

House File 2013 - Introduced

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BY MEGGERS

A BILL FOR

1 An Act relating to county attorneys, including workplace
2 requirements, prohibited actions, and duties.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 331.752, Code 2026, is amended to read as
2 follows:

3 **331.752 Full-time ~~or part-time~~ attorney.**

4 1. ~~The board may provide that the county attorney is a~~
5 ~~full-time or part-time county officer in the manner provided in~~
6 ~~this section. A full-time~~ The county attorney shall refrain from
7 the private practice of law. The county attorney shall work in
8 the office provided by the county.

9 ~~2. The board may provide, by resolution, that the county~~
10 ~~attorney shall be a full-time county officer. The resolution~~
11 ~~shall include an effective date which shall not be less than~~
12 ~~sixty days from the date of adoption. However, if the county~~
13 ~~attorney or county attorney-elect objects to the full-time~~
14 ~~status, the effective date of the change to a full-time status~~
15 ~~shall be delayed until January 1 of the year following the next~~
16 ~~general election at which a county attorney is elected. The~~
17 ~~board shall not adopt a resolution changing the status of the~~
18 ~~county attorney between March 1 and the date of the general~~
19 ~~election of the year in which the county attorney is regularly~~
20 ~~elected as provided in section 39.17.~~

21 ~~3. The board may change the status of a full-time county~~
22 ~~attorney to a part-time county attorney by following the same~~
23 ~~procedures as provided in subsection 2. If the incumbent county~~
24 ~~attorney objects to the change in status, the change shall be~~
25 ~~delayed until January 1 following the next election of a county~~
26 ~~attorney.~~

27 ~~4. A resolution changing the full-time or part-time status of~~
28 ~~a county attorney may take effect at any time before the sixty~~
29 ~~days expire upon agreement of the board of supervisors and the~~
30 ~~affected county attorney or county attorney-elect.~~

31 ~~5. The resolution changing the status of a county attorney~~
32 ~~shall state the initial annual salary to be paid to the county~~
33 ~~attorney when the full-time or part-time status is effective.~~
34 ~~The annual salary specified in the resolution shall remain~~
35 ~~effective until changed as provided in section 331.907. Except~~

1 ~~in counties having a population of more than two hundred~~
2 ~~thousand, the annual salary of a full-time county attorney shall~~
3 ~~be an amount which is between forty-five percent and one hundred~~
4 ~~percent of the annual salary received by a district court judge.~~

5 Sec. 2. Section 331.755, subsection 1, Code 2026, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. d. Dismiss more than twenty-five percent of
8 cases filed and brought for prosecution.

9 Sec. 3. Section 331.756, Code 2026, is amended by adding the
10 following new subsection:

11 NEW SUBSECTION. 25. Publish in a newspaper of general
12 circulation in the county the following information for each case
13 dismissed:

14 a. All charges filed for the case prior to dismissal.

15 b. Why the case was dismissed.

16

EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

19 This bill relates to county attorneys, including workplace
20 requirements, prohibited actions, and duties.

21 Under current law, a county attorney may be full-time or
22 part-time. The bill requires all county attorneys be full-time
23 and specifies that the county attorney must work in the office
24 provided by the county.

25 The bill prohibits the county attorney from dismissing more
26 than 25 percent of cases filed and brought for prosecution. In
27 addition, the bill requires the county attorney to publish in
28 a newspaper of general circulation in the county the following
29 information for each case dismissed: (1) all charges filed for
30 the case prior to dismissal; and (2) why the case was dismissed.