

FEB 13 2002
LOCAL GOVERNMENT

HOUSE FILE 2306
BY CONNORS

(COMPANION TO LSB 5924SS
BY LUNDBY)

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

A BILL FOR

1 An Act providing that city and county civil service commissioners
2 shall not conduct business with the city or county in which
3 the person is a commissioner and providing penalties.

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

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HF 2306

1 Section 1. Section 341A.2, Code 2001, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Civil service commissioners
4 shall not have an interest, direct or indirect, in any
5 contract or job of work or material or the profits thereof or
6 services to be furnished or performed for the county in which
7 they are commissioners, notwithstanding section 331.342. A
8 violation of this conflict of interest provision is a simple
9 misdemeanor. For purposes of this section, "contract" means
10 any claim, account, or demand against or agreement with the
11 county in which the commissioner serves, express or implied.

12 Sec. 2. Section 400.2, unnumbered paragraph 2, Code 2001,
13 is amended to read as follows:

14 Civil service commissioners shall not ~~sell-to, or in any~~
15 ~~manner-become-parties, directly, to~~ have an interest, direct
16 or indirect, in any contract to-furnish-supplies, material, or
17 labor-to or job of work or material or the profits thereof or
18 services to be furnished or performed for the city in which
19 they are commissioners ~~except-as-provided-in,~~ notwithstanding
20 section 362.5. A violation of this conflict of interest
21 provision is a simple misdemeanor. For purposes of this
22 section, "contract" means any claim, account, or demand
23 against or agreement with the city in which the commissioner
24 serves.

25 EXPLANATION

26 This bill provides that a city or county civil service
27 commissioner is prohibited from having an interest, direct or
28 indirect, in any contract or job of work or material or the
29 profits thereof or services to be furnished for the city or
30 county in which the person is a commissioner. The bill
31 defines a "contract" as any claim, account, or demand against
32 or agreement with the city or county in which the commissioner
33 serves, express or implied. The bill provides that the
34 exceptions to the prohibition contained in Code section
35 331.342 do not apply to county civil service commissioners and

1 that the exceptions to this prohibition contained in Code
2 section 362.5 do not apply to city civil service
3 commissioners. A violation of the conflicts of interest
4 prohibition by a city or county civil service commissioner is
5 a simple misdemeanor. A simple misdemeanor is punishable by
6 confinement for no more than 30 days or a fine of at least \$50
7 but not more than \$500, or by both.

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