

time requirements of the formal or informal bidding and contracting procedures provided for in this section. The minutes of the meeting of the board of supervisors at which expenditures for such repairs are approved shall contain a statement explaining the need for such repairs and the reasons why the formal and informal bidding and contracting procedures specified in this section could not be followed.

4. Each contract for the repair or construction of a county building shall be awarded to the lowest responsible bidder at a time and place which shall be stated in any advertisement or written notice required under subsection one (1) or two (2) of this section. On the day specified for the awarding of a contract, the board of supervisors may adjourn the proceedings to a later time and place, of which all parties shall take notice. The board of supervisors may reject all bids and advertise or give notice for new bids as provided in this section.

Approved June 2, 1978

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## CHAPTER 1121

### ERRORS AND OMISSIONS INSURANCE

H. F. 2246

AN ACT extending liability and errors and omissions insurance to appointed county officers, township trustees, and employees of the township.

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

Section 1. Section three hundred thirty-two point thirty-six (332.36), Code 1977, is amended to read as follows:

332.36 COUNTY INDEMNIFICATION FUND IN STATE TREASURY. There is created in the office of the treasurer of state a fund to be known as "the county indemnification fund" to be used to indemnify and pay on behalf of any ~~elected~~ county officer, any township trustee and any deputies, assistants or employees of the county or the township, all sums that such officers, deputies, assistants or employees are legally obligated to pay because of their errors or omissions in the performance of their official duties, except that the first five hundred dollars of each such claim shall not be paid from this fund.

Sec. 2. Section three hundred thirty-two point forty (332.40), Code 1977, is amended to read as follows:

332.40 CLAIMS PAID. Any claim for any error or omission of any ~~elected~~ county officer, any township trustee or any deputy, assistant or employee of the county or the township relating to such matters, committed after ~~July-17-1975~~ July 1, 1978, shall be processed in accordance with provisions of chapter 613A and paid from such fund, except that any payment of a claim, except a final judgment, in excess of fifteen hundred dollars shall have the unanimous approval of all members of the state appeal board, the attorney general, and the district court of Polk county.

Sec. 3. Section three hundred thirty-two point forty-one (332.41), Code 1977, is amended to read as follows:

332.41 INSURANCE DEDUCTIBLE. If a final judgment is obtained against any ~~elected~~ county officer, any township trustee, or any deputies, assistants, or employees of the county or the township for an act committed subsequent to ~~July-17-1975~~ July 1, 1978, which is payable from the county indemnification fund, the county attorney shall ascertain if any insurance policy exists indemnifying such persons against such judgment or any part thereof. If no insurance exists, or if the judgment exceeds the limits of such insurance the county attorney shall submit a claim to the state comptroller against the county indemnification fund on behalf of the plaintiff to the action for the amount of the judgment exceeding the amount recoverable by reason of such insurance. The state comptroller shall promptly issue a warrant payable to the plaintiff for such amount, and the treasurer of state shall pay the warrant. Such payment shall forever discharge such persons from any and all liability therefor.

Approved June 5, 1978