

**House File 10 - Introduced**

HOUSE FILE 10

BY SALMON

**A BILL FOR**

1 An Act relating to the court's discretion to require

2 conservators to post bond.

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

1 Section 1. Section 633.174, Code 2021, is amended to read  
2 as follows:

3 **633.174 Guardians and conservators — bond.**

4 ~~1. When the guardian appointed for a person is not the~~  
5 ~~conservator of the property of that person, no~~ A bond shall not  
6 be required of the appointed guardian or appointed conservator,  
7 unless the court for good cause finds it proper to require one.  
8 If no bond is initially required, the court may, nevertheless,  
9 for good cause, at any subsequent time, require that a bond be  
10 given.

11 ~~2. Every conservator shall execute and file with the clerk~~  
12 ~~a bond with sufficient surety or sureties except as provided~~  
13 ~~in [section 633.175](#).~~

14 Sec. 2. Section 633.175, subsection 2, Code 2021, is amended  
15 by striking the subsection.

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with  
18 the explanation's substance by the members of the general assembly.

19 This bill relates to a court's ability to waive the  
20 requirement of conservators to post bond. The bill provides  
21 the court discretion as to whether a bond is required for  
22 a conservator. Under current law, courts do not have the  
23 discretion to waive bond for a conservator, other than a  
24 financial institution with Iowa trust powers, unless the court  
25 finds an alternative to bond that would protect the protected  
26 person's assets.