

MAR 8 1988

Place On Calendar

HOUSE FILE 2423

BY COMMITTEE ON LOCAL GOVERNMENT

(Formerly House Study Bill 818)

Passed House, Date 3/16/88 (p.852) Passed Senate, Date 3/29/88 (p.1102)
 Vote: Ayes 97 Nays 0 Vote: Ayes 48 Nays 0
 Approved April 26, 1988

A BILL FOR

1 An Act relating to surety bonds for county officers and
2 employees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2423

H-5547

1 Amend House File 2423 as follows:

2 1. Page 1, line 7, by striking the words "per
3 annum" and inserting the following: "per-annum".

4 2. Page 1, line 13, by striking the words "per
5 annum" and inserting the following: "per-annum".

6 3. Page 1, by striking lines 16 through 24 and
7 inserting the following:

8 "Sec. ____ . Section 64.24, unnumbered paragraph 2,
9 Code 1987, is amended to read as follows:

10 Said The records shall have an index which, under
11 the title of each office, shall show the name of each
12 principal, ~~the principal's sureties,~~ and the date of
13 the filing of the bond.

14 Sec. ____ . Sections 64.3, 64.16, 64.17, and
15 331.556, Code 1987, are repealed."

16 4. Title page, by striking line 1 and inserting
17 the following: "An Act relating to sureties and
18 surety bonds for public officers and".

H-5547 FILED MARCH 14, 1988

adopted 3-16 (p.852)

BY COOPER of Lucas

ROYER of Page

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24

25

TLSB 8404HV 72

tj/cf/24

1 Section 1. Section 64.8, Code 1987, is amended to read as
2 follows:

3 64.8 BONDS OF COUNTY OFFICERS.

4 The bonds of members of the boards of supervisors, county
5 attorneys, recorders, auditors, sheriffs, and assessors shall
6 each be in a penal sum of not less than ten twenty thousand
7 dollars per annum. The amount of each bond shall be
8 determined by the board of supervisors.

9 Sec. 2. Section 64.10, Code 1987, is amended to read as
10 follows:

11 64.10 BOND OF COUNTY TREASURER.

12 The bond of the county treasurer shall be in the sum of
13 twenty-five not less than fifty thousand dollars per annum.
14 The amount of the treasurer's bond shall be determined by the
15 board of supervisors.

16 Sec. 3. Section 64.16, Code 1987, is amended to read as
17 follows:

18 64.16 MINIMUM NUMBER OF SURETIES -- QUALIFICATIONS.

19 Every bond required by this chapter, except as hereinafter
20 otherwise specified in this section, shall be executed with at
21 least two sureties, each of whom shall be a freeholder of the
22 state. The ~~bonds~~ bond of the state treasurer ~~and-of-the~~
23 ~~county-treasurer~~ shall have not less than four sureties,
24 possessed of like qualifications.

25 EXPLANATION

26 This bill increases the minimum sum of bonds required of
27 county officers, except the treasurer, from ten thousand
28 dollars to twenty thousand dollars per annum. The bond of the
29 county treasurer is increased from twenty-five thousand
30 dollars to fifty thousand dollars and this amount becomes a
31 minimum rather than the actual bond requirement. Under
32 current law, the minimum bond of the elected county officers,
33 except the treasurer, is ten thousand dollars per annum and
34 the county treasurer's actual bond amount is twenty-five
35 thousand dollars per annum. The board of supervisors will

1 determine the actual sum of each bond subject to the minimum.

2 The bill also reduces the number of sureties required for
3 the bonds of the county treasurers and their deputy treasurers
4 from four to two. Two sureties are required for the bonds of
5 the other county officers and their deputies.

6 This bill imposes a state mandate.

7 SUCCESSION TO HSB 818 (LSB 8404HC)

8 COMPANION TO SSB 2126 (LSB 8100SC)

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HOUSE FILE 2423

FISCAL NOTE

REQUESTED BY REPRESENTATIVE COOPER

In compliance with a written request received March 7, 1988, a fiscal note for HOUSE FILE 2423 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

House File 2423 increases the minimum sum of bonds required of county officers, except the treasurer, from \$10,000 to \$20,000 per annum. The bond of the county treasurer is increased from \$25,000 to \$50,000 and this amount becomes a minimum rather than the actual bond requirement. Under current law, the minimum bond of the elected county officers, except the treasurer, is \$10,000 per annum and the county treasurer's actual bond amount is \$25,000 per annum. The board of supervisors will determine the actual sum of each bond subject to the minimum.

