



## **Fidelity Bonds Legislative Report**

State Bills Filed and Pre-filed since November 1, 2019

### **Alabama**

#### **1. [AL S 237](#)**

**Title:** Deduction of Prisoner Sentence

**Introduced:** 02/25/2020

**Disposition:** Pending

**Location:** SENATE

AL S 237 would provide an inmate with a deduction in his or her sentence upon a successful completion of a qualifying academic, vocational, risk-reducing or apprenticeship program.

**Synopsis:** It would prohibit the state and political subdivisions of the state, as employers, from inquiring into or considering an applicant's arrest or conviction history for consideration of a job until after the applicant has received a conditional job offer, except under certain condition. However, the requirements of the bill "do not apply to positions where a standard fidelity bond or an equivalent bond is required and an applicant's conviction of one or more specified offenses would disqualify the applicant from obtaining the bond, in which case an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses." (3/9)

**FidelityBond:** BackgroundChecks

## California

### 2. [CA A 1678](#)

**Title:** Indoor-grown Cannabis Commission

**Introduced:** 02/22/2019

**Last Amend:** 03/28/2019

**Disposition:** Failed

**Location:** ASSEMBLY

**Synopsis:** AB 1678 would create the Indoor-Grown Cannabis Commission and would require its agents who collect assessments for the Commission to post a minimum \$25,000 fidelity bond. Cannabis cultivators who fail to pay the assessments required under the bill could be required to post a surety bond to secure their payment. (03/30)

**CommercialSurety:** MiscellaneousBond

**FidelityBond:** FidelityBond, PublicOfficialBond

**Priority:** NewOpportunity

### 3. [CA A 2227](#)

**Title:** Common Interest Developments: Funds: Insurance

**Introduced:** 02/12/2020

**Disposition:** Pending

**Location:** Assembly Housing and Community Development Committee

**Synopsis:** CA A 2227 would amend the existing Davis-Stirling Common Interest Development Act which currently requires managers of common interest funds to maintain fidelity bond coverage for its directors, officers and employees. The bill would require additional types of coverage for such entities, but would also permit "their equivalent" as an alternative to the required bond and other coverage. As amended, the bill would provide that:

"Unless the governing documents require greater coverage amounts, the association shall maintain crime insurance, employee dishonesty coverage, and fidelity bond coverage, or their equivalent, for its directors, officers, and employees in an amount that is equal to or more than the combined amount of the reserves of the association and total assessments for three months. The coverage maintained by the association shall also include protection in an equal amount against computer fraud and funds transfer fraud. If the association uses a managing agent or management company, the association's crime insurance, employee dishonesty coverage, and fidelity bond coverage, or their equivalent, shall additionally include coverage for dishonest acts by that person or entity and its employees." (2/18)

**FidelityBond:** FidelityBond

## Connecticut

### 4. [CT H 5243](#)

**Title:** Housing Finance Board Members Insurance Product  
**Introduced:** 02/20/2020  
**Disposition:** Pending  
**Location:** Legislative Commissioner's Office  
**Synopsis:** CT H 5243 would permit board members and other employees of the State Housing Finance Authority to alternatively obtain an equivalent insurance product in lieu of the required surety bond. (2/21)  
**FidelityBond:** FidelityBond, PublicOfficialBond

### 5. [CT S 125](#)

**Title:** Department of Consumer Protection Licensing  
**Introduced:** 02/14/2020  
**Last Amend:** 03/10/2020  
**Disposition:** Pending  
**Location:** Legislative Commissioner's Office  
**Synopsis:** CT S 125 would amend existing law pertaining to any person seeking a certificate of registration as a homemaker-companion agency and its established requirement that such an agency maintain a surety bond in an amount of not less than \$10,000, which includes coverage for theft by an employee of such agency from a person for whom homemaker or companion services are provided, to allow such a registrant to alternatively maintain an insurance policy for that same amount and coverage. (2/18)  
**FidelityBond:** FidelityBond

