

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 762

By: Leftwich

AS INTRODUCED

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

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

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

Section 555. A. The clerk of any municipal subdivision, county, city, town, or school district, is hereby authorized and empowered to issue a second or duplicate check, warrant or voucher in lieu of any check, warrant or voucher that has been issued and subsequently lost or destroyed. Except as provided in subsection B of this section or unless the treasurer of any municipal subdivision, county, city, town or school district has evidence that a stop-payment order has been issued, no second or duplicate check, warrant or voucher shall be issued until an affidavit setting forth the facts as to the loss or destruction of the original check, warrant or voucher has been filed with the clerk, together with an indemnifying bond running to the treasurer of the municipal subdivision, county, city, town or school district, or to the Treasurer of the State of Oklahoma, in double the amount of such lost or destroyed check, warrant or voucher. The conditions of such bond shall be to indemnify and protect the municipal subdivision,

county, city, town or school district, or to be Treasurer of the State of Oklahoma, from any loss or harm occasioned or sustained on account of the issue of such second or duplicate check, warrant or voucher. The bond shall be satisfactory to the treasurer of such municipal subdivision, county, city, town or school district, or to the Treasurer of the State of Oklahoma, who shall, upon being satisfied as to the sufficiency of the bond, endorse approval thereon. The clerk and treasurer shall make such records in their respective offices as will, as nearly as possible, preclude any loss being sustained by the municipal subdivision, county, city, town or school district, or to the Treasurer of the State of Oklahoma, on account of the issue of any second or duplicate check, warrant or voucher. Warrants issued by the State Treasurer against claims submitted through the Director of State Finance in payment of obligations of the state which may subsequently be lost or destroyed will be governed by the provisions of Section 34 of Title 74 of the Oklahoma Statutes.

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

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

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

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