

# 2021 SPECIAL SESSION I

INTRODUCED

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## HOUSE BILL NO. 2223

Offered January 13, 2021

Prefiled January 13, 2021

A *BILL to amend and reenact §§ 2.2-2809, 5.1-1.3, 10.1-2006, 21-163, 30-131, 33.2-205, 36-111, 42.1-16, 44-21, 46.2-202, 52-3, 53.1-11, 54.1-305, 58.1-201, and 60.2-109 of the Code of Virginia, relating to Department of the Treasury and State Treasurer; bonds.*

Patron—Hayes

Referred to Committee on Appropriations

### Be it enacted by the General Assembly of Virginia:

1. That §§ 2.2-2809, 5.1-1.3, 10.1-2006, 21-163, 30-131, 33.2-205, 36-111, 42.1-16, 44-21, 46.2-202, 52-3, 53.1-11, 54.1-305, 58.1-201, and 60.2-109 of the Code of Virginia are amended and reenacted as follows:

#### **§ 2.2-2809. Bonds of certain officers required; condition; form; effect of failure to give bond; additional bonds.**

Certain officers designated by the Governor shall each give bond with sufficient surety to the Commonwealth *be bonded in accordance with § 2.2-1840*. The bond shall be conditioned upon the faithful discharge of the duties of his office in such penalty as fixed by the Governor.

The form of bond shall be prescribed by the Attorney General and when given by such officer shall bear the certification of the Attorney General and the approval of the Governor.

If the bond required of such officer is not given or not deemed to be proper within thirty days after his appointment, the appointment of such officer shall be deemed void and his office shall be deemed vacant.

Whenever in the opinion of the Governor it is necessary for the protection of the public interest, that a new bond or a bond in addition to the one already given by such officer, it shall be given within a reasonable time as prescribed by the Governor after the officer has been notified of the requirement. If the officer fails or refuses to give the new or additional bond required, his office shall be deemed vacant.

#### **§ 5.1-1.3. Oath and bond of Director; salary.**

The Director, before entering upon the discharge of his duties, shall take an oath that he will faithfully and impartially discharge and perform all the duties of his office, and he shall give bond in such penalty as may be fixed by the Governor, conditioned upon the faithful discharge of his duties. The premium on such bond shall be paid out of the funds available for the maintenance and operation of his office *be bonded in accordance with § 2.2-1840*. The Director shall receive such salary as may be appropriated for the purpose.

#### **§ 10.1-2006. Bonds of members.**

Each member of the Board shall give bond, with corporate surety, in such penalty as is fixed by the Governor *be bonded in accordance with § 2.2-1840*, conditioned upon the faithful discharge of his duties. The premium on the bonds shall be paid from funds available to the Museum.

#### **§ 21-163. Oath and bond of members of commission.**

Each member of the commission shall, before entering upon the discharge of his duties under this chapter, take and subscribe the oath of office required by Article II, Section 7 of the Constitution of Virginia, and give bond payable to the Commonwealth in form approved by the Attorney General, in such penalty as shall be fixed from time to time by the Governor, with some surety or guaranty company duly authorized to do business in Virginia and approved by the Governor, as security, *shall be bonded in accordance with § 2.2-1840*, conditioned upon the faithful discharge of his duties. The premium of such bonds shall be paid by the commission and the bonds shall be filed with and preserved by the Comptroller.

#### **§ 30-131. Official bonds.**

The penalty of the bond of the Auditor of Public Accounts shall be fixed by the Governor, which shall not be less than \$5,000. Such of the *and the* employees in the office of the Auditor of Public Accounts as, in the opinion of the Governor, shall be bonded, and the penalties of such bonds, respectively, shall be fixed by the Auditor of Public Accounts, subject to the approval of the Governor. The premiums on such bonds shall be paid out of the state treasury *in accordance with § 2.2-1840, conditioned upon the faithful discharge of their duties.*

#### **§ 33.2-205. Oaths and bonds of members.**

Each member of the Board shall, before entering upon the discharge of his duties, take an oath that

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59 he will faithfully and honestly execute the duties of the office during his term; and each shall give a  
60 bond in such penalty as may be fixed by the Governor *be bonded in accordance with § 2.2-1840*,  
61 conditioned upon the faithful discharge of the *his* duties of his office and the full and proper accounting  
62 for all public funds and property coming into his possession or under his control. The premium on such  
63 bonds shall be paid out of the state treasury out of the annual appropriation for the Board.

