

Senate Study Bill 3172 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON GARRETT)

A BILL FOR

1 An Act relating to county supervisor representation and
2 districting plans.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

SELECTION OF COUNTY SUPERVISOR REPRESENTATION PLANS

Section 1. Section 331.206, subsection 2, paragraph a, Code 2018, is amended to read as follows:

a. The plan used under subsection 1 shall be selected by the board or by a special election as provided in section 331.207. A plan selected by the board shall remain in effect for at least six years ~~unless it is~~ and shall only be changed by a special election as provided in section 331.207.

Sec. 2. Section 331.207, subsection 1, Code 2018, is amended to read as follows:

1. The board of a county that elects supervisors under either plan "one" or plan "two" as each plan is defined in section 331.206, upon petition of the number of eligible electors of the county as specified in section 331.306, shall call a special election to be held for the purpose of selecting one of the supervisor representation plans specified in section 331.206 under which the board of supervisors shall be elected. However, for a county that elects supervisors under plan "two", the only supervisor representation plans that can be selected pursuant to the special election shall be either plan "two" or plan "three".

DIVISION II

COUNTY SUPERVISOR REPRESENTATION DISTRICTING PLANS

Sec. 3. Section 68B.32A, subsection 16, Code 2018, is amended to read as follows:

16. Establish an expedited procedure for reviewing complaints forwarded by the state commissioner of elections to the board for a determination as to whether a supervisor district plan adopted pursuant to section 331.210A that differs from a supervisor district plan prepared by the legislative services agency was drawn for improper political reasons as described in section 42.4, subsection 5. The expedited procedure shall be substantially similar to the process used for other complaints filed with the board except that the

1 provisions of [section 68B.32D](#) shall not apply.

2 Sec. 4. Section 331.209, subsection 4, Code 2018, is amended
3 to read as follows:

4 4. Each temporary county redistricting commission shall
5 notify the state commissioner of elections when the boundaries
6 of supervisor districts are changed, shall provide a map
7 delineating the new boundary lines, and shall certify to
8 the state commissioner of elections the populations of the
9 new supervisor districts as determined under the latest
10 federal decennial census. Upon failure of a temporary county
11 redistricting commission to make the required changes by
12 the dates specified by [this section](#) and [sections 331.203](#)
13 and [331.204](#) as determined by the state commissioner of
14 elections, the state commissioner of elections shall make or
15 cause to be made the necessary changes as soon as possible,
16 and shall assess to the county the expenses incurred in so
17 doing. ~~The~~ Except for a representation plan drawn pursuant
18 to section 331.210A, subsection 2, paragraph "f", the state
19 commissioner of elections may request the services of personnel
20 and materials available to the legislative services agency
21 to assist the state commissioner in making required changes
22 in supervisor district boundaries which become the state
23 commissioner's responsibility.

24 Sec. 5. Section 331.210A, subsection 2, paragraph f,
25 subparagraph (1), Code 2018, is amended to read as follows:

26 (1) (a) ~~Notwithstanding the provisions of this section~~
27 ~~to the contrary, for~~ For purposes of this paragraph "f",
28 "qualifying county" means a county with a population of sixty
29 thousand or more based on the most recent federal decennial
30 census that elects supervisors under plan "three" as defined
31 in section 331.206, or a county with a population of one
32 hundred eighty thousand or more that has adopted a charter for
33 a city-county consolidated form of government or a community
34 commonwealth form of government and which charter provides for
35 representation by districts.

1 (b) Notwithstanding any provision of this section to the
2 contrary, for a qualifying county, the legislative services
3 agency, and not the temporary county redistricting commission,
4 shall draw a representation plan as provided by paragraph "a"
5 pursuant to a contract executed with the county.

6 (c) A county subject to the requirements of this paragraph
7 "f" shall notify the state commissioner of elections that a
8 representation plan to be drawn pursuant to this paragraph
9 "f" is required and shall submit to the state commissioner
10 of elections the precinct plan to be used to draw the
11 representation plan. Upon notification and submission of a
12 precinct plan, the state commissioner of elections shall review
13 and approve the precinct plan to be used. Following approval
14 of the precinct plan to be used, the state commissioner
15 of elections shall notify the legislative council which
16 shall direct the legislative services agency to prepare a
17 representation plan for the county.

18 (d) The plan drawn by the legislative services agency
19 shall be based upon the precinct plan adopted and approved
20 for use by the county and shall be drawn in accordance with
21 section 42.4, to the extent applicable. After the legislative
22 services agency has drawn the plan, the legislative services
23 agency shall at the earliest feasible time make available to
24 the public all of the information required to be made public
25 by paragraph "b".

26 EXPLANATION

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

29 This bill concerns county supervisor representation and
30 districting plans.

31 Division I of the bill concerns the manner of selecting
32 county supervisors. Code section 331.206 specifies that county
33 supervisors may be elected pursuant to plan "one", election at
34 large; plan "two", election at large with district residence
35 requirements; or plan "three", election from single-member

1 districts. The bill provides that the plan selected by the
2 board can only be changed after the plan has been in effect for
3 six years and only by a special election.

4 Code section 331.207, concerning special elections for
5 selecting a supervisor district plan, is amended to provide
6 that only a county that elects supervisors under either plan
7 "one" or plan "two" shall hold a special election and further
8 provides that for a county that elects supervisors under plan
9 "two", the only supervisor representation plans that can be
10 selected pursuant to the special election shall be either plan
11 "two" or plan "three".

12 Division II of the bill concerns the manner of adopting
13 redistricting plans for certain counties. Code section
14 331.210A(2)(f) is amended to provide that the procedure
15 for adopting a representation plan for a county that has a
16 population that exceeds 180,000 or that has adopted a charter
17 for a city-county consolidation form or community commonwealth
18 form that provides for representation by districts shall also
19 apply to a county with a population of 60,000 or more that has
20 adopted a plan "three" form of representation. The procedure
21 provides that the county's initial plan for districts, and the
22 county's first plan for districts after each federal decennial
23 census, shall be drawn by the legislative services agency based
24 upon an approved precinct plan for the county and the standards
25 applicable to congressional and legislative redistricting. If
26 the plan drawn by the legislative services agency is rejected
27 by the governing body, the governing body shall direct the
28 legislative services agency to prepare another plan as provided
29 by current law.

30 Code section 68B.32A, concerning complaints for improper
31 political reasons relative to an adopted supervisor district
32 plan, is amended to make the complaint process inapplicable
33 to plans prepared by the legislative services agency. In
34 addition, Code section 331.209 is amended to provide that
35 the state commissioner of elections shall not be permitted

S.F. _____

1 to request assistance from the legislative services agency
2 relating to a representation plan drawn pursuant to Code
3 section 331.210A(2)(f).