

By: Representative Watson

To: Judiciary A

HOUSE BILL NO. 795

1 AN ACT TO AMEND SECTION 93-13-17, MISSISSIPPI CODE OF 1972,  
2 TO REVISE THE BOND AND OATH OF A GUARDIAN; AND FOR RELATED  
3 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 a penalty equal to the value of all the personal estate and  
11 with such sureties as the court may require; and the bond shall be  
12 recorded and may be put in suit for any breach of the condition,  
13 whether the appointment be legal or not; and the condition shall  
14 be as follows:

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