SENATE FILE 75
BY COMMITTEE ON LOCAL GOVERNMENT

(SUCCESSOR TO SSB 1018)

(As Amended and Passed by the Senate March 10, 2025)

_____ and [= New Language by the Senate

* = Language Stricken by the Senate

A BILL FOR

An Act relating to county supervisors, concerning county supervisor representation plans and county supervisor vacancies, and including effective date provisions.

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

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.

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

Sec. 3. TRANSITION PROVISION.

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

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

DIVISION II

COUNTY SUPERVISOR VACANCIES

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

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

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

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

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

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

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

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

3. The office of supervisor is an elective office except that if a vacancy occurs on the board, a successor may be appointed to the unexpired term as provided in section 69.14A, subsection 1, paragraph "a", if the population of the county is less than one hundred twenty-five thousand based on the most recent federal decennial census and if the county does not include the main campus of an institution of higher learning governed by the state board of regents.

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

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

DIVISION III

EFFECTIVE DATE

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