The bill also reduces the number of sureties required for the bonds of the county treasurers and their deputy treasurers from four to two. Two sureties are required for the bonds of the other county officers and their deputies.

This bill imposes a state mandate.

FISCAL IMPACT:

House File 2423 has no fiscal impact on the General Fund.

Source: Iowa State Association of Counties

(LSB 86744. KNM)

FILED MARCH 17, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

House File 2423
S. Bill 3/23 (p. 930)

HOUSE FILE 2423
BY COMMITTEE ON LOCAL GOVERNMENT

(As Amended and Passed by the House March 16, 1988)

Passed House, Date 3/16/88 (p. 852) Passed Senate, Date 3/29/88 (p. 1102)
Vote: Ayes 97 Nays 0 Vote: Ayes 48 Nays 0
Approved April 26, 1988

A BILL FOR

1 An Act relating to sureties and surety bonds for public officers
2 and employees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____

1 Section 1. Section 64.8, Code 1987, is amended to read as
2 follows:

3 64.8 BONDS OF COUNTY OFFICERS.

4 The bonds of members of the boards of supervisors, county
5 attorneys, recorders, auditors, sheriffs, and assessors shall
6 each be in a penal sum of not less than ten twenty thousand
7 dollars per-annum. The amount of each bond shall be
8 determined by the board of supervisors.

9 Sec. 2. Section 64.10, Code 1987, is amended to read as
10 follows:

11 64.10 BOND OF COUNTY TREASURER.

12 The bond of the county treasurer shall be in the sum of
13 twenty-five not less than fifty thousand dollars per-annum.
14 The amount of the treasurer's bond shall be determined by the
15 board of supervisors.

16 Sec. 3. Section 64.24, unnumbered paragraph 2, Code 1987,
17 is amended to read as follows:

18 Said The records shall have an index which, under the title
19 of each office, shall show the name of each principal, the
20 principal's sureties, and the date of the filing of the bond.

21 Sec. 4. Sections 64.3, 64.16, 64.17, and 331.556, Code
22 1987, are repealed.

23 SUCCESSOR TO HSB 818 (LSB 8404HC)

24 COMPANION TO SSB 2126 (LSB 8100SC)

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HOUSE FILE 2422

BY (PROPOSED COMMITTEE ON LOCAL GOVERNMENT BILL)

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to surety bonds for county officers and
2 employees.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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7 dollars per annum. The amount of each bond shall be
8 determined by the board of supervisors.

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10 follows:

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20 otherwise specified in this section, shall be executed with at
21 least two sureties, each of whom shall be a freeholder of the
22 state. ~~The bonds~~ the bond of the state treasurer ~~and-of-the~~
23 ~~county-treasurer~~ shall have not less than four sureties,
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25 EXPLANATION

26 This bill increases the minimum sum of bonds required of
27 county officers, except the treasurer, from ten thousand
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29 county treasurer is increased from twenty-five thousand
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35 thousand dollars per annum. The board of supervisors will

1 determine the actual sum of each bond subject to the minimum.

2 The bill also reduces the number of sureties required for
3 the bonds of the county treasurers and their deputy treasurers
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5 the other county officers and their deputies.

6 This bill imposes a state mandate.

7 COMPANION TO SSB 2126 (LSB 8100SC)

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Sec. 4. Sections 64.3, 64.16, 64.17, and 331.556, Code 1987, are repealed.

HOUSE FILE 2423

AN ACT

RELATING TO SURETIES AND SURETY BONDS FOR PUBLIC OFFICERS AND EMPLOYEES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 64.8, Code 1987, is amended to read as follows:

64.8 BONDS OF COUNTY OFFICERS.

The bonds of members of the boards of supervisors, county attorneys, recorders, auditors, sheriffs, and assessors shall each be in a penal sum of not less than ten twenty thousand dollars per-annum. The amount of each bond shall be determined by the board of supervisors.

Sec. 2. Section 64.10, Code 1987, is amended to read as follows:

64.10 BOND OF COUNTY TREASURER.

The bond of the county treasurer shall be in the sum of twenty-five not less than fifty thousand dollars per-annum. The amount of the treasurer's bond shall be determined by the board of supervisors.

Sec. 3. Section 64.24, unnumbered paragraph 2, Code 1987, is amended to read as follows:

Said The records shall have an index which, under the title of each office, shall show the name of each principal~~;-the~~ principal~~'s-sureties;~~ and the date of the filing of the bond.

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2423, Seventy-second General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved April 26, 1988

TERRY E. BRANSTAD
Governor

HF 2423