

SENATE BILL NO. 158

INTRODUCED BY JACOBSON

BY REQUEST OF THE DEPARTMENT OF SOCIAL AND
REHABILITATION SERVICES

IN THE SENATE

January 18, 1985	Introduced and referred to Committee on Public Health, Welfare and Safety.
January 26, 1985	Committee recommend bill do pass. Report adopted.
January 28, 1985	Bill printed and placed on members' desks.
January 29, 1985	Second reading, do pass.
January 30, 1985	Considered correctly engrossed.
January 31, 1985	Third reading, passed. Ayes, 49; Noes, 0.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Human Services and Aging.
March 12, 1985	Committee recommend bill be concurrred in. Report adopted.
March 15, 1985	Second reading, concurrred in.
March 18, 1985	Third reading, concurrred in. Returned to Senate.

IN THE SENATE

March 18, 1985

Received from House.

March 19, 1985

Sent to enrolling.

Reported correctly enrolled.

1 the original warrant by the state auditor.
2 (4) Whenever the owner or custodian applies under the
3 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), or
4 (2)(g), or (2)(h), the application shall include an
5 agreement to indemnify and hold harmless the state or its
6 officers and employees from any loss resulting from the
7 issuance of a duplicate warrant. Any loss incurred in
8 connection with the issuance of a duplicate warrant shall be
9 charged against the account from which the payment was
10 derived."

-End-

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1 Smith BILL NO. 158
 2 INTRODUCED BY J. Smith
 3 BY REQUEST OF THE DEPARTMENT OF SOCIAL
 4 AND REHABILITATION SERVICES

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT RECIPIENTS OF
 7 PUBLIC ASSISTANCE FROM THE REQUIREMENT OF AN INDEMNITY BOND
 8 FOR THE PURPOSES OF RECEIVING A DUPLICATE STATE WARRANT;
 9 AMENDING SECTION 17-8-306, MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 17-8-306, MCA, is amended to read:

13 "17-8-306. Issuance of duplicate warrant. (1) The
 14 state auditor may issue a duplicate warrant whenever any
 15 warrant drawn by him upon the treasurer of the state is lost
 16 or destroyed. This duplicate warrant must be in the same
 17 form as the original, except that it must have plainly
 18 printed across its face the word "duplicate", and except as
 19 herein provided, no such warrant may be issued or delivered
 20 unless the person entitled to receive the same deposits with
 21 the state auditor a bond in double the amount for which the
 22 duplicate warrant is issued, conditioned to save Montana and
 23 its officers harmless on account of the issuance of the
 24 duplicate warrant.

25 (2) No bond of indemnity is required when:

1 (a) the payee is the United States government, a state
 2 of the United States, any agency, instrumentality, or
 3 officer of the United States government or of a state,
 4 county, city, city and county, town, district, or other
 5 political subdivision of a state or any officer thereof;

6 (b) the owner or custodian is the state of Montana or
 7 any agency or officer thereof;

8 (c) the owner or custodian is a bank, savings and loan
 9 association, admitted insurer, or trust company whose
 10 financial condition is regulated by the United States
 11 government or by the state of Montana;

12 (d) the amount of the lost or destroyed warrant is
 13 less than \$100;

14 (e) it can be established that a crime has been
 15 committed and as a result of such crime that a Montana
 16 warrant has been stolen or destroyed;

17 (f) it can be established that a Montana warrant has
 18 been mailed to an incorrect payee; or

19 (g) the payee is a vendor or contractor doing business
 20 with the state of Montana; or

21 (h) the payee is a recipient of public assistance
 22 under Title 53.

23 (3) Whenever the owner or custodian applies under the
 24 provisions of subsections subsection (2)(e), (2)(f), or
 25 (2)(g), or (2)(h), a stop-payment order shall be placed on



1 the original warrant by the state auditor.

2 (4) Whenever the owner or custodian applies under the
3 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), or
4 (2)(g), or (2)(h), the application shall include an
5 agreement to indemnify and hold harmless the state or its
6 officers and employees from any loss resulting from the
7 issuance of a duplicate warrant. Any loss incurred in
8 connection with the issuance of a duplicate warrant shall be
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(2) No bond of indemnity is required when:

(a) the payee is the United States government, a state of the United States, any agency, instrumentality, or officer of the United States government or of a state, county, city, city and county, town, district, or other political subdivision of a state or any officer thereof;

(b) the owner or custodian is the state of Montana or any agency or officer thereof;

(c) the owner or custodian is a bank, savings and loan association, admitted insurer, or trust company whose financial condition is regulated by the United States government or by the state of Montana;

(d) the amount of the lost or destroyed warrant is less than \$100;

(e) it can be established that a crime has been committed and as a result of such crime that a Montana warrant has been stolen or destroyed;

(f) it can be established that a Montana warrant has been mailed to an incorrect payee; or

(g) the payee is a vendor or contractor doing business with the state of Montana; or

(h) the payee is a recipient of public assistance under Title 53.

(3) Whenever the owner or custodian applies under the provisions of subsections subsection (2)(e), (2)(f), or (2)(g), or (2)(h), a stop-payment order shall be placed on

1 the original warrant by the state auditor.

2 (4) Whenever the owner or custodian applies under the
3 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), or
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