

House File 712 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO HF 232)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act allowing counties to share the services of certain
2 elective county officers.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2076HV 81
5 sc/sh/8

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1 1 Section 1. Section 69.14A, subsection 2, unnumbered
1 2 paragraph 1, Code 2005, is amended to read as follows:
1 3 A vacancy in any of the offices listed in section 39.17
1 4 shall be filled by one of the ~~two~~ following procedures:
1 5 Sec. 2. Section 69.14A, subsection 2, paragraph b,
1 6 unnumbered paragraph 1, Code 2005, is amended to read as
1 7 follows:
1 8 By special election held to fill the office for the
1 9 remaining balance of the unexpired term. The board of
1 10 supervisors may, on its own motion, or shall, upon receipt of
1 11 a petition as provided in paragraph "a" or "c", call for a
1 12 special election to fill the vacancy in lieu of appointment.
1 13 The supervisors shall order the special election at the
1 14 earliest practicable date, but giving at least thirty-two
1 15 days' notice of the election. A special election called under
1 16 this section shall be held on a Tuesday and shall not be held
1 17 on the same day as a school election within the county.
1 18 Sec. 3. Section 69.14A, subsection 2, Code 2005, is
1 19 amended by adding the following new paragraph:
1 20 NEW PARAGRAPH. c. By appointment by the board of
1 21 supervisors of a county officer in another county. The
1 22 appointment shall be made by agreement of the boards of
1 23 supervisors of the counties, pursuant to chapter 28E, and the
1 24 appointment shall be of the officer holding the equivalent
1 25 office to that which is vacant. The appointment shall be for
1 26 the period until the next pending election as defined in
1 27 section 69.12, and shall be made within forty days after the
1 28 vacancy occurs. If the board of supervisors of the county
1 29 where the vacancy has occurred chooses to proceed under this
1 30 paragraph, the board shall publish notice in the manner
1 31 prescribed by section 331.305 stating that the board intends
1 32 to fill the vacancy by appointment of a county officer in
1 33 another county but that the electors of the county have the
1 34 right to file a petition requiring that the vacancy be filled
1 35 by special election. The board may publish notice in advance
2 1 if an elected official submits a resignation to take effect at
2 2 a future date. The board may make an appointment to fill the
2 3 vacancy after the notice is published or after the vacancy
2 4 occurs, whichever is later. A person appointed under this
2 5 paragraph is not required to be a resident of the county
2 6 filling the vacancy by appointment.
2 7 However, if within fourteen days after publication of the
2 8 notice or within fourteen days after the appointment is made,
2 9 a petition is filed with the county auditor requesting a
2 10 special election to fill the vacancy, the appointment is
2 11 temporary and a special election shall be called as provided
2 12 in paragraph "b". The petition shall meet the requirements of
2 13 section 331.306.
2 14 HF 712
2 15 sc:nh/es/25