

Senate Study Bill 1001 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON JUDICIARY BILL BY
CHAIRPERSON ZAUN)

A BILL FOR

1 An Act relating to the maximum age of certain fire fighters and
2 peace officers, and including effective date provisions.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.477, subsection 6, Code 2023, is
2 amended by striking the subsection.

3 Sec. 2. Section 330A.8, subsection 16, Code 2023, is amended
4 to read as follows:

5 16. To designate employees upon whom are conferred all the
6 powers of a peace officer as defined in [section 801.4](#). ~~The~~
7 ~~maximum age for a person designated as a peace officer pursuant~~
8 ~~to [this subsection](#) is sixty five years of age.~~

9 Sec. 3. Section 331.903, subsection 6, Code 2023, is amended
10 by striking the subsection.

11 Sec. 4. Section 362.10, Code 2023, is amended by striking
12 the section and inserting in lieu thereof the following:

13 **362.10 Police officers and fire fighters.**

14 A city may establish a maximum employment age for a police
15 officer, marshal, or fire fighter employed for police duty or
16 the duty of fighting fires, but such age limit shall not be
17 less than sixty-five years of age.

18 Sec. 5. Section 400.17, subsection 4, Code 2023, is amended
19 to read as follows:

20 4. A person shall not be appointed, denied appointment,
21 promoted, removed, discharged, suspended, or demoted to or
22 from a civil service position or in any other way favored or
23 discriminated against in that position because of political
24 or religious opinions or affiliations, race, national origin,
25 sex, or age, or in retaliation for the exercise of any right
26 enumerated in [this chapter](#). ~~However, the maximum age for a~~
27 ~~police officer or fire fighter covered by [this chapter](#) and~~
28 ~~employed for police duty or the duty of fighting fires is~~
29 ~~sixty-five years of age.~~

30 Sec. 6. Section 456A.13, Code 2023, is amended to read as
31 follows:

32 **456A.13 Officers and employees — peace officer status.**

33 The director shall employ the number of assistants,
34 including a professionally trained state forester, that are
35 necessary to carry out the duties imposed on the commission;

1 and, under the same conditions, the director shall appoint the
2 number of full-time officers and supervisory personnel that
3 are necessary to enforce all laws of the state and rules and
4 regulations of the commission. The full-time officers and
5 supervisory personnel have the same powers that are conferred
6 by law on peace officers in the enforcement of all laws of the
7 state of Iowa and the apprehension of violators. A person
8 appointed as a full-time officer shall be at least twenty-one
9 years of age on the date of appointment ~~and shall not be~~
10 ~~employed as a full-time officer after attaining the age of~~
11 ~~sixty-five.~~ "Full-time officer" means any person appointed by
12 the director to enforce the laws of this state.

13 Sec. 7. REPEAL. Sections 29.2A and 80.36, Code 2023, are
14 repealed.

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

17

EXPLANATION

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

20 This bill eliminates the maximum employment age of 65
21 years for an airport fire fighter, a peace officer in the
22 department of public safety, a peace officer in the department
23 of transportation, a peace officer for an aviation authority, a
24 peace officer in the department of natural resources, a deputy
25 county sheriff, and a city police officer, marshal, or fire
26 fighter. The bill authorizes a city to establish a maximum
27 employment age of 65 years or higher for a police officer,
28 marshal, or fire fighter and does not otherwise prohibit any
29 entity employing law enforcement officers or fire fighters from
30 implementing intra-agency age limits.

31 Code chapter 400 provides employment guidelines for certain
32 civil service positions, including certain police officers and
33 fire fighters. Under current law, the Code chapter applies
34 only to police officers and fire fighters who are under 65
35 years of age. The bill strikes the age limitation.

S.F. _____

1 The bill takes effect upon enactment.