

Senate File 2121

S-5131

1 Amend Senate File 2121 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 63.11, Code 2024, is amended to read as  
5 follows:

6 **63.11 Oath on bond.**

7 ~~Every~~ Except a secretary and treasurer under chapter 291,  
8 every civil officer who is required to give bond shall take and  
9 subscribe the oath provided for in [section 63.10](#), on the back  
10 of the bond, or on a paper attached thereto, to be certified by  
11 the officer administering it.

12 Sec. 2. NEW SECTION. **64.3 Insurance policy in lieu of bond.**

13 1. In lieu of a bond, a public officer required to obtain a  
14 bond pursuant to this chapter may obtain an insurance policy in  
15 an amount not less than the amounts provided in section 64.8,  
16 64.10, 64.13, or 64.15, as applicable.

17 2. An insurance policy obtained pursuant to this section  
18 must substantially comply with the conditions of section 64.2.

19 3. The reasonable expenses of an insurance policy obtained  
20 pursuant to this section in lieu of a bond, for which the  
21 reasonable expenses of such bond would be paid for by the  
22 county or township pursuant to section 64.11, 64.12, or 64.15,  
23 shall be paid by the county or township, as applicable.

24 4. The state of Iowa shall be the beneficiary of an  
25 insurance policy obtained pursuant to this section and the  
26 policy shall be for the use and benefit of any corporation,  
27 public or private, or person injured or sustaining loss, with  
28 a right of action in the name of the state for its or the  
29 corporation's or person's use.

30 5. An insurance policy obtained pursuant to this section  
31 shall be approved, filed, and recorded as provided in sections  
32 64.19 through 64.24.

33 Sec. 3. Section 64.25, Code 2024, is amended to read as  
34 follows:

35 **64.25 Failure to give bond.**

1     1. Action by any officer in an official capacity without  
2 giving bond when such bond is required ~~shall constitute grounds~~  
3 ~~for removal from office~~ may be suspended from office until the  
4 officer gives a bond in compliance with this chapter.

5     2. Failure to give a bond in compliance with this chapter  
6 after a reasonable time following a suspension from office  
7 pursuant to subsection 1 constitutes grounds for removal from  
8 office.

9     Sec. 4. Section 260C.12, subsection 1, Code 2024, is amended  
10 to read as follows:

11     1. The board of directors of the merged area shall organize  
12 at the first regular meeting following the regular school  
13 election or at a special meeting called by the secretary of the  
14 board to organize the board in advance of the first regular  
15 meeting after the canvass for the regular school election.  
16 Organization of the board shall be effected by the election  
17 of a president and other officers from the board membership  
18 as board members determine. The board of directors shall  
19 appoint a secretary and a treasurer who shall each give bond  
20 or be covered by an insurance policy as prescribed in section  
21 291.2 and who shall each receive the salary determined by  
22 the board. The secretary and treasurer shall perform duties  
23 under [chapter 291](#) and additional duties the board of directors  
24 deems necessary. However, the board may appoint one person to  
25 serve as the secretary and treasurer. If one person serves  
26 as the secretary and treasurer, only one bond or insurance  
27 policy is necessary for that person. The frequency of meetings  
28 other than organizational meetings shall be as determined by  
29 the board of directors but the president or a majority of the  
30 members may call a special meeting at any time.

31     Sec. 5. Section 279.3, subsection 2, Code 2024, is amended  
32 to read as follows:

33     2. These officers shall be appointed from outside the  
34 membership of the board and the appointment and qualification  
35 shall be entered of record in the minutes of the secretary.

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1 They shall qualify within ten days following appointment by  
2 taking the oath of office in the manner required by section  
3 277.28 and filing a bond or obtaining an insurance policy as  
4 required by [section 291.2](#) and shall hold office until their  
5 successors are appointed and qualified.

6 Sec. 6. Section 291.2, Code 2024, is amended to read as  
7 follows:

8 **291.2 Bonds or insurance of secretary and treasurer.**

9 The secretary and treasurer, within ten days after  
10 appointment and before entering upon the duties of the office,  
11 shall execute to the school corporation a surety bond, or shall  
12 be covered by an insurance policy, in an amount sufficient  
13 to cover current operations as determined by the board. All  
14 such bonds or insurance policies shall be continued to the  
15 faithful discharge of the duties of the office. The amount and  
16 sufficiency of all surety bonds or insurance policies shall be  
17 determined and approved by the board and shall be filed with  
18 the president. The cost of the surety bond or insurance policy  
19 shall be paid by the school corporation. If a single person  
20 serves as secretary and treasurer, pursuant to [section 279.3](#)  
21 or [260C.12](#), only one bond or insurance policy is necessary for  
22 that person. The secretary and treasurer may give bond under  
23 a single bond, or be covered by an insurance policy, covering  
24 other employees of the district.

25 Sec. 7. Section 291.3, Code 2024, is amended to read as  
26 follows:

27 **291.3 Cost of bond or insurance policy.**

28 If the bond or insurance policy of an association or  
29 corporation as surety or insurance is furnished, the reasonable  
30 cost of such bond or insurance policy may be paid by the school  
31 corporation.

32 Sec. 8. Section 291.4, Code 2024, is amended to read as  
33 follows:

34 **291.4 Oath.**

35 ~~Each~~ The secretary and treasurer shall take the oath

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1 required of civil officers, ~~which shall be endorsed upon the~~  
2 ~~bond~~, and shall complete the qualification within ten days.

3 Sec. 9. Section 291.5, Code 2024, is amended to read as  
4 follows:

5 **291.5 Action on bond or insurance policy.**

6 In case of a breach of the bond or insurance policy, the  
7 president shall bring action thereon in the name of the school  
8 corporation.>

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SCOTT WEBSTER