## District of Columbia

### 6. [DC B 189](#)

<b>Title:</b>	Credit Unions
<b>Introduced:</b>	03/13/2019
<b>Disposition:</b>	To Congress
<b>Effective Date:</b>	No date available
<b>Location:</b>	Eligible for Congress
<b>Synopsis:</b>	DC B 189 would require the board of directors for a credit union to authorize the purchase of adequate fidelity and insurance coverage for the credit union's officers, directors, committee members, and employees, and for losses caused by persons outside the credit union for which it may be liable. (03/21/2019)
<b>FidelityBond:</b>	FidelityBond, FinancialInstitution
<b>Priority:</b>	NewOpportunity

### 7. [DC B 667](#)

<b>Title:</b>	Senior Citizen Property Tax Exemption
<b>Introduced:</b>	02/14/2020
<b>Disposition:</b>	Pending
<b>Location:</b>	Business and Economic Development Committee
<b>Synopsis:</b>	DC B 667 would create the Senior Citizen Real Property Tax Exemption Amendment Act of 2020 to grant certain tax exemptions. The Chief Financial Officer of DC could "contract with a collection agency inside or outside of the District to verify the contents of any application or return for the purposes of determining the eligibility of any eligible or exempt household." The CFO may "require that the collection agency furnish a bond securing compliance with the provisions of this subsection and the contract with the District." (2/24)
<b>FidelityBond:</b>	FidelityBond
<b>Priority:</b>	NewOpportunity

## Delaware

### 8. [DE H 273](#)

<b>Title:</b>	Fiscal Procedures
<b>Introduced:</b>	01/17/2020
<b>Enacted:</b>	02/10/2020
<b>Disposition:</b>	Enacted
<b>Effective Date:</b>	02/10/2020 [ <a href="#">code impact</a> ]
<b>Location:</b>	Chaptered
<b>Synopsis:</b>	DE H 273 would eliminate two provisions which currently place bond requirements on the Secretary of Finance for "the penal sum of \$125,000" and "the sum of \$100,000." (1/20)
<b>FidelityBond:</b>	PublicOfficialBond

## Florida

### 9. [FL H 447](#)

**Identical:** [FL S 740](#)

**Title:** Real Estate

**Introduced:** 01/14/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** FL H 447 would create the Florida Real Estate Management Corporation Act and a public-private partnership by establishing a single nonprofit corporation to provide investigative services to the Florida Real Estate Commission. The management corporation shall, among other things, require "persons not employed by the management corporation who are charged with the responsibility of receiving and depositing fee and fine revenues to have a faithful performance bond in such an amount and according to such terms as shall be determined in the contract." (1/15)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

### 10. [FL H 673](#)

**Title:** Local Legislation

**Introduced:** 01/14/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** FL H 673 would eliminate the requirement to post a \$25,000 bond for faithful performance by the Commissioners and Secretary-Treasurer of the Palm Beach District. (11/19)

**FidelityBond:** PublicOfficialBond

### 11. [FL H 983](#)

**Title:** Senior Services Council of Broward County

**Introduced:** 01/14/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** FL H 983 would create the Edith Schaffer Lederberg Senior Services Act to form an independent special district to fund and provide services to seniors over 60 throughout Broward County, governed by a board of directors known as the Senior Services Council of Broward County (the "council"). In order to provide funds for the council, the council may levy ad valorem taxes annually on all taxable property in the county, provided the authority to levy such taxes has

been approved by a majority vote of the electors of the district voting in a countywide general election. Upon entering the duties of office, the chair and the other member of the council or the council's chief executive officer who signs council checks shall each give a surety bond in the sum of at least \$1,000 for each \$1 million or portion of such amount of the council's annual budget, which bond shall be conditioned upon the faithful discharge of the duties of his or her office. (12/18)

