

SB294 INTRODUCED



1 SB294
2 PSHJDEG-1
3 By Senator Roberts
4 RFD: Banking and Insurance
5 First Read: 12-Feb-26



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4 SYNOPSIS:

5 Under existing law, certain public officers and
6 employees are required to file a bond with an
7 appropriate office, and the failure to do so results in
8 the officer or employee vacating his or her position.

9 This bill would provide that county official
10 bonds are not governed by the requirements of state
11 official bonds.

12 This bill would require the office that receives
13 the filed bond to notify an officer required to file a
14 bond when the bond has become deficient.

15 This bill would authorize an officer to remedy
16 deficiencies within 15 days before his or her office is
17 vacated.

18 This bill would authorize the Division of Risk
19 Management to offer a program where employees and
20 officers required to file a bond may request the
21 division to forward the official bond to the
22 appropriate authority on behalf of the employee or
23 officer.

24
25
26 A BILL

27 TO BE ENTITLED

28 AN ACT



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40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

41 Section 1. Sections 11-2-2, 36-5-2, 36-5-15, and
42 41-4-302, Code of Alabama 1975, are amended to read as
43 follows:

44 "§11-2-2

45 The bonds required to be made of county officials by
46 the provisions of this Code shall be ~~conditioned as now~~
47 ~~provided by law and shall in all respects be subject to and~~
48 governed exclusively by ~~the provisions of law governing,~~
49 ~~regulating, concerning, and pertaining to official bonds,~~
50 ~~except as may be in conflict with provisions of this~~
51 ~~article~~this chapter. Chapter 5 of Title 36 shall not apply to
52 the bonding of county officials."

53 "§36-5-2

54 (a) In all cases, official bonds must be filed in the
55 proper office within 40 days after the declaration of election
56 or after the appointment to office, ~~except bonds of tax~~



57 ~~assessors and tax collectors which shall be filed on or before~~
58 ~~September 1 next after their election or appointment.~~

59 (b) If, at the expiration of the 40 days, the bond has
60 not been filed, it is the duty of the officer in whose office
61 the bond is required to be filed to notify the officer
62 required to file the bond of the deficiency. If the deficiency
63 is not remedied within 15 days after notification of the
64 deficiency, Section 36-5-15 shall apply."

65 "§36-5-15

66 If any officer required by law to give bond fails to
67 file the ~~same~~bond within the time fixed by law ~~and after first~~
68 ~~being notified of a deficiency in the filing, he~~the officer
69 ~~shall vacates~~vacate his ~~or~~ her office. ~~In such case, it is the~~
70 ~~duty of the~~The officer in whose office ~~such~~the bond is
71 required to be filed ~~at once to, after a failure to remedy a~~
72 ~~deficiency under Section 36-5-2, shall~~ certify such failure to
73 the appointing power, and the vacancy ~~must~~shall be filled as
74 in other cases."

75 "§41-4-302

76 (a) The Division of Risk Management shall have the
77 authority to institute, manage, and administer programs of
78 insurance, not specifically enumerated herein and which do not
79 conflict with existing laws, upon a determination by the
80 Director of Finance and the Governor that such insurance
81 program or programs serve the best interests of the state.

82 (b) The Division of Risk Management may offer a program
83 to provide a scheduled position public official bond that
84 satisfies the requirement for the state blanket bond for state



85 officers and employees required to be bonded. A state officer
86 or employee must request in writing to participate in the
87 program and must specify if he or she is requesting the
88 Division of Risk Management to forward the public official
89 bond on his or her behalf to the appropriate authority. The
90 Division of Risk Management, with the approval of the Finance
91 Director, may adopt rules to implement and administer the
92 program.

93 ~~(b)~~ (c) Notwithstanding the provisions of Article 1,
94 ~~commencing with Section 11-2-1~~, Chapter 2, Title 11, the state
95 blanket bond ~~which~~that covers state officers and employees
96 required to be bonded ~~shall~~may be made available, if approved
97 by the county commission, to also cover sheriffs, judges of
98 probate, county commissioners, chairs of county commissions,
99 tax assessors, tax collectors, license commissioners, revenue
100 commissioners, and other county employees and ~~county~~
101 ~~elected~~county-elected officials who are required to be bonded
102 if the Governor and the Director of Finance determine that
103 extending the bond coverage to such local officials and
104 employees is in the best interest of the state. The Division
105 of Risk Management may assist in the procurement of a
106 scheduled position public official bond for local officials
107 and employees. Notice that coverage is provided under this
108 state blanket bond shall be evidenced by resolution of the
109 county commission, and the coverage shall satisfy all
110 provisions and requirements found in Article 1, ~~commencing~~
111 ~~with Section 11-2-1~~, Chapter 2, Title 11."

112 Section 2. Section 36-5-41, Code of Alabama 1975,

SB294 INTRODUCED



113 governing the form and procedures of any additional bond
114 required of the Director of Finance, State Treasurer, or other
115 officers, is repealed.

116 Section 3. This act shall become effective on October
117 1, 2026.