

**Senate File 2283 - Introduced**

SENATE FILE 2283

BY DRISCOLL

**A BILL FOR**

1 An Act relating to county supervisors, concerning county  
2 supervisor representation plans and county supervisor  
3 vacancies, and including effective date provisions.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 DIVISION I

2 PLAN "THREE" COUNTY SUPERVISOR REPRESENTATION PLANS

3 Section 1. Section 331.206, subsection 2, paragraph a, Code  
4 2024, is amended to read as follows:

5 a. The plan used under subsection 1 shall be selected by the  
6 board or by a special election as provided in section 331.207.  
7 A plan selected by the board shall remain in effect for at  
8 least six years and shall only be changed by a special election  
9 as provided in section 331.207. However, a county with a  
10 population of one hundred twenty-five thousand or more based on  
11 the most recent federal decennial census shall use plan "three"  
12 for the election of supervisors.

13 Sec. 2. Section 331.207, subsection 2, Code 2024, is amended  
14 to read as follows:

15 2. The petition shall be filed with the county commissioner  
16 by June 1 of an odd-numbered year, ~~subject to subsection~~  
17 6. The special election shall be held on the first Tuesday  
18 in August of the odd-numbered year. Notice of the special  
19 election shall be published once each week for three successive  
20 weeks in an official newspaper of the county, shall state the  
21 representation plans to be submitted to the electors, and shall  
22 state the date of the special election. The last in the series  
23 of publications shall occur not less than four nor more than  
24 twenty days before the election.

25 Sec. 3. Section 331.207, subsection 6, Code 2024, is amended  
26 by striking the subsection.

27 Sec. 4. TRANSITION PROVISION.

28 1. Notwithstanding any provision of law to the contrary, a  
29 county with a population of one hundred twenty-five thousand  
30 or more based on the most recent federal decennial census that  
31 does not use plan "three" for the election of supervisors, as  
32 defined in section 331.206, as of the effective date of this  
33 Act, shall not be required to elect supervisors using plan  
34 "three" until the election for supervisors in 2026, following  
35 the adoption of a representation plan drawn pursuant to section

1 331.210A, subsection 2, paragraph "f", and the requirements of  
2 this section.

3 2. A county required to adopt a representation plan as  
4 provided in this section shall establish a temporary county  
5 redistricting commission by the later of thirty days after the  
6 effective date of this Act or May 15, 2024, and shall complete  
7 a plan, in conformity with the requirements of sections 331.209  
8 and 331.210A, no later than November 1, 2024. The plan shall  
9 be submitted to the state commissioner of elections and shall  
10 become effective January 1, 2025.

11 DIVISION II

12 COUNTY SUPERVISOR VACANCIES

13 Sec. 5. Section 43.6, subsection 2, Code 2024, is amended  
14 to read as follows:

15 2. When a vacancy occurs in the office of county supervisor  
16 or any of the offices listed in [section 39.17](#) and more than  
17 seventy days remain in the term of office following the next  
18 general election, the office shall be filled for the balance  
19 of the unexpired term at that general election unless the  
20 vacancy has been filled by a special election called more  
21 than seventy-three days before the primary election. If  
22 the vacancy occurs more than seventy-three days before the  
23 primary election, political party candidates for that office  
24 at the next general election shall be nominated at the primary  
25 election. ~~If an appointment to fill the vacancy in office is  
26 made eighty-eight or more days before the primary election and  
27 a petition requesting a special election has not been received  
28 within fourteen days after the appointment is made, candidates  
29 for the office shall be nominated at the primary election.~~

30 Sec. 6. Section 69.14A, subsection 1, Code 2024, is amended  
31 by striking the subsection and inserting in lieu thereof the  
32 following:

33 1. A vacancy on the board of supervisors shall be filled  
34 by special election held to fill the office for the remaining  
35 balance of the unexpired term.

1     *a.* The committee of county officers designated to fill  
2 the vacancy in section 69.8 shall call for a special election  
3 to fill the vacancy. The committee shall order the special  
4 election at the earliest practicable date, but giving at least  
5 thirty-two days' notice of the election. A special election  
6 called under this subsection shall be held on a Tuesday and  
7 shall not be held on the same day as a school election within  
8 the county.

9     *b.* However, if a vacancy on the board of supervisors  
10 occurs after the date of the primary election and more than  
11 seventy-three days before the general election, a special  
12 election to fill the vacancy shall not be called by the  
13 committee. If the term of office in which the vacancy exists  
14 will expire more than seventy days after the general election,  
15 the office shall be listed on the ballot, as "For Board of  
16 Supervisors, To Fill Vacancy". The person elected at the  
17 general election shall assume office as soon as a certificate  
18 of election is issued and the person has qualified by taking  
19 the oath of office. The person shall serve the balance of the  
20 unexpired term.

21     *c.* If the term of office in which the vacancy exists will  
22 expire within seventy days after the general election, the  
23 person elected to the succeeding term shall also serve the  
24 balance of the unexpired term. The person elected at the  
25 general election shall assume office as soon as a certificate  
26 of election is issued and the person has qualified by taking  
27 the oath of office.

28     Sec. 7. Section 331.201, subsection 3, Code 2024, is amended  
29 to read as follows:

30     3. The office of supervisor is an elective office ~~except~~  
31 ~~that if.~~ If a vacancy occurs on the board, a successor ~~may~~  
32 shall be appointed elected to the unexpired term as provided  
33 in section 69.14A.

34     Sec. 8. Section 331.214, subsection 2, paragraph c, Code  
35 2024, is amended to read as follows:

1 c. If the board declares a vacancy under **this subsection** and  
2 the remaining balance of the supervisor's unexpired term is two  
3 and one-half years or more, a special election shall be held  
4 to fill the office as provided in section 69.14A, subsection  
5 ~~1, paragraph "c"~~.

6 DIVISION III

7 EFFECTIVE DATE

8 Sec. 9. EFFECTIVE DATE. This Act, being deemed of immediate  
9 importance, takes effect upon enactment.

10 EXPLANATION

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

13 This bill concerns county supervisor representation plans  
14 and county supervisor vacancies.

15 DIVISION I — PLAN "THREE" COUNTY SUPERVISOR REPRESENTATION  
16 PLANS. This division requires a county with a population of  
17 125,000 or more based on the most recent federal decennial  
18 census to use plan "three" for the election of county  
19 supervisors. Plan "three" requires individual members of  
20 the board of supervisors for that county to be elected from  
21 single-member equal-population districts. The bill provides  
22 that a county with a population of 125,000 or more as of the  
23 effective date of the bill, that does not use plan "three"  
24 as of that date for the election of supervisors shall not  
25 be required to elect supervisors under plan "three" until  
26 the election for supervisors in 2026 following adoption of a  
27 representation plan in conformity with the provisions of law  
28 governing the adoption of a plan "three" representation plan.

29 DIVISION II — COUNTY SUPERVISOR VACANCIES. This division  
30 requires vacancies on the board of supervisors to be filled  
31 by special election. Current law allows for vacancies to be  
32 filled by appointment under certain circumstances.

33 DIVISION III — EFFECTIVE DATE. The bill takes effect upon  
34 enactment.