

State of Arkansas

76th General Assembly

Regular Session, 1987 AS ENGROSSED 3/13/87

HOUSE BILL 1924

By: Representative Mahony

"AN ACT TO AMEND SECTIONS 2 AND 4 OF ACT 677 OF 1975 [ARK. STAT. 13-412.1 AND 13-412.3] TO PRESCRIBE THE PLACE FOR FILING ALL COUNTY OFFICIALS AND EMPLOYEES SURETY BONDS; AND FOR OTHER PURPOSES."

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

SECTION 1. Section 2 of Act 677 of 1975, the same being Arkansas Statutes 13-412.1, is hereby amended to read as follows:

"Section 2. The County Judge in each county shall furnish bond in an amount computed in accordance with the provisions of subsection (b) of Section 12 of Act 338 of 1955, as amended by Act 677 of 1975. Such bond shall be conditioned that the officer shall faithfully perform the duties of the office and properly account for all funds dispersed by him as County Judge. The original bond shall be filed with the Circuit Clerk of the respective counties."

SECTION 2. Section 4 of Act 677 of 1975, the same being Arkansas Statute 13-412.3, is hereby amended to read as follows:

"Section 4. The original of each bond required by Section 1 hereof to be filed by a State officer or employee or by any officer or employee of a State board or commission shall be filed in the office of the Secretary of State and a copy thereof shall be filed with the Auditor of State. The original of each bond required by Section 1 hereof to be filed by a county officer or employee shall be filed in the office of the circuit clerk in the county involved. The original of each bond required by Section 1 hereof to be filed by municipal officials and employees shall be filed in the office of the municipal clerk of the municipality involved."

SECTION 3. Nothing in this Act shall repeal or supercede Act 13 of 1985

or any other Act providing blanket bonding of public officials or public employees.

SECTION 4. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 5. EMERGENCY. It is hereby found and determined by the General Assembly that because of the case *Ricarte v. State*, CR 86-31, a question has arisen over the validity of Act 1226 of the Extended Session of 1976; that this Act is a reenactment of the former law; and that the immediate passage of this Act is necessary to clarify the state of the law on this issue. Therefore, an emergency is hereby declared to exist, and this Act being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

/s/ Jody Mahony

