

**203D.3 Grain depositors and sellers indemnity fund — creation and management.**

1. The grain depositors and sellers indemnity fund is created in the state treasury as a separate account. The general fund of the state is not liable for claims presented against the fund under [sections 203D.6](#) and [203D.6A](#).

2. The fund consists of all of the following:

a. Participation fees paid to the department by licensed grain dealers and persons applying to be issued a grain dealer's license as provided in [section 203D.3A](#).

b. Participation fees paid to the department by licensed warehouse operators and persons applying to be issued a warehouse operator's license as provided in [section 203D.3A](#).

c. Per-bushel fees paid to the department by licensed grain dealers as provided in [section 203D.3A](#).

d. Delinquency penalties.

e. Amounts collected by the state pursuant to legal action on behalf of the fund.

f. Interest, earnings on investments, property, or securities acquired through the use of moneys in the fund.

3. The assessment year of the fund begins September 1 and ends on August 31. Assessment quarters of the fund begin September 1, December 1, March 1, and June 1. The finances of the fund shall be calculated on an accrual basis in accordance with generally accepted accounting principles.

4. The moneys collected under [this section](#) and deposited in the fund shall be expended by the board exclusively to do all of the following:

a. Indemnify depositors and sellers who have submitted eligible claims to the department as provided in [sections 203D.6](#) and [203D.6A](#).

b. Pay the department, the board, or the office of attorney general for actual and necessary costs incurred by any of the following:

(1) The department for acting as receiver if appointed by a court pursuant to [section 203.12B](#) or [203C.3](#).

(2) (a) The office of attorney general for representing the department, the board, or the office in a legal or administrative proceeding involving moneys required to be deposited or expended from the fund.

(b) Outside counsel for representing the department, the board, or the office of attorney general in a legal or administrative proceeding involving moneys required to be deposited or expended from the fund.

5. All disbursements from the fund shall be paid by the treasurer of state pursuant to vouchers authorized by the department.

6. The administrative costs of [this chapter](#) shall be paid from the fund after approval of the costs by the board.

[86 Acts, ch 1152, §33](#)

[C87, §543A.3](#)

[87 Acts, ch 147, §12 – 15](#); [88 Acts, ch 1148, §3](#); [89 Acts, ch 143, §903 – 905](#)

[C93, §203D.3](#)

[2008 Acts, ch 1083, §15](#); [2009 Acts, ch 133, §79](#); [2010 Acts, ch 1082, §6, 7](#); [2023 Acts, ch 154, §15, 19](#); [2025 Acts, ch 105, §12](#)

Referred to in [§203.2A](#), [203D.1](#), [203D.3A](#), [203D.5](#)

Subsections 1 and 4 amended