

FEB 10 1968
LOCAL GOVERNMENT

HOUSE FILE 2203
BY FREVERT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act related to confinement feeding operations, by requiring
2 the filing of bonds by general contractors.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2203

1 Section 1. NEW SECTION. 331.910 CONFINEMENT FEEDING
2 OPERATIONS -- SUBCONTRACTOR BOND REQUIRED.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "Animal feeding operation structure", "confinement
6 feeding operation", and "small animal feeding operation" mean
7 the same as defined in section 455B.161.

8 b. "Bond" means a surety or cash performance bond issued
9 by a surety company authorized to do business in this state or
10 an irrevocable letter of credit issued by a qualified
11 financial institution.

12 c. "Qualified financial institution" means a bank, credit
13 union, or savings and loan as defined in section 12C.1.

14 2. For purposes of this section, construction begins when
15 any of the following occurs in connection with a site where an
16 animal feeding operation structure is proposed to be
17 constructed:

18 a. Excavation.

19 b. The installation of forms for concrete.

20 c. The installation of piping for movement of manure
21 within or between animal feeding operation structures.

22 d. The removal of trees, brush, or other vegetative
23 growth.

24 e. The construction of driveways or roads.

25 f. General earthmoving for leveling or compacting.

26 g. The installation of temporary utility service.

27 3. The board in a county may require that a general
28 contractor file a bond with the county before beginning
29 construction of an animal feeding operation structure which is
30 part of a confinement feeding operation other than a small
31 animal feeding operation. The bond shall be used to guarantee
32 the payment of costs for completing construction by
33 subcontractors. The amount of the bond, which shall not
34 exceed the costs of completing construction by the
35 subcontractors, shall be approved by the board. The total and

1 aggregate liability of the surety on the bond is limited to
2 the amount specified in the bond. A bond filed with the board
3 shall not be canceled by the issuer on less than ninety days'
4 notice by certified mail to the board and the general
5 contractor. When the board receives notice from an issuer
6 that it has canceled the bond, the board may order the
7 suspension of construction until the canceled bond is
8 replaced.

9 EXPLANATION

10 This bill provides that the board of supervisors in a
11 county may require that a general contractor file a bond or
12 letter of credit with the county before beginning construction
13 of an animal feeding operation structure which is part of a
14 confinement feeding operation other than a small animal
15 feeding operation. The bond must be used to guarantee the
16 payment of costs for completing construction by
17 subcontractors. The bond amount approved by the board shall
18 not exceed the costs of completing construction by the
19 subcontractors.

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