**FidelityBond:** FidelityBond, PublicOfficialBond

**Priority:** NewOpportunity

## 12. [FL S 740](#)

**Identical:** [FL H 447](#)

**Title:** Real Estate

**Introduced:** 01/14/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** 2020 FL S 740 would create the Florida Real Estate Management Corporation, a non-profit corporation, to provide investigative services to the Florida Real Estate Commission. The Management Corporation shall "provide for persons not employed by the management corporation who are charged with the responsibility of receiving and depositing fee and fine revenues to have a faithful performance bond in such an amount and according to such terms as shall be determined in the contract." (11/13)

**CommercialSurety:** FiduciaryBond, FinancialAssurance, MoneyTransmitters, TaxBond

**FidelityBond:** HomeownersAssoc.

**Priority:** NewOpportunity

## Georgia

### 13. [GA H 1051](#)

**Title:** Charter Construction

**Introduced:** 02/26/2020

**Disposition:** Pending

**Location:** SENATE

GA H 1051 would create a new charter for the town of Arabi. The officers and employees of this town, both elective and appointive, would execute "such surety or fidelity bonds in such amounts and upon such terms and conditions as the town council shall from time to time require by ordinance or as may be provided by law."

**Synopsis:**

Also, the town's municipal court would have authority to establish bail and recognizance to ensure the presence of those charged with violations before said court, and would have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. (3/4)

**BailBonds:** Bail

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 14. [GA H 1115](#)

**Title:** City of Clarkesville New Charter

**Introduced:** 03/05/2020

**Disposition:** Pending

**Location:** House Intragovernmental Coordination Committee

GA H 1115 would provide a new charter for the city of Clarksville. The city would be "have authority to establish bail and recognizances to ensure the presence of those charged with violations." In addition, the "officers and

**Synopsis:** employees of the City of Clarkesville, both elective and appointive, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the city council may from time to time require by ordinance or as may be provided by law." (3/12)

**BailBonds:** Bail

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 15. [GA H 1138](#)

**Title:** Town Incorporation

**Introduced:** 03/09/2020  
**Disposition:** Pending  
**Location:** House Intragovernmental Coordination Committee  
**Synopsis:** GA H 1138 would incorporate the town of Argyle and grant its council the power and duty "to require bonds of the clerk for the strict performance of the clerk's duties and to fix the amount of such bonds and approve the same."  
(3/12)  
**FidelityBond:** FidelityBond, PublicOfficialBond  
**Priority:** NewOpportunity

16. [GA H 1160](#)

**Title:** New City Charter  
**Introduced:** 03/10/2020  
**Disposition:** Pending  
**Location:** House Intragovernmental Coordination Committee  
**Synopsis:** GA H 1160 would provide a new charter for the city of Uvalda. The city would be "have authority to establish bail and recognizances to ensure the presence of those charged with violations." In addition, the "officers and employees of the City of Uvalda, both elective and appointive, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the city council may from time to time require by ordinance or as may be provided by law."  
(3/12)  
**BailBonds:** Bail  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

## Hawaii

### 17. [HI H 1895](#)

**Companion:** [HI S 2738](#)  
**Title:** Agriculture General Cooperatives  
**Introduced:** 01/17/2020  
**Disposition:** Pending  
**Location:** House Economic Development & Business Committee  
**Synopsis:** HI H 1895 would authorize agricultural entities to incorporate as general cooperatives, and at the discretion of the board of such a cooperative "any officer, employee, or agent handling funds or negotiable instruments or property of or for the cooperative may be bonded for the faithful performance of the person's duties and obligations." (1/20)  
**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

### 18. [HI H 2711](#)

**Title:** Homeowners Associations  
**Introduced:** 01/23/2020  
**Disposition:** Pending  
**Location:** In Multiple Committees  
**Synopsis:** HI H 2711 would require a homeowners association to maintain insurance or a fidelity bond for all persons who control or disburse funds of the association to cover the maximum funds that will be in the custody of the association or its management agent at any one time. However, this requirement can be waived "if annually approved by a majority of the voting interests present at a properly called meeting of the association." (1/27)  
**FidelityBond:** FidelityBond, HomeownersAssoc.  
**Priority:** NewOpportunity

