

3 Senate Bill No. 762

4 SENATE BILL NO. 762 - By: LEFTWICH of the Senate and LINDLEY of the
5 House.

6 An Act relating to public finance and school districts;
7 amending 62 O.S. 1991, Section 555, as amended by Section 2,
8 Chapter 144, O.S.L. 1997 (62 O.S. Supp. 2000, Section 555),
9 which relates to lost school district warrants; authorizing
10 school district to reissue certain lost or destroyed
11 warrants; and declaring an emergency.

12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 62 O.S. 1991, Section 555, as
14 amended by Section 2, Chapter 144, O.S.L. 1997 (62 O.S. Supp. 2000,
15 Section 555), is amended to read as follows:

16 Section 555. A. The clerk of any municipal subdivision,
17 county, city, town, or school district, is hereby authorized and
18 empowered to issue a second or duplicate check, warrant or voucher
19 in lieu of any check, warrant or voucher that has been issued and
20 subsequently lost or destroyed. Except as provided in subsection B
21 of this section or unless the treasurer of any municipal
22 subdivision, county, city, town or school district has evidence that
23 a stop-payment order has been issued, no second or duplicate check,
24 warrant or voucher shall be issued until an affidavit setting forth
25 the facts as to the loss or destruction of the original check,
26 warrant or voucher has been filed with the clerk, together with an

1 indemnifying bond running to the treasurer of the municipal
2 subdivision, county, city, town or school district, or to the
3 Treasurer of the State of Oklahoma, in double the amount of such
4 lost or destroyed check, warrant or voucher. The conditions of such
5 bond shall be to indemnify and protect the municipal subdivision,
6 county, city, town or school district, or to be Treasurer of the
7 State of Oklahoma, from any loss or harm occasioned or sustained on
8 account of the issue of such second or duplicate check, warrant or
9 voucher. The bond shall be satisfactory to the treasurer of such
10 municipal subdivision, county, city, town or school district, or to
11 the Treasurer of the State of Oklahoma, who shall, upon being
12 satisfied as to the sufficiency of the bond, endorse approval
13 thereon. The clerk and treasurer shall make such records in their
14 respective offices as will, as nearly as possible, preclude any loss
15 being sustained by the municipal subdivision, county, city, town or
16 school district, or to the Treasurer of the State of Oklahoma, on
17 account of the issue of any second or duplicate check, warrant or
18 voucher. Warrants issued by the State Treasurer against claims
19 submitted through the Director of State Finance in payment of
20 obligations of the state which may subsequently be lost or destroyed
21 will be governed by the provisions of Section 34 of Title 74 of the
22 Oklahoma Statutes.

1 B. 1. If a board of education of a school district approves,
2 an alternate warrant with a new number may be issued by a school
3 district for a lost or destroyed warrant, upon affidavit of the
4 payee as set forth in subsection A of this section and upon the
5 treasurer stopping payment on the original warrant, and if such
6 warrant also serves as a check, upon stopping payment of the check
7 by the payor bank.

8 2. If the lost or destroyed warrant was issued to an employee
9 of a school district as payment for work performed, an alternate
10 warrant with a new number may be issued by the school district, upon
11 affidavit of the employee that the warrant has been lost or
12 destroyed and upon the treasurer stopping payment on the original
13 warrant, and, if such warrant also serves as a check, upon stopping
14 payment of the check by the payor bank.

15 SECTION 2. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

19 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-12-01 - DO
20 PASS, As Coauthored.