

House File 314 - Introduced

HOUSE FILE 314
BY COMMITTEE ON LOCAL
GOVERNMENT

(SUCCESSOR TO HF 75)

A BILL FOR

1 An Act relating to methods of determining compensation for
2 elected county officers.

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

1 Section 1. Section 331.212, subsection 2, Code 2023, is
2 amended by adding the following new paragraphs:

3 NEW PARAGRAPH. i. Setting the compensation schedule of
4 elected county officers, if the board has not established or
5 has dissolved a county compensation board pursuant to section
6 331.905.

7 NEW PARAGRAPH. j. Dissolving a county compensation board.
8 Sec. 2. Section 331.321, subsection 1, paragraph 1, Code
9 2023, is amended to read as follows:

10 1. Two members of the county compensation board in
11 accordance with section 331.905, if the board of supervisors
12 has established a county compensation board.

13 Sec. 3. Section 331.322, subsections 6 and 7, Code 2023, are
14 amended to read as follows:

15 6. Review Annually prepare and review the compensation
16 schedule, or review the final compensation schedule of the
17 county compensation board if the board of supervisors has
18 established a county compensation board, and determine the
19 final compensation schedule in accordance with section 331.907.

20 7. Provide necessary office facilities and the technical
21 and clerical assistance requested by the county compensation
22 board to accomplish the purposes of sections 331.905 and
23 331.907, if the board of supervisors has established a county
24 compensation board.

25 Sec. 4. Section 331.905, subsection 1, unnumbered paragraph
26 1, Code 2023, is amended to read as follows:

27 ~~There is created in each county~~ A board of supervisors may
28 vote to establish a county compensation board which subject to
29 the provisions of this section. The county compensation board
30 shall be composed of seven members who are residents of the
31 county. The members of the county compensation board shall be
32 selected as follows:

33 Sec. 5. Section 331.905, Code 2023, is amended by adding the
34 following new subsection:

35 NEW SUBSECTION. 7. A board of supervisors may dissolve a

1 county compensation board upon a majority vote of the members
2 of the board of supervisors. If the board of supervisors has
3 not established or has dissolved the county compensation board,
4 the board of supervisors shall carry out the duties as the
5 county compensation board, including as provided in section
6 331.907.

7 Sec. 6. Section 331.907, subsections 1, 2, and 3, Code 2023,
8 are amended to read as follows:

9 1. The annual compensation of the auditor, treasurer,
10 recorder, sheriff, county attorney, and supervisors shall
11 be determined as provided in [this section](#). The county
12 compensation board annually shall review the compensation
13 paid to comparable officers in other counties of this state,
14 other states, private enterprise, and the federal government.
15 In setting the salary of the county sheriff, the county
16 compensation board shall set the sheriff's salary so that it
17 is comparable to salaries paid to professional law enforcement
18 administrators and command officers of the state patrol,
19 the division of criminal investigation of the department of
20 public safety, and city police chiefs employed by cities of
21 similar population to the population of the county. The county
22 compensation board shall prepare a compensation schedule for
23 the elective elected county officers for the succeeding fiscal
24 year. The county compensation board shall provide documentation
25 to the board of supervisors that demonstrates how the county
26 compensation board determined the recommended compensation
27 schedule, including by providing the applicable compensation
28 information for comparable officers in other counties of this
29 state, other states, private enterprise, and the federal
30 government. A recommended compensation schedule requires a
31 majority vote of the membership of the county compensation
32 board.

33 2. At the public hearing held on the county budget as
34 provided in [section 331.434](#), the county compensation board
35 shall submit its recommended compensation schedule for the

1 next fiscal year to the board of supervisors for inclusion
2 in the county budget. The board of supervisors shall review
3 the recommended compensation schedule for the elected county
4 officers and determine the final compensation schedule ~~which~~
5 ~~shall not exceed the compensation schedule recommended by~~
6 ~~the county compensation board. In determining the final~~
7 ~~compensation schedule if the board of supervisors wishes to~~
8 ~~reduce the amount of the recommended compensation schedule,~~
9 ~~the amount of salary increase proposed for each elected~~
10 ~~county officer, except as provided in subsection 3, shall~~
11 ~~be reduced an equal percentage. In determining the final~~
12 compensation schedule for the elected county officers,
13 the board of supervisors shall set compensation at no less
14 than the compensation provided in the current compensation
15 schedule. However, the compensation for a position may be
16 set at less than the compensation provided in the current
17 compensation schedule if the position is reduced to part-time
18 under the recommended compensation schedule. A copy of the
19 final compensation schedule shall be filed with the county
20 budget at the office of the director of the department of
21 management. The final compensation schedule takes effect on
22 July 1 following its adoption by the board of supervisors. For
23 purposes of this subsection, "current compensation schedule"
24 means the compensation schedule in effect when the board of
25 supervisors considers the recommended compensation schedule.

26 ~~3. The board of supervisors may adopt a decrease in~~
27 ~~compensation paid to supervisors irrespective of the county~~
28 ~~compensation board's recommended compensation schedule or other~~
29 ~~approved changes in compensation paid to other elected county~~
30 ~~officers. A decrease in compensation paid to supervisors shall~~
31 ~~be adopted by the board of supervisors no less than thirty days~~
32 ~~before the county budget is certified under section 24.17.~~

33 EXPLANATION

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

1 This bill relates to methods of determining compensation for
2 elected county officers.

3 Under current law, each county has a county compensation
4 board that prepares a recommended compensation schedule
5 for elected county officers that the county board of
6 supervisors then reviews. Current law provides procedures
7 and limitations that both the county compensation board and
8 board of supervisors must adhere to in determining the final
9 compensation schedule.

10 The bill allows a board of supervisors to vote to establish
11 a county compensation board. The county compensation board
12 shall be composed as provided under current law. The board of
13 supervisors may also vote to dissolve a county compensation
14 board. The board of supervisors shall carry out the duties as
15 the county compensation board if the board of supervisors has
16 not established or has dissolved a county compensation board.

17 The bill requires the county compensation board to provide
18 documentation to the board of supervisors demonstrating how
19 the county compensation board determined the recommended
20 compensation schedule. The bill strikes provisions that
21 prohibit the board of supervisors from exceeding the
22 compensation schedule recommended by the county compensation
23 board or from reducing the amount of the recommended
24 compensation schedule unless the amount of salary increase
25 proposed for each elected county officer is reduced by an equal
26 percentage. The bill prohibits the board of supervisors from
27 setting compensation lower than the compensation set forth
28 in the current compensation schedule, but provides that the
29 proposed compensation for a position may be reduced when the
30 position is reduced to part-time. Further, the bill strikes a
31 provision that authorizes the board of supervisors to adopt a
32 decrease in compensation paid to supervisors irrespective of
33 the compensation board's recommended compensation schedule or
34 other approved changes in compensation paid to other elected
35 county officers. The bill makes conforming changes.