

By: Representative Eads

To: Appropriations

HOUSE BILL NO. 648

1 AN ACT TO AMEND SECTION 25-55-25, MISSISSIPPI CODE OF 1972,
2 TO REMOVE DUPLICATE WARRANTS FROM THE REQUIREMENT THAT AN
3 AFFIDAVIT AND BOND SHALL BE FILED BEFORE ISSUANCE; TO AMEND
4 SECTIONS 25-55-27 AND 7-7-57, MISSISSIPPI CODE OF 1972, IN
5 CONFORMITY TO THE PROVISIONS OF THIS ACT; AND FOR RELATED
6 PURPOSES.

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

8 **SECTION 1.** Section 25-55-25, Mississippi Code of 1972, is
9 amended as follows:

10 25-55-25. A duplicate for a lost or destroyed bond * * *
11 shall not be issued until there shall be filed with the officer an
12 affidavit and a bond. The affidavit must be that of some credible
13 person knowing the facts, and it must set forth the ownership of
14 the bond * * *, the number of unpaid coupons * * * attached, if
15 any, and the description thereof, embracing, if can be, its
16 number, to whom and for what issued, its date, and when mature.
17 The bond must be that of a person to whom the duplicate is to be
18 issued, with at least two (2) sufficient sureties, in a sum equal
19 to double the amount of the lost, destroyed or stolen bond * * *
20 payable to the state, conditioned to pay all damages which the
21 state, county, city, town, or levee board, as the case may be, may
22 sustain if compelled to pay such bond or coupons * * * together
23 with all costs, expenses and lawyers' fees, if any, incurred in
24 enforcing the bond.

25 **SECTION 2.** Section 25-55-27, Mississippi Code of 1972, is
26 amended as follows:

27 25-55-27. (1) Any officer issuing duplicates of bonds or
28 warrants shall keep a record showing: (a) the numbers, dates, and
29 amounts of such mutilated, lost, or destroyed bonds or warrants



30 and of the coupons thereto attached; (b) the date of the issuance
31 of the duplicate; (c) the name of the person to whom the duplicate
32 was issued; and (d) the name of the sureties and penalty of the
33 indemnity-bond, if a bond is required.

34 (2) The officer issuing duplicates of bonds shall preserve
35 the bond and affidavit taken in each case.

36 **SECTION 3.** Section 7-7-57, Mississippi Code of 1972, is
37 amended as follows:

38 7-7-57. Upon satisfactory proof being presented to the State
39 Fiscal Officer that any warrant drawn by the State Fiscal Officer
40 upon the State Treasury has been lost or destroyed before having
41 been paid, the State Fiscal Officer may issue a duplicate * * *.

42 **SECTION 4.** This act shall take effect and be in force from
43 and after July 1, 2003.