### 19. [HI S 2738](#)

**Companion:** [HI H 1895](#)  
**Title:** Agriculture Entities as General Cooperatives  
**Introduced:** 01/17/2020  
**Last Amend:** 02/10/2020  
**Disposition:** Pending  
**Location:** In Multiple Committees

**Synopsis:** HI S 2738 would authorize agricultural entities to incorporate as a "cooperative" for the transaction of any lawful business. "At the discretion of the board of a cooperative, any officer, employee, or agent handling funds or negotiable instruments or property of or for the cooperative may be bonded for the faithful performance of the person's duties and obligations." (1/23)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

## Iowa

### 20. [IA H 64](#)

**Companion:** [IA H 163](#), [IA S 142](#)

**Similar:** [IA H 472](#), [IA S 390](#)

**Title:** Criminal History Employment Application Task Force

**Introduced:** 01/23/2019

**Disposition:** Pending

**Location:** House Labor Committee

**Synopsis:** HB 64/HB 163/SB 142 would prohibit an employer or employment agency from inquiring about an applicant's criminal record until he or she is interviewed, or a conditional job offer has been made. The bill would make an exception to this if the position requires the applicant to obtain a fidelity bond or an equivalent bond and a criminal conviction would disqualify the applicant from obtaining the bond. (01/24)

**FidelityBond:** BackgroundChecks

### 21. [IA H 163](#)

**Companion:** [IA H 64](#)

**Similar:** [IA H 472](#)

**Title:** Employment Applicants Criminal Record

**Introduced:** 01/30/2019

**Disposition:** Pending

**Location:** House Labor Committee

**Synopsis:** HB 64/HB 163/SB 142 would prohibit an employer or employment agency from inquiring about an applicant's criminal record until he or she is interviewed, or a conditional job offer has been made. The bill would make an exception to this if the position requires the applicant to obtain a fidelity bond or an equivalent bond and a criminal conviction would disqualify the applicant from obtaining the bond. (01/24)

**FidelityBond:** BackgroundChecks

### 22. [IA H 2110](#)

**Title:** Quad Cities Regional Metropolitan Authority

**Introduced:** 01/23/2020

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** IA H 2110 (related to IL H 4340; compare IA H 2322) would enter Iowa into the Quad Cities Regional Metropolitan Authority Compact if the state of Illinois joins

the compact, in order to provide facilities and foster cooperative efforts, such as contracting for police and fire protection, regulating traffic, enacting ordinances and establishing necessary funds. The compact would be governed by a board of not more than eight members.

Every officer or employee of the board authorized to conduct financial business on behalf of the board shall furnish a surety bond for the faithful performance of their duties and the faithful accounting for all money that may come into their custody in an amount to be fixed and in a form to be approved by the board. (1/24)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 23. [IA H 2261](#)

**Title:** Education Scholarship Account Program

**Introduced:** 02/06/2020

**Disposition:** Pending

**Location:** House Education Committee

**Synopsis:** IA H 2261 (see IA S 2206) would create an education scholarship account fund in the state treasury under the control of the department of management for the purpose of providing education scholarships. "The director of the department of management has all powers necessary to carry out and effectuate the purposes, objectives, and provisions ... pertaining to the fund, including the power to ... procure insurance against any loss in connection with the assets of the fund or require a surety bond." (2/10)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

### 24. [IA H 2322](#)

**Title:** Quad Cities Regional Metropolitan Authority

**Introduced:** 02/10/2020

**Disposition:** Pending

**Location:** House Ways and Means Committee

**Synopsis:** IA H 2322 (related to IL H 4340; compare IA H 2110) would enter Iowa into the Quad Cities Regional Metropolitan Authority Compact if the state of Illinois joins the compact, in order to provide facilities and foster cooperative efforts, such as contracting for police and fire protection, regulating traffic, enacting ordinances and establishing necessary funds. The compact would be governed by a board of not more than eight members.

