

FILED MAR 3 2005

SENATE FILE 268

BY SHULL and KREIMAN

LOCAL GOVERNMENT

Passed Senate, Date _____

Passed House, Date _____

Vote: Ayes _____ Nays _____

Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act authorizing a county attorney to represent township
2 trustees in certain circumstances.

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

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SF 268 LOCAL GOVERNMENT

1 Section 1. Section 359.18, Code 2005, is amended to read
2 as follows:

3 359.18 COUNTY ATTORNEY AS COUNSEL.

4 1. In counties having a population of less than twenty-
5 five thousand, where the trustees institute, or are made
6 parties to, litigation in connection with the performance of
7 their duties, as provided in this chapter, the county
8 attorney, as a part of the county attorney's official duties,
9 shall appear in behalf of the township trustees, except in
10 cases in which the interests of the county and those of the
11 trustees are adverse.

12 2. The county attorney for a county with a population of
13 twenty-five thousand or more may represent the trustees in
14 litigation concerning access to a cemetery.

15 EXPLANATION

16 This bill authorizes a county attorney for a county with a
17 population of 25,000 or more to represent township trustees in
18 litigation concerning access to a cemetery.

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