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**Business & Financial Services Committee**

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**HB 2745**

**Brief Description:** Concerning lost or destroyed state warrants, bonds, and other instruments.

**Sponsors:** Representatives Kirby and Vick; by request of State Treasurer.

**Brief Summary of Bill**

- Makes changes to the process the State Treasurer must follow to manage lost or destroyed warrants, bonds, and other instruments.
- Adds definitions for "cancel" and "redeem."

**Hearing Date:** 1/23/18

**Staff:** Robbi Kesler (786-7153).

**Background:**

When a state warrant, bond, or other instrument or evidence of indebtedness is lost or destroyed a duplicate may be issued. The duplicate instrument must bear the same number, class, or designation as the original and must be for the same amount. The word duplicate must appear on the face of the new instrument. A duplicate is subject to the same provisions of law as the original instrument.

A person requesting a duplicate instrument must file an affidavit, in the State Treasurer's office, specifically alleging that the applicant is the proper owner, payee, or legal representative of the owner or payee. The requester must include the date of issue, number, amount, and for what services, claim, or purpose the original instrument was issued and certify the original instrument has been lost or destroyed, and that the original instrument has not been paid.

The State Treasurer or other issuing officer must keep a full and complete record of all warrants, bonds, or other instruments alleged to have been lost or destroyed and the issuance of any duplicates, as well as a list of all original warrants, bonds, or other instruments cancelled. If an

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original and its duplicate instrument are both presented for payment as a result of forgery or fraud, the issuing officer must endeavor to recover any losses suffered by the state.

**Summary of Bill:**

The requirement for the State Treasurer to keep a list of canceled warrants, bonds, or other instruments is clarified. An issuing officer is no longer responsible for recovering any losses caused by a person through forgery or fraud. Duplicate instruments are not required to bear the same number, class, or designation as the original, and the word duplicate is not required to appear on the face of the new instrument.

Definitions for terms are added; "cancel" or "cancellation" means to void and redeem or redemption means to clear or pay.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.