

House Study Bill 555 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON KAUFMANN)

A BILL FOR

1 An Act relating to employment policies for persons seeking
2 elective office, making penalties applicable, and including
3 effective date provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 55.4, Code 2020, is amended to read as
2 follows:

3 **55.4 Leave of absence for public employee candidacy.**

4 1. Any ~~public~~ employee who becomes a candidate for any
5 elective public office shall, upon request of the employee and
6 commencing any time within thirty days prior to a contested
7 primary, special, or general election and continuing until
8 after the day following that election, automatically be
9 given a period of leave. ~~If the employee is under chapter~~
10 ~~8A, subchapter IV, the~~ An employee may choose to use accrued
11 vacation leave, accrued compensatory leave or leave without pay
12 to cover these periods. The appointing authority or employer
13 may authorize other employees to use accrued vacation leave
14 or accrued compensatory leave instead of leave without pay to
15 cover these periods. An employee who is a candidate for any
16 elective public office shall not campaign while on duty as an
17 employee.

18 2. This section does not apply to employees of the federal
19 government or to a public employee whose position is financed
20 by federal funds if the application of this section would be
21 contrary to federal law or result in the loss of the federal
22 funds.

23 3. An appointing authority or employer shall not take any
24 adverse action against an employee for seeking election to any
25 public office or prohibit an employee from seeking election
26 to a public office in the event the employee informs the
27 appointing authority or the employer that the employee intends
28 to seek such election.

29 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
30 importance, takes effect upon enactment.

31 EXPLANATION

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

34 This bill requires any appointing authority or employer
35 to grant an employee 30 days of leave upon request if the

1 employee informs the appointing authority or employer that
2 the employee is a candidate for an elective public office.
3 Current law requires a public employer to grant a public
4 employee such leave requests. The bill also prohibits an
5 appointing authority or an employer from taking adverse actions
6 against an employee seeking election to a public office or
7 from prohibiting an employee from seeking election to a public
8 office, in the event the employee informs the appointing
9 authority or employer that the employee intends to seek
10 election to a public office.

11 By operation of law, a person who violates a provision of the
12 bill is guilty of a simple misdemeanor. A simple misdemeanor
13 is punishable by confinement for no more than 30 days or a fine
14 of at least \$65 but not more than \$625 or by both.

15 The bill becomes effective upon enactment.