

By: Representative Smith (39th)

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 1455

1 AN ACT TO AMEND SECTION 9-7-123, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE DEPUTY CIRCUIT CLERKS TO GIVE SURETY BONDS BEFORE ENTERING
3 THE DUTIES OF THE APPOINTMENT; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 9-7-123, Mississippi Code of 1972, is
6 amended as follows:

7 9-7-123. (1) The clerk of the circuit court shall have
8 power, with the approbation of the court, or of the judge in
9 vacation, to appoint one or more deputies, who shall take the oath
10 of office and give bond, and who thereupon shall have power to do
11 and perform all the acts and duties which their principal may
12 lawfully do; such approval, when given by the judge in vacation,
13 shall be in writing, and shall be entered on the minutes of the
14 court at the next term.

15 (2) Each deputy clerk of the circuit court, before he enters
16 upon the duties of the appointment, shall take the oath of office,
17 and give bond, with sufficient surety, to be payable, conditioned
18 and approved as provided by law, in a penalty equal to three
19 percent (3%) of the sum of all the state and county taxes shown by
20 the assessment rolls and the levies to have been collectible in
21 the county for the year immediately preceding the commencement of
22 the term of office for the circuit clerk. However, such bond
23 shall not exceed the amount of One Hundred Thousand Dollars
24 (\$100,000.00). And he may be required to give additional bond
25 from time to time, for the faithful application of all monies
26 coming into his hands by law or order of the court; but such

27 additional bonds shall be cumulative security, and the original
28 bond shall likewise cover all monies coming into the hands of the
29 deputy clerk by law or order of the court.

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