384.03 MALFEASANCE; SUSPENSION.

If any county auditor shall fail to make settlement or pay over all money with which the auditor stands charged, at the time and in the manner prescribed by law, or misapplies any money handled in the discharge of official duties, the county board shall commence an action against the auditor and the auditor's sureties, and cause a copy of the complaint in such action to be forthwith furnished to the governor; and, if it alleges any of the acts hereinbefore recited, the governor shall suspend such auditor temporarily, and cite the auditor to appear and show cause why the suspension should not continue during the pendency of the action. At the hearing either party may produce competent evidence by affidavits or otherwise and if there appear to be reasonable grounds to support the complaint, the suspension shall be continued during the pendency of the action; otherwise such auditor shall be restored to office. If restored, the auditor shall not be deprived of salary during the period of suspension and the auditor's reasonable expenses in defending against the charges on the hearing before the governor shall be paid by the county. If, upon the trial of such action, the auditor is adjudged guilty of any neglect of duty or offense charged in the complaint, the office shall be deemed vacant.

History: *(827) RL s 483; 1986 c 444*