64 **§ 36-111. Oath and bonds.**

65 Before entering upon the discharge of his duties, each member of the Review Board shall take an  
66 oath that he will faithfully and honestly execute the duties of his office during his continuance therein;  
67 and shall give bond with corporate surety in such penalty as may be fixed by the Governor *be bonded*  
68 *in accordance with § 2.2-1840*, conditioned upon the faithful discharge of his duties. The premiums on  
69 such bonds shall be paid for as other expenses of the Department are paid.

70 **§ 42.1-16. Bond of Librarian of Virginia.**

71 The Librarian of Virginia shall give bond to the Commonwealth in the sum of \$2,000, with sureties  
72 approved by the State Treasurer, subject to the approval of the Governor; *be bonded in accordance with*  
73 *§ 2.2-1840* for the faithful discharge of his duties and the delivery over to his successor of all the  
74 property of the Commonwealth in his possession; which bond shall be recorded by the Secretary of the  
75 Commonwealth and deposited with the Comptroller.

76 **§ 44-21. Bonds of Adjutant General and fiscal clerks.**

77 The Adjutant General and his fiscal clerks shall each give bond, with sufficient sureties, to be  
78 approved by the Governor, as provided by law for other state officers *be bonded in accordance with*  
79 *§ 2.2-1840*.

80 **§ 46.2-202. Oath and bond; salary.**

81 The Commissioner, before entering on the discharge of his duties, shall take an oath that he will  
82 faithfully and impartially discharge all the duties of his office, and he shall *and he shall give bond in*  
83 *such penalty as may be fixed by the Governor, conditioned on the faithful discharge of his duties. The*  
84 *premium on the bond shall be paid out of the funds available for the maintenance and operation of his*  
85 *office be bonded in accordance with § 2.2-1840*. The Commissioner shall receive the salary appropriated  
86 for the purpose.

87 **§ 52-3. Oath, bond, and salary of Superintendent.**

88 The Superintendent of State Police, before entering upon the discharge of his duties, shall take an  
89 oath that he will faithfully and impartially discharge and perform all the duties of his office; and shall  
90 give bond in such penalty as may be fixed by the Governor, conditioned upon the faithful discharge of  
91 his duties; the premium on such bond to be paid out of the funds available for the maintenance and  
92 operation of his office *be bonded in accordance with § 2.2-1840*. The Superintendent shall receive such  
93 salary as may be appropriated for the purpose.

94 **§ 53.1-11. Bond of Director.**

95 The Director shall give bond with corporate surety in such penalty as may be fixed by the Governor  
96 *be bonded in accordance with § 2.2-1840*, conditioned upon *the* faithful discharge of his duties. The  
97 premium on such bond shall be paid for as other expenses of the Department are paid.

98 **§ 54.1-305. Bond of Director.**

99 Before entering upon the discharge of his duties, the *The* Director shall give bond payable to the  
100 Commonwealth of Virginia conditioned upon the faithful discharge of his duties in a form approved by  
101 the Attorney General, in such penalty as shall be fixed by the Governor, with a surety or guaranty  
102 company authorized to do business in this Commonwealth. The premium required for the bond shall be  
103 paid out of the administrative fund appropriated to the Department; and the bond shall be filed with and  
104 preserved by the Comptroller *be bonded in accordance with § 2.2-1840*.

105 **§ 58.1-201. Oath and bond.**

106 Before entering upon the discharge of his duties, the Tax Commissioner shall take an oath that he  
107 will faithfully and honestly execute the duties of the office during his continuance therein, and he shall  
108 give bond in such amount as may be fixed by the Governor *be bonded in accordance with § 2.2-1840*,  
109 conditioned upon the faithful discharge of his duties. The premium on such bond shall be paid out of  
110 the moneys appropriated to the Department.

111 **§ 60.2-109. Bond of Commissioner.**

112 The Commissioner shall, before entering upon the discharge of his duties, give bond payable to the  
113 Commonwealth, in a form approved by the Attorney General, in such penalty as shall be fixed by the  
114 Governor, with some surety or guaranty company duly authorized to do business in this Commonwealth.  
115 The bond shall be approved by the Governor as security and *be bonded in accordance with § 2.2-1840*,  
116 conditioned upon the faithful discharge of his duties. The premium on such bond shall be paid by the  
117 Commission; and the bond shall be filed with and preserved by the Comptroller.