

House Joint Resolution 12 - Introduced

HOUSE JOINT RESOLUTION 12
BY GEARHART

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of
2 the State of Iowa limiting years of service for members of the
3 general assembly and certain statewide elected officials.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. The following amendment to the Constitution of the
2 State of Iowa is proposed:

3 Section 3 of Article III of the Constitution of the State of
4 Iowa is repealed and the following adopted in lieu thereof:

5 Sec. 3. **Representatives — term limitation.** The members of
6 the house of representatives shall be chosen every second year,
7 by the qualified electors of their respective districts, and
8 their term of office shall commence on the first day of January
9 next after their election, and continue two years, and until
10 their successors are elected and qualified. A person shall not
11 be elected for a term as representative if the term would result
12 in the person serving more than six consecutive terms in the
13 house of representatives or for two years next after serving six
14 consecutive terms. If a person is elected to serve a portion
15 of a term to which some other person was elected but that person
16 died in office or resigned from office or was otherwise removed
17 from office, that portion of a term served shall not be included
18 in the terms of service for purposes of this limitation. Service
19 prior to January 1, 2029, shall not be counted for the purpose of
20 calculating consecutive terms.

21 Sec. 2. The following amendment to the Constitution of the
22 State of Iowa is proposed:

23 Section 5 of Article III of the Constitution of the State of
24 Iowa is repealed and the following adopted in lieu thereof:

25 Sec. 5. **Senators — qualifications — term**
26 **limitation.** Senators shall be chosen for the term of four years,
27 at the same time and place as representatives; they shall be
28 twenty-five years of age, and possess the qualifications of
29 representatives as to residence and citizenship. A person shall
30 not be elected for a term as senator if the term would result
31 in the person serving more than three consecutive terms in the
32 senate or for four years next after serving three consecutive
33 terms. If a person is elected to serve a portion of a term
34 to which some other person was elected but that person died in
35 office or resigned from office or was otherwise removed from

1 office, that portion of a term served shall not be included in
2 the terms of service for purposes of this limitation. Service
3 prior to January 1, 2029, shall not be counted for the purposes
4 of calculating consecutive terms.

5 Sec. 3. The following amendment to the Constitution of the
6 State of Iowa is proposed:

7 Section 2 of Article IV of the Constitution of the State of
8 Iowa is repealed and the following adopted in lieu thereof:

9 Sec. 2. **Election and term.** The governor and the lieutenant
10 governor shall be elected by the qualified electors at the
11 time and place of voting for members of the general assembly.
12 Each of them shall hold office for four years from the time
13 of installation in office and until a successor is elected and
14 qualifies. A person shall not be elected for a term as governor
15 if the term would result in the person serving more than three
16 consecutive terms as governor or for four years next after
17 serving three consecutive terms. A person shall not be elected
18 for a term as lieutenant governor if the term would result in the
19 person serving more than three consecutive terms as lieutenant
20 governor or for four years next after serving three consecutive
21 terms. If a person is elected or appointed to serve a portion
22 of a term to which some other person was elected but that person
23 died in office or resigned from office or was otherwise removed
24 from office, that portion of a term served shall not be included
25 in the terms of service for purposes of this limitation. Service
26 prior to January 1, 2029, shall not be counted for the purpose of
27 calculating consecutive terms of service.

28 Sec. 4. The following amendment to the Constitution of the
29 State of Iowa is proposed:

30 Section 22 of Article IV of the Constitution of the State of
31 Iowa is repealed and the following adopted in lieu thereof:

32 Sec. 22. **Secretary — auditor — treasurer — term**
33 **limitation.** A secretary of state, an auditor of state, and a
34 treasurer of state shall be elected by the qualified electors at
35 the same time that the governor is elected and for a four-year

1 term commencing on the first day of January next after their
2 election, and they shall perform such duties as may be provided
3 by law. A person shall not be elected for a term as secretary
4 of state, auditor of state, or treasurer of state if the term
5 would result in the person serving more than three consecutive
6 terms as secretary of state, auditor of state, or treasurer of
7 state, respectively, or for four years next after serving three
8 consecutive terms. If a person is elected or appointed to serve
9 a portion of a term to which some other person was elected
10 but that person died in office or resigned from office or was
11 otherwise removed from office, that portion of a term served
12 shall not be included in the terms of service for purposes of
13 this limitation. Service prior to January 1, 2029, shall not
14 be counted for the purpose of calculating consecutive terms of
15 service.

