

in the discharge of their official duties. The board of supervisors shall designate the fund from which reimbursement is to be made.

The board of supervisors after consulting with the other elected county officers, shall adopt a training reimbursement policy. The policy shall give priority to attendance at training functions conducted at the local level.

Approved April 21, 1978

CHAPTER 1119
COUNTY ATTORNEYS

H. F. 2164

AN ACT relating to the status and salaries of full-time or part-time county attorneys and assistant county attorneys.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Chapter three hundred thirty-two (332), Code 1977, is amended by adding sections two (2) through five (5) of this Act.

Sec. 2. NEW SECTION. FULL-TIME OR PART-TIME COUNTY ATTORNEYS. A county may provide that the county attorney shall be a full-time or part-time county officer in the manner provided in this Act. A full-time county attorney shall refrain from the private practice of law.

Sec. 3. NEW SECTION. RESOLUTION--EFFECTIVE DATE.

1. The board of supervisors may provide, by resolution at any regular meeting after at least fourteen days public notice, that the county attorney shall be a full-time county officer. The resolution shall include an effective date which shall not be less than sixty days from the date of adoption. However, if the county attorney or county attorney-elect objects to the full-time status, the effective date of the change to a full-time status shall be delayed until January first of the year following the next general election at which a county attorney is elected. A resolution changing the status of the county attorney shall not be adopted between March first and the date of the general election of the year in which the county attorney is regularly elected as provided in section thirty-nine point seventeen (39.17) of the Code.

2. The resolution changing the status of the county attorney shall state the annual salary to be paid to the full-time county attorney. Notwithstanding section three hundred forty A point six (340A.6) of the Code, the board of supervisors shall adopt an annual salary for the county attorney which is between forty-five and one hundred percent of the annual salary received by a district court judge.

Sec. 4. NEW SECTION. PART-TIME COUNTY ATTORNEYS.

1. The board of supervisors of a county may change the status of a full-time county attorney to a part-time county attorney by following the same procedures as provided in section three (3) of this Act. If the incumbent county attorney objects to the change in status, the change shall be delayed until January first following the next election of a county attorney.

2. The resolution changing the status of a full-time county attorney to a part-time county attorney shall state the annual salary to be paid to the part-time county attorney.

Sec. 5. NEW SECTION. CURRENT STATUS UNAFFECTED. The provisions of this Act shall not affect the full-time or part-time status of a county attorney that is in effect on the effective date of this Act, but any subsequent change in the full-time or part-time status of the county attorney shall be made as provided in section three (3) or four (4) of this Act, as applicable.

Sec. 6. Section three hundred forty point ten (340.10), Code 1977, is amended by striking the section and inserting in lieu thereof the following:

340.10 ASSISTANT COUNTY ATTORNEY. The annual salary of each assistant county attorney shall be determined by the county attorney within the budget set for the county attorney's office by the board of supervisors. The salary of an assistant county attorney shall not exceed eighty-five percent of the maximum salary of a full-time county attorney.

The county attorney shall inform the board of supervisors of the full-time or part-time status of each assistant county attorney. In the case of a part-time assistant county attorney, the county attorney shall inform the board of supervisors of the approximate number of hours per week the person shall devote to his or her duties as assistant county attorney.

Sec. 7. Section three hundred forty-one point nine (341.9), Code 1977, is amended to read as follows:

341.9 FULL-TIME COUNTY PROSECUTORS. ~~In counties having~~

~~a-population-in-excess-of-one-hundred-fifty-thousand, the~~
The county attorney may appoint, with the approval of the board of supervisors, assistant county attorneys to serve as full-time prosecutors who shall refrain from the private practice of law. The compensation paid to such assistant county attorneys shall not be subject to the provisions of section 340.40 be determined by the county attorney within the budget set for the county attorney's office by the board of supervisors. The salary of an assistant county attorney shall not exceed eighty-five percent of the maximum salary of a full-time county attorney.

Sec. 8. Section three hundred thirty-six point one (336.1), Code 1977, is amended to read as follows:

336.1 QUALIFICATIONS. County attorneys shall be qualified electors of their respective counties, duly admitted to practice as attorneys and counselors in the courts of this state as provided by law. However, if the boards of supervisors of two or more counties enter into an agreement to share the services of a county attorney as authorized by this chapter, the county attorney shall be a qualified elector of one of the counties that he or she serves. No person shall be qualified for such office while ~~his~~ the person's license to practice remains revoked or suspended.

Sec. 9. Chapter three hundred thirty-six (336), Code 1977, is amended by adding the following new section:

NEW SECTION. AUTHORIZATION TO SHARE THE SERVICES OF A COUNTY ATTORNEY--ELECTION. The boards of supervisors of two or more counties may enter into an agreement pursuant to chapter twenty-eight E (28E) of the Code to share the services of a county attorney.

A county attorney who will serve two or more counties pursuant to an agreement authorized by this section shall be elected by a majority of the votes cast for the office of county attorney in all of the counties which the county attorney will serve pursuant to the agreement. The election shall be held in accordance with section forty-seven point two (47.2), unnumbered paragraph two (2), of the Code.

If an agreement is entered into pursuant to this section, its effective date shall be delayed until January first of the year following the next general election at which a county attorney is elected in the manner provided by this section.

Approved June 20, 1978