

By: Green

To: Fees and Salaries of
Public Officers

HOUSE BILL NO. 608
(As Sent to Governor)

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.