

An Act

ENROLLED HOUSE
BILL NO. 1138

By: Pfeiffer and Lawson of the
House

and

Kidd of the Senate

An Act relating to public finance; amending 62 O.S. 2021, Section 555, which relates to warrants; requiring the initiation of a stop-payment order under certain circumstance; authorizing the issuance of a second or duplicate check, warrant, or voucher without a stop-payment order if certain conditions are met; updating statutory language; and providing an effective date.

SUBJECT: Public finance

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

SECTION 1. AMENDATORY 62 O.S. 2021, Section 555, is amended to read as follows:

Section 555. ~~The clerk of any county, city or town, is hereby authorized and empowered to issue~~ If a check, warrant, or voucher has been issued and is subsequently lost or destroyed, the treasurer of any county, city, or town shall initiate a stop-payment order or submit a positive pay file providing the payee, amount, and serial number of the check, warrant, or voucher to the depository prior to the clerk of the county, city, or town issuing a second or duplicate check, warrant, or voucher. If the treasurer of any county, city, or town is unable to initiate a stop-payment order or submit a positive pay file providing the payee, amount, and serial number of the check, warrant, or voucher to the depository, clerks are 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. ~~Unless the~~

~~treasurer of any county, city or town has evidence that a stop-payment order has been issued, no second or duplicate check, warrant or voucher shall be issued until an~~ if the following conditions are met:

1. 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~~ and

2. An indemnifying bond running to the treasurer of the county, city, or town, or to the State 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 county, city, or town, or to the State 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 county, city, or town, or to the State 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 county, city, or town, or to the State 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 the Office of Management and Enterprise Services in payment of obligations of the state which may subsequently be lost or destroyed will be governed by the provisions of Section 34.81 of this title.

SECTION 2. This act shall become effective November 1, 2022.

Passed the House of Representatives the 16th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 26th day of April, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____