

House File 510 - Introduced

HOUSE FILE 510
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HF 157)

A BILL FOR

1 An Act relating to petitions for special elections to fill
2 vacancies in city offices.

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

unofficial

1 Section 1. Section 372.13, subsection 2, paragraph a,
2 subparagraph (2), unnumbered paragraph 1, Code 2025, is amended
3 to read as follows:

4 If the council chooses to proceed under this paragraph,
5 it shall publish notice in the manner prescribed by section
6 362.3, stating that the council intends to fill the vacancy by
7 appointment but that the electors of the city or ward, as the
8 case may be, have the right to file a petition requiring that the
9 vacancy be filled by a special election. The council may publish
10 notice in advance if an elected official submits a resignation
11 to take effect at a future date. The council may make an
12 appointment to fill the vacancy after the notice is published
13 or after the vacancy occurs, whichever is later. However, if
14 within fourteen days after publication of the notice or within
15 fourteen days after the appointment is made, there is filed with
16 the city clerk a petition which requests a special election to
17 fill the vacancy, an appointment to fill the vacancy is temporary
18 and the council shall call a special election to fill the vacancy
19 permanently, under paragraph "b", unless the council successfully
20 challenges the petition for a special election as provided in
21 subsection 12. The number of signatures of eligible electors of
22 a city for a valid petition shall be determined as follows:

23 Sec. 2. Section 372.13, Code 2025, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 12. A council that receives a petition for
26 a special election to fill a vacancy pursuant to subsection 2,
27 paragraph "a", subparagraph (2), may file a challenge to the
28 petition in the district court of the county in which the city
29 is located within ten days of receipt of the petition if the
30 remaining balance of the unexpired term is less than one year.
31 If the district court finds by a preponderance of the evidence
32 that the conduct of a special election to fill the vacancy would
33 be unduly financially burdensome for the city, a special election
34 to fill the vacancy shall not be called and the vacancy shall
35 be filled by appointment. The district court shall render a

