

**House File 610 - Introduced**

HOUSE FILE 610

BY JACOBY

**A BILL FOR**

1 An Act relating to the membership of the board of regents and  
2 including transition provisions.

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

1 Section 1. Section 262.1, Code 2015, is amended to read as  
2 follows:

3 **262.1 Membership.**

4 The state board of regents consists of nine members, eight  
5 of whom shall be ~~selected from the state at large solely with~~  
6 ~~regard to their qualifications and fitness to discharge the~~  
7 ~~duties of the office~~ elected pursuant to section 262.3. The  
8 ninth member shall be appointed by the elected members of the  
9 board and shall be a student enrolled on a full-time basis in  
10 good standing at either the graduate or undergraduate level at  
11 one of the institutions listed in section 262.7, subsection 1,  
12 2, or 3, at the time of the member's appointment. ~~Not more than~~  
13 five members shall be of the same political party. ~~The elected~~  
14 members of the state board of regents may, by a majority vote  
15 of those members, remove or suspend the ninth member.

16 Sec. 2. Section 262.2, Code 2015, is amended to read as  
17 follows:

18 **262.2 Appointment — term of office.**

19 ~~The members shall be appointed by the governor subject to~~  
20 ~~confirmation by the senate. Prior to appointing the ninth~~  
21 ~~member as specified in section 262.1, the governor shall~~  
22 ~~consult with the appropriate student body government at the~~  
23 ~~institution at which the proposed appointee is enrolled. The~~  
24 term of each member of the board shall be for six years,  
25 except as provided in section 262.3, unless the ninth member,  
26 appointed in accordance with section 262.1, graduates or is  
27 no longer enrolled at an institution of higher education  
28 under the board's control, at which time the term of the  
29 ninth member shall expire one year from the date on which the  
30 member graduates or is no longer enrolled in an institution  
31 of higher education under the board's control. However, if  
32 within that year the ninth member reenrolls in any institution  
33 of higher education under the board's control on a full-time  
34 basis and is a student in good standing at either the graduate  
35 or undergraduate level, the term of the ninth member shall

1 continue in effect. ~~The terms of three members of the board~~  
2 ~~shall begin and expire in each odd-numbered year as provided~~  
3 ~~in section 69.19.~~

4 Sec. 3. NEW SECTION. 262.3 Election of certain members —  
5 vacancies.

6 1. Of the eight elective members of the board, two shall  
7 be elected by the registered voters of each of the three  
8 congressional districts in which is located an institution of  
9 higher learning governed by the board, one shall be elected  
10 from the remaining congressional district, and one shall be  
11 elected on a statewide basis. Members of the board shall be  
12 elected on a nonpartisan basis at the regular school election  
13 under section 277.1 for staggered six-year terms, with terms  
14 commencing on the first day of January that is not a Sunday or  
15 holiday following their election. Any eligible elector who is  
16 a resident of this state is entitled to elective membership  
17 on the board, however a member elected by the voters of a  
18 congressional district must be a resident of that congressional  
19 district. A vacancy in an elected position on the board shall  
20 be filled by the chairperson of the board for the unexpired  
21 balance of the term as provided in section 69.12 until the next  
22 succeeding regular election for school districts.

23 2. a. At each regular school election, a successor shall  
24 be chosen for each board member whose term will expire in the  
25 succeeding January. Nominations of candidates shall be made  
26 by petition in accordance with chapter 45. Nominations of  
27 candidates for the statewide elected member shall be signed by  
28 at least three hundred eligible electors residing in the state.  
29 Nominations of all other candidates shall be signed by at least  
30 three hundred eligible electors residing in the congressional  
31 district. The petition form shall be furnished by the county  
32 commissioner of elections. Every candidate shall file with  
33 the nomination papers an affidavit stating the candidate's  
34 name, the candidate's residence, that the person is a candidate  
35 and is eligible for board membership, and that if elected the

1 candidate will qualify for the office. The affidavit shall  
2 also state that the candidate is aware that the candidate is  
3 disqualified from holding office if the candidate has been  
4 convicted of an infamous crime and the candidate's rights have  
5 not been restored by the governor or by the president of the  
6 United States.

7     **b.** The signed petitions shall be filed with the county  
8 commissioner of elections not later than 5:00 p.m. on the  
9 sixty-ninth day before the regular election held pursuant  
10 to section 277.1. The votes for board membership shall be  
11 canvassed in the same manner as the votes for state officers,  
12 and the returns shall be certified to the state commissioner of  
13 elections. A plurality is sufficient to elect members, and a  
14 primary election for the office shall not be held.

15     **3.** As used in this section, "*congressional district*"  
16 means those districts established following the 2010 federal  
17 decennial census.

18     **Sec. 4. REPEAL.** Sections 262.4, 262.5, and 262.6, Code  
19 2015, are repealed.

20     **Sec. 5. TRANSITION PROVISIONS.**

21     **1.** Membership terms of all regents board members on the  
22 effective date of this Act shall expire on December 31, 2017.

23     **2. a.** At the regular election for school districts to be  
24 held in 2017, and at the regular election for school districts  
25 immediately preceding the expiration of the member's term, one  
26 member each shall be elected as follows:

27         **(1)** Statewide, for a full term.

28         **(2)** By the registered voters of the third congressional  
29 district, for a full term.

30         **(3)** By the registered voters of the first congressional  
31 district, for an initial four-year term.

32         **(4)** By the registered voters of the second congressional  
33 district, for an initial four-year term.

34         **(5)** By the registered voters of the fourth congressional  
35 district, for an initial four-year term.

1 (6) By the registered voters of the first congressional  
2 district, for an initial two-year term.

3 (7) By the registered voters of the second congressional  
4 district, for an initial two-year term.

5 (8) By the registered voters of the fourth congressional  
6 district, for an initial two-year term.

7 EXPLANATION

8 The inclusion of this explanation does not constitute agreement with  
9 the explanation's substance by the members of the general assembly.

10 This bill relates to the membership of the board of regents.  
11 Under current law, there are nine members of the board of  
12 regents (board) with one student member and with all members  
13 being appointed by the governor, subject to confirmation by the  
14 senate.

15 The bill requires that eight members of the board be elected  
16 on a nonpartisan basis at the regular school election and  
17 requires that a ninth member be a student appointed by the  
18 elective members of the board. The bill requires that one  
19 elective member be elected statewide and that one elective  
20 member be elected by the third congressional district. The  
21 bill also requires that two members be elected by each of the  
22 other three congressional districts, in which are located an  
23 institution of higher learning governed by the board. The bill  
24 requires that board member terms are staggered.

25 The bill requires that a member of the board be an eligible  
26 elector of the state and requires that a member elected by  
27 the voters of a congressional district be a resident of that  
28 congressional district. The bill provides that filling a  
29 vacancy in elective membership on the board shall be conducted  
30 in accordance with current Code section 69.12. The bill  
31 also establishes elections administration provisions for the  
32 nomination and election of board members.

33 The bill provides transition provisions for the regular  
34 election for school districts scheduled for 2017.