

FEB 13 2002
LOCAL GOVERNMENT

HOUSE FILE 2300
BY BRADLEY

(COMPANION TO LSB 5922SS
BY LUNDBY)

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

A BILL FOR

1 An Act providing that city or county employees may be represented
2 before civil service commissions by duly authorized agents.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

HF 2300

1 Section 1. Section 341A.12, unnumbered paragraph 1, Code
2 2001, is amended to read as follows:

3 No person in the classified civil service who has been
4 permanently appointed or inducted into civil service under
5 provisions of this chapter shall be removed, suspended, or
6 demoted except for cause, and only upon written accusation of
7 the county sheriff, which shall be served upon the accused,
8 and a duplicate filed with the commission. Any person so
9 removed, suspended, or reduced in rank or grade may, within
10 ten days after presentation to the person of the order of
11 removal, suspension, or reduction, appeal to the commission
12 from such order. The commission shall, within two weeks from
13 the filing of such the appeal, hold a hearing thereon, and
14 fully hear and determine the matter, and either affirm,
15 modify, or revoke such the order. The appellant shall be
16 entitled to appeal personally, produce evidence, and ~~to have~~
17 be represented by counsel or other duly authorized agent. The
18 finding and decision of the commission shall be certified to
19 the sheriff, and shall be enforced and followed by the
20 sheriff, but under no condition shall the employee who has
21 appealed to the commission be permanently removed, suspended,
22 or reduced in rank until such the finding and decision of the
23 commission is certified to the sheriff pursuant to the rules
24 of civil procedure.

25 Sec. 2. Section 400.26, Code 2001, is amended to read as
26 follows:

27 400.26 PUBLIC TRIAL.

28 The trial of all appeals shall be public, and the parties
29 may be represented by counsel or other duly authorized agent.

30 EXPLANATION

31 This bill provides that a city or county employee who files
32 an appeal to a city or county civil service commission is
33 entitled to be represented by a duly authorized agent or by
34 legal counsel. Currently, such employees are only entitled to
35 be represented by legal counsel.