

By: Representative Perry

To: Judiciary A

HOUSE BILL NO. 783

1 AN ACT TO AMEND SECTION 93-13-17, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE BOND OF A GUARDIAN TO BE EQUAL TO VALUE OF ALL OF
3 THE PERSONAL ESTATE; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 SECTION 1. Section 93-13-17, Mississippi Code of 1972, is
6 amended as follows:

7 93-13-17. Every guardian, before he shall have authority to
8 act, shall, unless security be dispensed with by will or writing
9 or as hereinafter provided, enter into bond payable to the state,
10 in an amount equal to the value of all of the personal estate; and
11 the bond shall be recorded and may be put in suit for any breach
12 of the condition, whether the appointment be legal or not; and the
13 condition shall be as follows:

14 "The condition of the above obligation is that if the
15 above bound _____, as guardian of _____, of
16 _____ County, shall faithfully discharge all the duties
17 required of him by law, then the above obligation shall
18 cease."

19 And the guardian shall also take and subscribe an oath
20 faithfully to discharge the duties of guardian of the ward
21 according to law.

22 A guardian need not enter into bond, however, as to such part
23 of the assets of the ward's estate as may, pursuant to an order of
24 the court in its discretion, be deposited in any one or more
25 banking corporations, building and loan associations or savings
26 and loan associations in this state so long as such deposits are

27 fully insured, such deposits there to remain until the further
28 order of the court, and a certified copy of the order for deposit
29 having been furnished the depository or depositories and its
30 receipt acknowledged.

31 SECTION 2. This act shall take effect and be in force from
32 and after July 1, 1999.