

House File 459 - Introduced

HOUSE FILE 459
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HSB 58)

A BILL FOR

1 An Act relating to civil service commissions.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 400.1, subsection 1, Code 2011, is
2 amended to read as follows:

3 1. In cities having a population of eight thousand or over
4 and having a paid fire department or a paid police department,
5 the mayor, one year after a regular city election, with the
6 approval of the council, ~~shall~~ may appoint three civil service
7 commissioners. The If such appointments are made, the mayor
8 shall publish notice of the names of persons selected for
9 appointment no less than thirty days prior to a vote by the
10 city council. Commissioners shall hold office, one until the
11 first Monday in April of the second year, one until the first
12 Monday in April of the third year, and one until the first
13 Monday in April of the fourth year after such appointment,
14 whose successors shall be appointed for a term of four years.
15 In cities having a population of more than seventy thousand,
16 the city council may establish, by ordinance, the number of
17 civil service commissioners at not less than three.

18 Sec. 2. Section 400.1, subsection 2, Code 2011, is amended
19 to read as follows:

20 2. For the purpose of determining the population of a city
21 under this chapter, the most recent decennial federal census
22 ~~conducted in 1980~~ shall be used.

23 Sec. 3. IMPLEMENTATION OF ACT. Section 25B.2, subsection
24 3, shall not apply to this Act.

25 EXPLANATION

26 Code section 400.1 currently requires a city having a
27 population of 8,000 or more according to the federal census
28 conducted in 1980 and having a paid fire department or a paid
29 police department, to appoint a civil service commission. Code
30 chapter 400 also establishes several other powers and duties of
31 cities based on population as determined by the federal census
32 conducted in 1980.

33 This bill requires the most recent decennial federal census
34 to be used in determining the population of a city.

35 The bill also makes the appointment of civil service

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1 commissioners optional for cities having a population over
2 8,000.

3 The bill makes inapplicable Code section 25B.2, subsection
4 3, which would relieve a political subdivision from complying
5 with a state mandate if funding for the cost of the state
6 mandate is not provided or specified. Therefore, political
7 subdivisions are required to comply with any state mandate
8 included in the bill.