

House File 786 - Introduced

HOUSE FILE 786
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HF 127)

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:

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DIVISION I

PLAN "THREE" COUNTY SUPERVISOR REPRESENTATION PLANS AND SPECIAL ELECTIONS

Section 1. Section 331.206, subsection 2, paragraph a, Code 2025, is amended to read as follows:

a. The plan used under subsection 1 shall be selected by the board or by a special election as provided in section 331.207. A plan selected by the board shall remain in effect for at least six years and shall only be changed by a special election as provided in section 331.207. However, a county with the main campus of an institution of higher learning governed by the state board of regents shall use plan "three" for the election of supervisors.

Sec. 2. Section 331.207, subsections 2, 5, and 6, Code 2025, are amended to read as follows:

2. The petition shall be filed with the county commissioner by June 1 of an odd-numbered year, subject to subsection 6 ~~7~~. The special election shall be held on the first Tuesday after the first Monday in August ~~November~~ of the odd-numbered year. Notice of the special election shall be published once each week for three successive weeks in an official newspaper of the county, shall state the representation plans to be submitted to the electors, and shall state the date of the special election. The last in the series of publications shall occur not less than four nor more than twenty days before the election.

5. If the plan adopted by a plurality of the ballots cast in the special election represents a change from plan "one" to plan "two" or "three", or from plan "two" to plan "three", as each plan is defined in section 331.206, the temporary county redistricting commission shall divide the county into districts as provided in sections 331.209 and 331.210. The plan shall be completed not later than ~~November 1~~ December 31 following the special election and shall be submitted to the state commissioner of elections. The plan shall become effective the following January 1.

1 6. Notwithstanding any provision of this section to the
2 contrary, a county with a population of sixty thousand or more
3 based on the most recent federal decennial census that elects
4 supervisors under plan "three" shall not change from plan "three"
5 to plan "one" or plan "two" pursuant to a special election under
6 this section unless a plan "one" or plan "two" representation
7 plan is adopted by a two-thirds vote of the ballots cast in
8 the special election. This subsection does not apply to a
9 county with the main campus of an institution of higher learning
10 governed by the state board of regents required to use plan
11 "three" under section 331.206, subsection 2.

12 Sec. 3. TRANSITION PROVISION.

13 1. Notwithstanding any provision of law to the contrary,
14 a county with the main campus of an institution of higher
15 learning governed by the state board of regents that does not
16 use plan "three" for the election of supervisors, as defined in
17 section 331.206, as of the effective date of this Act, shall
18 elect supervisors using plan "three" during the 2026 general
19 election, using a representation plan drawn pursuant to section
20 331.210A, subsection 2, paragraph "f", and the requirements of
21 this section.

22 2. A county required to use a representation plan as provided
23 in this section shall establish a temporary county redistricting
24 commission by the later of thirty days after the effective date
25 of this Act or May 15, 2025, and shall complete a precinct
26 plan, in conformity with the requirements of sections 331.209
27 and 331.210A, no later than October 1, 2025. The precinct
28 plan shall be submitted to the state commissioner of elections
29 and the legislative services agency shall draw and publish the
30 representation plan by January 1, 2026.

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DIVISION II

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COUNTY SUPERVISOR VACANCIES

33 Sec. 4. Section 43.6, subsection 2, Code 2025, is amended to
34 read as follows:

35 2. When a vacancy occurs in the office of county supervisor

1 or any of the offices listed in section 39.17 and more than
2 seventy days remain in the term of office following the next
3 general election, the office shall be filled for the balance
4 of the unexpired term at that general election unless the
5 vacancy has been filled by a special election called more than
6 seventy-three days before the primary election. If the vacancy
7 occurs more than seventy-three days before the primary election,
8 political party candidates for that office at the next general
9 election shall be nominated at the primary election. If an
10 appointment to fill the vacancy in office is made in accordance
11 with section 69.14A, subsection 1, paragraph "a", eighty-eight or
12 more days before the primary election and a petition requesting
13 a special election has not been received within fourteen days
14 after the appointment is made, candidates for the office shall be
15 nominated at the primary election.

16 Sec. 5. Section 69.14A, subsection 1, paragraph a, unnumbered
17 paragraph 1, Code 2025, is amended to read as follows:

18 By If the population of the county is less than one hundred
19 twenty-five thousand based on the most recent federal decennial
20 census and if the county does not include the main campus of
21 an institution of higher learning governed by the state board
22 of regents, by appointment by the committee of county officers
23 designated to fill the vacancy in section 69.8.

