

By: Green

To: Fees and Salaries of  
Public Officers

HOUSE BILL NO. 608  
(As Passed the House)

1 AN ACT TO AMEND SECTION 25-1-15, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THAT NEW BONDS SHALL BE SECURED EVERY FOUR YEARS FOR  
3 CERTAIN PUBLIC OFFICERS AND PUBLIC EMPLOYEES; AND FOR RELATED  
4 PURPOSES.

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

6 SECTION 1. Section 25-1-15, Mississippi Code of 1972, is  
7 amended as follows:

8 25-1-15. (1) The bonds of all public officers required to  
9 give individual bond shall be conditioned in the following form,  
10 to wit:

11 "Whereas, the above bound A B was duly elected (or appointed)  
12 to the office of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, for  
13 the term of \_\_\_\_\_ years from the \_\_\_\_\_ day of \_\_\_\_\_;  
14 therefore, if he shall faithfully perform all the duties of said  
15 office during his continuance therein, then the above obligation  
16 to be void."

17 A new bond in the amount required by law shall be secured at  
18 the beginning of each new term of office or every four (4) years,  
19 whichever is less.

20 (2) The bonds of all public employees required to give  
21 individual bond shall be conditioned in the following form, to  
22 wit:

23 "Whereas, the above A B was duly employed (or appointed) to  
24 the position of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_;  
25 therefore, if he shall faithfully perform all the duties of said  
26 position during his continuance therein, then the above obligation  
27 to be void."

28       A new bond in an amount not less than that required by law  
29 shall be secured upon employment and coverage shall continue by  
30 the securing of a new bond every four (4) years concurrent with  
31 the normal election cycle of the Governor or with the normal  
32 election cycle of the local government applicable to the employee.

33       (3) A failure to observe the form herein prescribed shall  
34 not vitiate any official bond; and all official bonds shall be  
35 valid and binding in whatever form they may be taken, except so  
36 far as they may be conditioned for the performance of acts in  
37 violation of the laws or policy of the state. Whether in the  
38 proper penalty or without any penalty, whether correct or  
39 incorrect in its recitals as to the term of office or otherwise,  
40 whether properly payable, whether approved by the proper officer  
41 or not approved by any, or if irregular in any other respect, such  
42 bond, if delivered as the official bond of the officer or employee  
43 and serving as such, shall be obligatory on everyone who  
44 subscribed it for the purpose of making the official bond of such  
45 officer or employee to the full penalty or, if it has no penalty,  
46 to the full penalty of the bond which might have been required.

47       (4) All blanket bonds given on positions of public  
48 employment shall be conditioned upon the faithful performance of  
49 all the duties of the positions covered and insured by said  
50 blanket bond. A new bond in an amount not less than that required  
51 by law for public employees shall be secured at the beginning of  
52 each new term of office of the public or appointed official by  
53 whom they are employed, if applicable, or at least every four (4)  
54 years concurrent with the normal election cycle of the Governor.

55       SECTION 2. This act shall take effect and be in force from  
56 and after July 1, 2000.