

By: Senator(s) Gordon

To: Fees, Salaries and
Administration

SENATE BILL NO. 2541
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 9-7-123, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE DEPUTY CIRCUIT CLERKS TO GIVE SURETY BONDS BEFORE
3 ENTERING 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 may give bond, and who thereupon shall have power to
11 do 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, may give bond, with sufficient
17 surety, to be payable, conditioned and approved as provided by
18 law, in a penalty equal to three percent (3%) of the sum of all
19 the state and county taxes shown by the assessment rolls and the
20 levies to have been collectible in the county for the year
21 immediately preceding the commencement of the term of office for
22 the circuit clerk. However, such bond shall not exceed the amount
23 of One Hundred Thousand Dollars (\$100,000.00). And he may give
24 additional bond from time to time, for the faithful application of
25 all monies coming into his hands by law or order of the court; but
26 such additional bonds shall be cumulative security, and the

27 original bond shall likewise cover all monies coming into the
28 hands of the deputy clerk by law or order of the court. The board
29 of supervisors may, in its discretion, pay the cost of the bond
30 authorized in this subsection (2).

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