24 Sec. 6. Section 69.14A, subsection 1, paragraph b, unnumbered
25 paragraph 1, Code 2025, is amended to read as follows:

26 By If the population of the county is one hundred
27 twenty-five thousand or more based on the most recent federal
28 decennial census or the county includes the main campus of an
29 institution of higher learning governed by the state board of
30 regents, by special election held to fill the office for the
31 remaining balance of the unexpired term.

32 Sec. 7. Section 331.201, subsection 3, Code 2025, is amended
33 to read as follows:

34 3. The office of supervisor is an elective office except that
35 if a vacancy occurs on the board, a successor may be appointed

1 to the unexpired term as provided in section 69.14A, subsection
2 1, paragraph "a", if the population of the county is less than
3 one hundred twenty-five thousand based on the most recent federal
4 decennial census and if the county does not include the main
5 campus of an institution of higher learning governed by the state
6 board of regents.

7 Sec. 8. Section 331.214, subsection 2, paragraph c, Code
8 2025, is amended to read as follows:

9 c. If the board declares a vacancy under this subsection and
10 the remaining balance of the supervisor's unexpired term is two
11 and one-half years or more, a special election shall be held
12 to fill the office as provided in section 69.14A, subsection 1,
13 paragraph "c", if the population of the county is one hundred
14 twenty-five thousand or more based on the most recent federal
15 decennial census or the county includes the main campus of an
16 institution of higher learning governed by the state board of
17 regents. However, if the population of the county is less than
18 one hundred twenty-five thousand based on the most recent federal
19 decennial census and if the county does not include the main
20 campus of an institution of higher learning governed by the state
21 board of regents, an appointment shall be made to fill the office
22 as provided in section 69.14A, subsection 1, paragraph "a".

23 DIVISION III

24 EFFECTIVE DATE

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

27 EXPLANATION

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

30 This bill concerns county supervisor representation plans and
31 county supervisor vacancies.

32 DIVISION I — PLAN "THREE" COUNTY SUPERVISOR REPRESENTATION
33 PLANS AND SPECIAL ELECTIONS. The bill requires a county with the
34 main campus of an institution of higher learning governed by the
35 state board of regents to use plan "three" for the election of

1 county supervisors. Plan "three" requires individual members
2 of the board of supervisors for that county to be elected from
3 single-member, equal-population districts. Current law prohibits
4 a county with a population of 60,000 or more that uses plan
5 "three" from adopting a new representation plan, unless the new
6 plan is approved by a two-thirds vote of the ballots cast in
7 the special election. The bill makes this provision inapplicable
8 to counties with the main campus of an institution of higher
9 learning governed by the state board of regents.

10 The bill requires counties with the main campus of an
11 institution of higher learning governed by the state board
12 of regents that do not use plan "three" for the election of
13 supervisors as of the effective date of the bill to submit a
14 precinct plan to the state commissioner of elections by October
15 1. The legislative services agency must draw the representation
16 plan, in conformity with the provisions of law governing the
17 adoption of a plan "three" representation plan, for use by such
18 counties to elect supervisors under plan "three" during the 2026
19 general election.

20 The bill requires special elections for the purpose of
21 selecting a supervisor representation plan to be held on the
22 first Tuesday after the first Monday in November, rather than the
23 first Tuesday in August. In accordance with Code section 39.2
24 (special elections), a special election may be held on the same
25 day as a regularly scheduled election. The bill also requires a
26 new representation plan, if a plan "two" or "three" is approved
27 at the special election, to be completed not later than December
28 31, rather than November 1. Such a plan will still take effect
29 the following January 1.

30 The bill fixes an internal subsection reference that
31 was inadvertently not updated when Code section 331.207 was
32 renumbered for the 2019 Code.

33 DIVISION II — COUNTY SUPERVISOR VACANCIES. The bill requires
34 vacancies on the board of supervisors to be filled by special
35 election in a county with either a population of 125,000 or more

1 or the main campus of an institution of higher learning governed
2 by the state board of regents. Current law allows for vacancies
3 to be filled by appointment under certain circumstances. The
4 bill requires vacancies to be filled by appointment in a county
5 with a population of less than 125,000 that does not include the
6 main campus of an institution of higher learning governed by the
7 state board of regents in accordance with current law, including
8 a vacancy that is treated as a resignation due to the physical or
9 mental status of a supervisor.

10 DIVISION III — EFFECTIVE DATE. The bill takes effect upon
11 enactment.

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