

Act 416 of the 1989 Regular Session.

Act 416

SB66

By: Senator Walters

"AN ACT TO AMEND ARKANSAS CODE 25-16-519 PERTAINING TO THE REQUIREMENT OF EXECUTING A BOND IN ORDER TO OBTAIN A REPLACEMENT WARRANT; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 25-16-519 is hereby amended to read as follows:

"25-16-519. Warrants - Issuance of duplicates. (a) (1) Whenever Auditor of State's warrants of the State of Arkansas issued to any person are lost or destroyed, the owner or person entitled to receive the contents of the lost or destroyed warrants shall be entitled to have them duplicated by the Auditor of State upon satisfactory proof or evidence to the Auditor of State that:

- (A) The warrants alleged to have been so lost or destroyed were actually issued to the person as alleged in the application to him;
- (B) The warrants have not been paid by the Treasurer of State;
- (C) The person making the application is legally authorized or entitled to receive the contents of the warrants; and
- (D) The warrants have been lost or destroyed.

(2) The evidence must show how and in what manner the loss or destruction occurred, the date and number of the lost or destroyed warrants, and whether they bore interest or not.

(b) The evidence required by subsection (a) of this section shall be duly sworn to and subscribed by the person entitled to receive the contents of the warrants, or some person for him. This person or the person acting for him shall also execute and file with the Auditor of State his bond to the State of Arkansas with good and sufficient security to be approved by the Auditor of State in a sum not less than double the amount of the warrants claimed to be lost. The bond shall be conditioned that he will save and keep harmless the State of Arkansas against any payment of the warrants which the state may thereafter be compelled to make to a bona fide holder of the warrants.

(c) Upon compliance with the requirements of subsections (a) and (b) of this section, it shall be the duty of the Auditor of State to issue and deliver to the applicant, or his agent or attorney, a duplicate for the warrant so adjudged to have been lost or destroyed. The duplicate warrant and endorsement shall entitle the holder to receive from the Treasurer of State the amount specified in the duplicate warrant, in like manner as upon an original warrant.

(d) The Auditor of the State of Arkansas shall review the bonding procedures for the issuance of duplicate warrants and shall issue rules and regulations on the adequate bonding of all payees on duplicate warrants to preserve and protect the expenditure of state funds.

(e) The bonding requirements shall not apply to a person who is acting in his capacity as an official officer or authorized representative of state or local government, including school districts, and when that person is covered under the provisions of the Arkansas Fidelity Bond Program under Arkansas Code 21-2-701 et seq.

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this Act are hereby repealed.

APPROVED: March 8, 1989

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