

VIRGINIA ACTS OF ASSEMBLY -- 1995 SESSION

CHAPTER 5

An Act to amend and reenact §§ 2.1-526.9 and 53.1-110 of the Code of Virginia, relating to blanket surety bonding.

[H 530]

Approved February 8, 1995

Be it enacted by the General Assembly of Virginia:

1. That §§ 2.1-526.9 and 53.1-110 of the Code of Virginia are amended and reenacted as follows:

§ 2.1-526.9. Blanket surety bond plan for state and local employees.

A. Subject to the approval of the Governor, the Department of General Services through its Division of Risk Management shall establish a program of blanket surety bonding to provide surety for the faithful performance of duty for all state employees required by statute to be bonded, and for other agency employees handling funds or having access to funds whose function, in the opinion of the agency head and the Division, should be bonded.

B. Local employees ~~or~~, *including superintendents and jail officers of regional jail facilities as described in § 53.1-110*, local constitutional officers, and those employees of the Supreme Court for whom the Commonwealth pays all or part of the costs of surety bonds, shall be required to participate in the blanket surety bond program promulgated by the Division through the Comptroller and the Compensation Board. The Division of Risk Management shall exclude from the provisions of this section clerks of the circuit court with respect to the moneys they hold pursuant to § 8.01-582 insofar as coverage is provided under § 2.1-526.9:1 for their faithful performance concerning those moneys. Before implementing the program, the Division shall determine that such program will be of less cost to the Commonwealth than the aggregate of individual bonds costs.

C. The blanket surety bonding plan for state employees shall be submitted to the Governor for approval prior to implementation.

D. Employees or officers of a public service authority created under the Virginia Water and Sewer Authorities Act (§ 15.1-1239 et seq.) are authorized to participate in the blanket surety bond program promulgated by the Division through the Comptroller and the Compensation Board whenever any federal or state agency lends or guarantees funds to a public service authority created under the Virginia Water and Sewer Authorities Act where the funds are utilized in the construction or capitalization of projects authorized under the Act, and there is a condition of such loan or guarantee that those employees or officers of the authority who have access to such funds be bonded. Participation by such employees or officers shall be approved by the governing body of the county or city which created the authority or is a member of the authority, with approval of the Department of General Services, Division of Risk Management.

§ 53.1-110. Oath and bond of superintendent and jail officers.

Before entering upon the duties of their office the superintendent and jail officers shall take and subscribe the oath prescribed by § 49-1. The board ~~may~~ *shall* require the superintendent ~~or~~ and jail officers ~~or both~~ to ~~give bond in such penalty and with such security as the board may prescribe, conditioned upon the faithful discharge of the duties of their offices~~ *participate in the blanket surety bond plan for state and local employees established in § 2.1-526.9.*