

reprinted 3/88

FILED MAR 2 1988

SENATE FILE 2271
BY COMMITTEE ON SMALL BUSINESS
AND ECONOMIC DEVELOPMENT

Approved (p. 1023)
(formerly 35B 2180)

Passed Senate, Date 3/17/88 (p. 1023) Passed House, Date 3/23/88 (p. 1023)

Vote: Ayes 42 Nays 0 Vote: Ayes 95 Nays 0

Approved April 4, 1988 (p. 1246)

A BILL FOR

- 1 An Act relating to claims against public corporations for
- 2 nonpayment of moneys due on public improvements.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2271

S-5271

- 1 Amend Senate File 2271 as follows:
- 2 1. Page 1, line 9, by inserting after the word
- 3 "chapter." the following: "When a bond has been
- 4 waived pursuant to section 12.44, the remedies
- 5 provided for under this paragraph are available in an
- 6 action against the public corporation."

S-5271

Filed March 8, 1988

BY ALVIN MILLER

Rel. 2-23-88 (p. 1023)

- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

TL5B 8117SV 72

dw/jw/5

1 Section 1. Section 573.2, Code 1987, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. If the requirement for a bond is
4 waived pursuant to section 12.44, a person, firm, or
5 corporation, having a contract with the targeted small
6 business or with subcontractors of the targeted small
7 business, for labor performed or materials furnished, in the
8 performance of the contract on account of which the bond was
9 waived, is entitled to any remedy provided under this chapter.

10 EXPLANATION

11 This bill extends the remedies afforded a person contract-
12 ing with a bond-paying public contractor to a person, firm, or
13 corporation contracting with a targeted small business when a
14 bond requirement has been waived pursuant to section 12.44.

15 SIMILAR TO SSB 2180 (LSB 8117SC)

16 COMPANION TO (LSB 8211HV)

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

1 Section 1. Section 573.2, Code 1987, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. If the requirement for a bond is
4 waived pursuant to section 12.44, a person, firm, or
5 corporation, having a contract with the targeted small
6 business or with subcontractors of the targeted small
7 business, for labor performed or materials furnished, in the
8 performance of the contract on account of which the bond was
9 waived, is entitled to any remedy provided under this chapter.
10 When a bond has been waived pursuant to section 12.44, the
11 remedies provided for under this paragraph are available in an
12 action against the public corporation.

13 SIMILAR TO SSB 2180 (LSB 8117SC)

14 COMPANION TO (LSB 8211HV)

15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

SSB 2180

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Scott
and Vande Hoef

SSB 2180
Small Business &
Economic Development

SENATE FILE 2271

BY (PROPOSED COMMITTEE ON SMALL
BUSINESS AND ECONOMIC DE-
VELOPMENT BILL)

Passed Senate, Date _____ Passed House, Date _____

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

Approved _____

A BILL FOR

1 An Act relating to claims against public corporations for
2 nonpayment of moneys due on public improvements.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

1 Section 1. Section 573.2, Code 1987, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. If the requirement for a bond is
4 waived pursuant to section 12.44, the targeted small business
5 is entitled to any remedy provided under this chapter.

6 EXPLANATION

7 This bill extends the remedies afforded a bond-paying
8 public contractor to a targeted small business when a bond
9 requirement has been waived pursuant to section 12.44.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

remedies provided for under this paragraph are available in an action against the public corporation.

.....
JO ANN ZIMMERMAN
President of the Senate

.....
DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2271, Seventy-second General Assembly.

.....
JOHN F. DWYER
Secretary of the Senate

Approved *April 4*, 1988

.....
TERRY E. BRANSTAD
Governor

SENATE FILE 2271

AN ACT
RELATING TO CLAIMS AGAINST PUBLIC CORPORATIONS FOR NONPAYMENT
OF MONEYS DUE ON PUBLIC IMPROVEMENTS.

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

Section 1. Section 573.2, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. If the requirement for a bond is waived pursuant to section 12.44, a person, firm, or corporation, having a contract with the targeted small business or with subcontractors of the targeted small business, for labor performed or materials furnished, in the performance of the contract on account of which the bond was waived, is entitled to any remedy provided under this chapter. When a bond has been waived pursuant to section 12.44, the