

Senate File 2258 - Introduced

SENATE FILE 2258

BY ZAUN

A BILL FOR

1 An Act relating to the removal powers of mayors, city managers,
2 city councils, and county boards of supervisors regarding
3 certain appointees.

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

1 Section 1. Section 331.321, subsection 3, Code 2018, is
2 amended to read as follows:

3 3. Except as otherwise provided by state law, a any person
4 appointed as provided in subsection 1 may be removed by the
5 board at any time by written order. The order shall give the
6 reasons and be filed in the office of the auditor, and a copy
7 shall be sent by certified mail to the person removed who,
8 upon request filed with the auditor within thirty days of the
9 date of mailing the copy, shall be granted a public hearing
10 before the board on all issues connected with the removal.
11 The hearing shall be held within thirty days of the date the
12 request is filed unless the person removed requests a later
13 date.

14 Sec. 2. Section 372.15, Code 2018, is amended to read as
15 follows:

16 **372.15 Removal of appointees.**

17 Except as otherwise provided by state or city law, all
18 persons appointed to city office may be removed by the mayor,
19 city manager, or the city council, or by the officer or body
20 making the appointment, but every such removal shall be by
21 written order. The order shall give the reasons, be filed
22 in the office of the city clerk, and a copy shall be sent by
23 certified mail to the person removed who, upon request filed
24 with the clerk within thirty days of the date of mailing the
25 copy, shall be granted a public hearing before the council
26 on all issues connected with the removal. The hearing shall
27 be held within thirty days of the date the request is filed,
28 unless the person removed requests a later date.

29 Sec. 3. Section 388.4, Code 2018, is amended by adding the
30 following new subsection:

31 NEW SUBSECTION. 5. The mayor, city manager, or the city
32 council may remove a member of a board or commission providing
33 utility or other services at any time pursuant to section
34 372.15.

35

EXPLANATION

S.F. 2258

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

3 This bill affects the removal process for certain local
4 government entity appointees.

5 Current law allows only a city officer or body that made an
6 appointment to a city office to remove an appointee.

7 The bill allows a mayor, city manager, or the city council
8 to also remove an appointee holding a city office. The bill
9 includes an appointee to a board or commission providing
10 utility or other services as an individual that a mayor, city
11 manager, or the city council may remove.

12 The bill also allows a county board of supervisors to remove
13 at any time an appointee to any county-operated board in an
14 analogous procedure as that conducted in a city.