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

# IN THE SENATE

March 18, 1985

March 19, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

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CAVAL BILL NO. 154 1 2 INTRODUCED BY 1. 1. 6. 5000 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 PUBLIC ASSISTANCE FROM THE REQUIREMENT OF AN INDEMNITY BOND 7 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: Section 1. Section 17-8-306, MCA, is amended to read: 12 "17-8-306. Issuance of duplicate warrant. (1) The 13 14 state auditor may issue a duplicate warrant whenever any warrant drawn by him upon the treasurer of the state is lost 15 16 or destroyed. This duplicate warrant must be in the same form as the original, except that it must have plainly 17 printed across its face the word "duplicate", and except as 18 19 herein provided, no such warrant may be issued or delivered 20 unless the person entitled to receive the same deposits with the state auditor a bond in double the amount for which the 21 22 duplicate warrant is issued, conditioned to save Montana and its officers harmless on account of the issuance of the 23 24 duplicate warrant. (2) No bond of indemnity is required when: 25

1 (a) the payee is the United States government, a state of the United States, any agency, instrumentality, or 2 3 officer of the United States government or of a state, 4 county, city, city and county, town, district, or other political subdivision of a state or any officer thereof; 5 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 financial condition is regulated by the United States 10 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 under Title 53. 22 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

# -2- INTRODUCED BILL SB 158

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 agreement to indemnify and hold harmless the state or its 5 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-

#### APPROVED BY COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY

1	<u> XALONO. 158</u>			
2	INTRODUCED BY			
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 form as the original, except that it must have plainly 17 18 printed across its face the word "duplicate", and except as herein provided, no such warrant may be issued or delivered 19 unless the person entitled to receive the same deposits with 20 21 the state auditor a bond in double the amount for which the duplicate warrant is issued, conditioned to save Montana and 22 its officers harmless on account of the issuance of the 23 24 duplicate warrant.

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



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

(2)(q), or (2)(h), a stop-payment order shall be placed on 25

SECOND READING -2-58 158

LC 0934/01

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 agreement to indemnify and hold harmless the state or its 5 officers and employees from any loss resulting from the 6 7 issuance of a duplicate warrant. Any loss incurred in 8 connection with the issuance of a duplicate warrant shall be charged against the account from which the payment was 9 derived." 10

~End-

Vinal, BILL NO. 15% 1 INTRODUCED BY face lested 2 BY REQUEST OF THE DEPARTMENT OF SOCIAL 3 AND REHABILITATION SERVICES 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT RECIPIENTS OF 6 PUBLIC ASSISTANCE FROM THE REQUIREMENT OF AN INDEMNITY BOND 7 FOR THE PURPOSES OF RECEIVING A DUPLICATE STATE WARRANT; 8 AMENDING SECTION 17-8-306, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 17-8-306, MCA, is amended to read: 12 \*17-8-306. Issuance of duplicate warrant. (1) The 13 state auditor may issue a duplicate warrant whenever any 14 warrant drawn by him upon the treasurer of the state is lost 15 or destroyed. This duplicate warrant must be in the same 16 form as the original, except that it must have plainly 17 printed across its face the word "duplicate", and except as 18 herein provided, no such warrant may be issued or delivered 19 unless the person entitled to receive the same deposits with 20 the state auditor a bond in double the amount for which the 21 duplicate warrant is issued, conditioned to save Montana and 22 its officers harmless on account of the issuance of the 23 duplicate warrant. 24

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(2) No bond of indemnity is required when:

Montana Legislative Council

LC 0934/01

(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;

6 (b) the owner or custodian is the state of Montana or7 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 is13 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.

(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

THIRD READING -2-

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 (2)(g), or (2)(h), the application shall include an 4 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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SB 0158/02

## SB 0158/02

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REFERENCE BILL

-2-

1	SENATE BILL NO. 158	1	(a) the payee is the United States government, a state
2	INTRODUCED BY JACOBSON	2	of the United States, any agency, instrumentality, or
3	BY REQUEST OF THE DEPARTMENT OF SOCIAL	3	officer of the United States government or of a state,
4	AND REHABILITATION SERVICES	4	county, city, city and county, town, district, or other
5		5	political subdivision of a state or any officer thereof;
6	A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT RECIPIENTS OF	6	(b) the owner or custodian is the state of Montana or
7	PUBLIC ASSISTANCE FROM THE REQUIREMENT OF AN INDEMNITY BOND	7	any agency or officer thereof;
8	FOR THE PURPOSES OF RECEIVING A DUPLICATE STATE WARRANT;	8	(c) the owner or custodian is a bank, savings and loan
9	AMENDING SECTION 17-8-306, MCA."	9	association, admitted insurer, or trust company whose
10		10	financial condition is regulated by the United States
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	11	government or by the state of Montana;
12	Section 1. Section 17-8-306, MCA, is amended to read:	12	(d) the amount of the lost or destroyed warrant is
13	"17-8-306. Issuance of duplicate warrant. (1) The	13	less than \$100;
14	state auditor may issue a duplicate warrant whenever any	14	(e) it can be established that a crime has been
15	warrant drawn by him upon the treasurer of the state is lost	15	committed and as a result of such crime that a Montana
16	or destroyed. This duplicate warrant must be in the same	16	warrant has been stolen or destroyed;
17	form as the original, except that it must have plainly	17	(f) it can be established that a Montana warrant has
18	printed across its face the word "duplicate", and except as	18	been mailed to an incorrect payee; or
19	herein provided, no such warrant may be issued or delivered	19	(g) the payee is a vendor or contractor doing business
20	unless the person entitled to receive the same deposits with	20	with the state of Montana $\tau$ ; or
21	the state auditor a bond in double the amount for which the	21	(h) the payee is a recipient of public assistance
22	duplicate warrant is issued, conditioned to save Montana and	22	under Title 53.
23	its officers harmless on account of the issuance of the	23	(3) Whenever the owner or custodian applies under the
24	duplicate warrant.	24	provisions of subsections subsection (2)(e), (2)(f), or
25	(2) No bond of indemnity is required when:	25	(2)(g) <u>, or (2)(h)</u> , a stop-payment order shall be placed on

Montana Legislative Council

### SB 0158/02

1 the original warrant by the state auditor.

(4) Whenever the owner or custodian applies under the 2 provisions of subsection (2)(c), (2)(d), (2)(e), (2)(f), or 3 (2)(g), or (2)(h), the application shall include an 4 agreement to indemnify and hold harmless the state or its 5 officers and employees from any loss resulting from the 6 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 derived." 10

-End-