16 Sec. 5. The following amendment to the Constitution of the
17 State of Iowa is proposed:

18 Section 12 of Article V of the Constitution of the State of
19 Iowa is repealed and the following adopted in lieu thereof:

20 Sec. 12. **Attorney general — term limitation.** The general
21 assembly shall provide, by law, for the election of an attorney
22 general by the people, whose term of office shall be four years,
23 and until a successor is elected and qualifies. A person shall
24 not be elected for a term as attorney general if the term would
25 result in the person serving more than three consecutive terms
26 as attorney general or for four years next after serving three
27 consecutive terms. If a person is elected or appointed to serve
28 a portion of a term to which some other person was elected
29 but that person died in office or resigned from office or was
30 otherwise removed from office, that portion of a term served
31 shall not be included in the terms of service for purposes of
32 this limitation. Service prior to January 1, 2029, shall not
33 be counted for the purpose of calculating consecutive terms of
34 service.

35 Sec. 6. The following amendment to the Constitution of the

1 State of Iowa is proposed:

2 The Constitution of the State of Iowa is amended by adding the
3 following new section to a new article:

4 ARTICLE ____.

5 LIFETIME TERM LIMITS.

6 Section 1. **Certain elected officials — lifetime term**
7 **limitation.** A person shall not be elected to a term as governor,
8 lieutenant governor, secretary of state, auditor of state,
9 treasurer of state, attorney general, representative in the
10 general assembly, or senator in the general assembly if the term
11 would result in the person serving more than twenty-four years
12 in any of those offices or any combination of those offices.
13 This section does not apply to a person elected to a term as
14 governor, lieutenant governor, secretary of state, auditor of
15 state, treasurer of state, attorney general, representative in
16 the general assembly, or senator in the general assembly on or
17 before January 1, 2029, so long as the person remains in that
18 office. Years of service prior to January 1, 2029, shall not
19 be counted for the purposes of calculating lifetime years of
20 service.

21 Sec. 7. REFERRAL AND PUBLICATION. The foregoing proposed
22 amendments to the Constitution of the State of Iowa are referred
23 to the general assembly to be chosen at the next general election
24 for members of the general assembly, and shall be published as
25 provided by law for three months previous to the date of that
26 election.

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 joint resolution proposes amendments to the Constitution
31 of the State of Iowa limiting years of service for persons
32 elected to the office of representative, senator, governor,
33 lieutenant governor, secretary of state, auditor of state,
34 treasurer of state, or attorney general.

35 The resolution provides that a person shall not be elected

1 for a term as a representative if the term would result in the
2 person serving more than six consecutive terms in the house of
3 representatives, elected for a term as a senator if the term
4 would result in the person serving more than three consecutive
5 terms in the senate, or elected for a term as a specified
6 statewide elected official if the term would result in the
7 person serving more than three consecutive terms in that office.
8 Additionally, a representative shall not be elected for a term
9 as a representative for two years following a sixth consecutive
10 term, a senator shall not be elected for a term as a senator for
11 four years following a third consecutive term, and a specified
12 statewide elected official shall not be elected for a term for
13 four years following a third consecutive term in that office.

14 For purposes of this limitation, a person shall not be considered
15 to have served a term if that person was elected to serve a
16 portion of a term to which another person was originally elected.

17 The resolution provides that a person shall not be elected
18 to a term as governor, lieutenant governor, secretary of
19 state, auditor of state, treasurer of state, attorney general,
20 representative in the general assembly, or senator in the general
21 assembly if the term would result in the person serving more than
22 24 years in any of those offices or any combination of those
23 offices.

24 The resolution does not apply to service occurring prior to
25 January 1, 2029. The lifetime term limitation allows a person
26 serving in an elected office at the time of adoption of the
27 amendment to continue to serve unlimited terms so long as that
28 person continuously remains in that office, subject to the other
29 provisions of the resolution.

30 The resolution, if adopted, would be referred to the next
31 general assembly (92nd) for adoption before being submitted to
32 the electorate for ratification.