

will be let. However, when the estimated cost of the improvement is less than ~~fifteen~~ twenty thousand dollars, the board may let the contract for the construction without taking bids and without publishing notice.

Sec. 2. Section 468.35, subsection 2, Code 2009, is amended to read as follows:

2. A bid shall be in writing, specifying the portion of the work upon which the bid is made, and filed with the auditor. The bid shall be accompanied with a bid security. The bid security shall be in the form of a deposit of cash, a certified check on and certified by a bank in Iowa, a certified share draft drawn on a credit union in Iowa, or a bid bond with a corporate surety satisfactory to the board as provided in section 73A.20. The bid security must be payable to the auditor or the auditor's order at the auditor's office in a sum equal to ~~ten~~ five percent of the amount of the bid, ~~but not to exceed ten thousand dollars~~. However, if the maximum limit on a bid security would cause a denial of funds or services from the federal government which would otherwise be available, or if the maximum limit would otherwise be inconsistent with the requirements of federal law, the maximum limit may be suspended to the extent necessary to prevent denial of federal funds or services or to eliminate the inconsistency with federal requirements. The cash, check, or share draft of an unsuccessful bidder shall be returned, and the bid bond of an unsuccessful bidder shall be canceled. The bid security of a successful bidder shall be maintained as a guarantee that the bidder will enter into contract in accordance with the bids.

Sec. 3. Section 468.66, Code 2009, is amended to read as follows:

468.66 Bids required.

In case the board shall finally determine that any such changes as defined in section 468.62 shall be made involving an expenditure of ~~fifteen~~ twenty thousand dollars or more, the work shall be let by bids in the same manner as is provided for the original construction of such improvements.

Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of immediate importance, takes effect upon enactment.

Approved March 22, 2010

CHAPTER 1092

AREA EDUCATION AGENCIES — TASK FORCE

H.F. 2295

AN ACT establishing a task force to review the present mission, structure, governance, and funding of the area education agencies.

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

Section 1. DEPARTMENT OF EDUCATION — AREA EDUCATION AGENCY TASK FORCE.

1. The department of education shall convene a task force to review the present mission, structure, governance, and funding of the area education agency system to determine if the current model is applicable to the challenges and requirements of twenty-first century learning.¹

2. The task force membership shall be comprised of education stakeholders and consumers of area education agency services including but not limited to persons representing the following entities or individuals:

¹ See chapter 1183, §41 herein

- a. The department of education.
 - b. Area education agencies.
 - c. The Iowa association of school boards.
 - d. The Iowa state education association.
 - e. The school administrators of Iowa.
 - f. Accredited nonpublic schools.
 - g. A parent or guardian of a child receiving special education services.
 - h. The chairpersons and ranking members of the senate and house standing committees on education.
3. The task force shall submit its findings and recommendations in a report to the general assembly by December 15, 2010.

Approved March 22, 2010

CHAPTER 1093

MEDICAID AND CRIMINAL RESTITUTION — PAYMENTS

H.F. 2307

AN ACT providing for restitution for Medicaid expenditures.

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

Section 1. NEW SECTION. 249A.6A Restitution.

If restitution is ordered by the court pursuant to section 910.2, and the victim is a recipient of medical assistance for whom expenditures were made as a result of the offender's criminal activities, restitution may be made to the medical assistance program in accordance with section 910.2.

Sec. 2. Section 910.2, Code 2009, is amended to read as follows:

910.2 Restitution or community service to be ordered by sentencing court.

1. In all criminal cases in which there is a plea of guilty, verdict of guilty, or special verdict upon which a judgment of conviction is rendered, the sentencing court shall order that restitution be made by each offender to the victims of the offender's criminal activities, to the clerk of court for fines, penalties, surcharges, and, to the extent that the offender is reasonably able to pay, for crime victim assistance reimbursement, restitution to public agencies pursuant to section 321J.2, subsection 9, paragraph "b", court costs including correctional fees approved pursuant to section 356.7, court-appointed attorney fees ordered pursuant to section 815.9, including the expense of a public defender, when applicable, ~~or~~ contribution to a local anticrime organization, or restitution to the medical assistance program pursuant to chapter 249A for expenditures paid on behalf of the victim resulting from the offender's criminal activities. However, victims shall be paid in full before fines, penalties, and surcharges, crime victim compensation program reimbursement, public agencies, court costs including correctional fees approved pursuant to section 356.7, court-appointed attorney fees ordered pursuant to section 815.9, including the expenses of a public defender, ~~or~~ contributions to a local anticrime organization, or the medical assistance program are paid. In structuring a plan of restitution, the court shall provide for payments in the following order of priority: victim, fines, penalties, and surcharges, crime victim compensation program reimbursement, public agencies, court costs including correctional fees approved pursuant to section 356.7, court-appointed attorney fees ordered pursuant to section 815.9, including the expense of a public defender, ~~and~~ contribution to a local anticrime organization, and the medical assistance program.

2. When the offender is not reasonably able to pay all or a part of the crime victim compensation program reimbursement, public agency restitution, court costs including