

rence of costs and expenses by the ~~department~~ state or a political subdivision. The statement shall be filed with, accepted by, and recorded by the county recorder in the county in which the property subject to the lien is located. The statement of claim may be amended to include subsequent liabilities. To be effective the statement of claim shall be amended and filed within one hundred twenty days after the occurrence of the event resulting in the amendment.

The lien may be dissolved by filing with the appropriate recording officials a certificate, ~~signed by the director~~, that the debt for which the lien is attached, together with interest and costs on the debt, has been paid or legally abated.

Approved March 19, 2009

CHAPTER 17

GRAIN DEPOSITORS AND SELLERS INDEMNITY FUND — FEES AND CLAIMS

H.F. 374

AN ACT relating to the grain depositors and sellers indemnity fund, and providing for an effective date and retroactive applicability.

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

Section 1. Section 203D.5, subsection 2, Code 2009, is amended to read as follows:

2. If, at the end of any three-month period, the assets of the fund exceed ~~six~~ eight million dollars, less any encumbered balances or pending or unsettled claims, the per-bushel fee required under section 203D.3, subsection 2, and the dealer-warehouse fee required under section 203D.3, subsection 3, shall be waived and the fees are not assessable or owing. The board shall reinstate the fees if the assets of the fund, less any unencumbered balances or pending or unsettled claims, are three million dollars or less.

Sec. 2. Section 203D.6, subsection 1, Code 2009, is amended to read as follows:

1. **PERSONS WHO MAY FILE CLAIMS — TIME OF FILING.** A depositor or seller may file a claim with the department for indemnification of a loss from the grain depositors and sellers indemnity fund. A claim shall be filed in the manner prescribed by the board. ~~A claim shall not be filed prior to the~~

1A. TIME OF FILING CLAIM.

a. As used in this subsection, an incurrence date, which is the earlier is when either of the following occurs:

a. ~~(1)~~ The revocation, termination, or cancellation of the license of the grain dealer or warehouse operator.

b. ~~(2)~~ The filing of a petition in bankruptcy by a licensed grain dealer or licensed warehouse operator.

b. To be timely, a claim shall ~~must~~ be filed within a claim period beginning on either incurrence date and ending one hundred twenty days of the ~~after that~~ incurrence date, regardless of whether a previous claim period has expired.

Sec. 3. Section 203D.6, subsection 3, paragraph d, Code 2009, is amended to read as follows:

d. That the claim derives from a covered transaction. For purposes of this paragraph, a claim derives from a covered transaction if the claimant is a seller who transferred title to the

grain to a licensed grain dealer other than by credit-sale contract within six months of the in-currence date for a claim period as provided in subsection 1A, or if the claimant is a depositor who delivered the grain to a licensed warehouse operator.

Sec. 4. Section 203D.6, subsection 3, Code 2009, is amended by adding the following new paragraph:

NEW PARAGRAPH. f. A claim has not been paid for the same loss.

Sec. 5. Section 203D.6, subsection 7, Code 2009, is amended to read as follows:

7. PAYMENT OF CLAIMS. Upon a determination that the claim is eligible for payment, the board shall provide for payment of ninety percent of the loss, as determined under subsection 4, but not more than ~~one~~ three hundred fifty thousand dollars per claimant. If at any time the board determines that there are insufficient funds to make payment of all claims, the board may order that payment be deferred on specified claims. The department, upon the board's instruction, shall hold those claims for payment until the board determines that the fund again contains sufficient assets.

Sec. 6. EFFECTIVE DATE AND RETROACTIVE APPLICATION. This Act, being deemed of immediate importance, takes effect upon enactment and applies retroactively to October 1, 2008.

Approved March 19, 2009

CHAPTER 18

OPEN ENROLLMENT — TRANSPORTATION

S.F. 177

AN ACT relating to requirements for school districts providing transportation to students participating in open enrollment.

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

Section 1. Section 282.18, subsection 10, Code 2009, is amended to read as follows:

10. a. Notwithstanding section 285.1 relating to transportation of nonresident pupils, the parent or guardian is responsible for transporting the pupil without reimbursement to and from a point on a regular school bus route of the receiving district. For purposes of this subsection, "a point on a regular school bus route of the receiving district" includes any school bus stop on the regular school bus route of the receiving district that existed prior to road construction that necessitates a change in the regular school bus route, whether or not the change in the regular school bus route resulting from the road construction necessitates sending school vehicles from the receiving district into the district of residence in order to safely, economically, or efficiently transport students to or from the preexisting point.

b. ~~However, a~~ A receiving district may send school vehicles into the district of residence of the pupil using the open enrollment option under this section, for the purpose of transporting the pupil to and from school in the receiving district, if the boards of both the sending and receiving districts agree to this arrangement.

c. If the pupil meets the economic eligibility requirements established by the department and state board of education, the sending district is responsible for providing transportation or paying the pro rata cost of the transportation to a parent or guardian for transporting the pupil to and from a point on a regular school bus route of a contiguous receiving district unless