
15 population of 8,000 or more according to the federal census  
16 conducted in 1980 and having a paid fire department or a paid  
17 police department, to appoint a civil service commission. Code  
18 chapter 400 also establishes several other powers and duties of  
19 cities based on population as determined by the federal census  
20 conducted in 1980.

21 This bill requires the most recent decennial federal census  
22 to be used in determining the population of a city. The bill,  
23 however, provides that if a city had a population of 8,000 or  
24 more according to any decennial federal census conducted during  
25 or after 1980, the most recent decennial federal census in  
26 which the city's population was 8,000 or more shall be used for  
27 determining the population of the city for any purpose under  
28 Code chapter 400.

29 The bill may include a state mandate as defined in Code  
30 section 25B.3. The bill makes inapplicable Code section 25B.2,  
31 subsection 3, which would relieve a political subdivision from  
32 complying with a state mandate if funding for the cost of  
33 the state mandate is not provided or specified. Therefore,  
34 political subdivisions are required to comply with any state  
35 mandate included in the bill.