Every officer or employee of the board authorized to conduct financial business on behalf of the board shall furnish a surety bond for the faithful performance of their duties and the faithful accounting for all money that may come into their custody in an amount to be fixed and in a form to be approved by the board. (2/18)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

#### 25. [IA HSB 647](#)

**Title:** Professional Licensure Qualifications

**Introduced:** 02/06/2020

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** IA HSB 647 would amend various existing laws to provide that a criminal history of certain offenses may be grounds for denial of an occupational license if an unreasonable risk to public safety exists because the offense directly relates to the duties and responsibilities of the profession and the applicable board does not grant an exception. (2/19)

**CommercialSurety:** OccupationRegReform

**FidelityBond:** BackgroundChecks

#### 26. [IA S 142](#)

**Companion:** [IA H 64](#)

**Similar:** [IA H 472](#)

**Title:** Employment Applicants Criminal Records

**Introduced:** 01/29/2019

**Disposition:** Pending

**Location:** Senate Labor and Business Relations Committee

**Synopsis:** SB 142/HB 64/HB 163 would prohibit an employer or employment agency from inquiring about an applicant's criminal record until he or she is interviewed, or a conditional job offer has been made. The bill would make an exception to this if the position requires the applicant to obtain a fidelity bond or an equivalent bond and a criminal conviction would disqualify the applicant from obtaining the bond. (01/30)

**FidelityBond:** BackgroundChecks

#### 27. [IA S 2206](#)

**Title:** Education Savings Grant Program

**Introduced:** 02/10/2020

**Disposition:** Pending

**Location:** Senate Education Committee

**Synopsis:** IA S 2206 (see IA H 2261) would create an education scholarship account fund in the state treasury under the control of the department of management for the purpose of providing education scholarships. "The director of the department of management has all powers necessary to carry out and effectuate the purposes, objectives, and provisions ... pertaining to the fund, including the power to ... procure insurance against any loss in connection with the assets of the fund or require a surety bond." (2/18)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

## Illinois

### 28. [IL H 3990](#)

**Title:** Public Pension Funds Article of Pension Code  
**Introduced:** 12/10/2019  
**Disposition:** Pending  
**Location:** House Rules Committee

**Synopsis:** IL H 3990 would amend existing law which requires the board of trustees of each public pension fund to engage an enrolled actuary who shall be responsible for the preparation of the materials comprising the actuarial statement by specifying that the enrolled actuary shall post a bond in the amount of \$2,000,000,000. (12/11)

**ContractSurety:** PerformanceBond  
**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

### 29. [IL H 4235](#)

**Title:** County Medical Examiner and Deputies  
**Introduced:** 01/23/2020  
**Disposition:** Pending  
**Location:** House Rules Committee

**Synopsis:** IL H 4235 would amend the existing Counties Code to change "coroner" to "medical examiner" for each of its counties. Remaining intact would be the existing requirement for a \$5,000 bond in each county, which covers both the medical examiner and any deputies, "with 2 or more sufficient sureties (or, if the county is self-insured, the county through its self-insurance program may provide bonding)." (1/24)

**FidelityBond:** PublicOfficialBond

### 30. [IL H 4374](#)

**Title:** Quad Cities Regional Metropolitan Authority Act  
**Introduced:** 01/29/2020  
**Disposition:** Pending  
**Location:** House State Government Administration Committee

**Synopsis:** IL H 4374 (relates to IA H 2110) would enable the Quad Cities Regional Metropolitan Authority Compact for the "establishment, maintenance, and operation of safe, adequate, and necessary metropolitan facilities." The compact would be governed by a board.

All board officers and employees authorized to receive or retain the custody of

moneys or to sign vouchers, checks, warrants or evidences of indebtedness binding upon the Authority shall furnish a surety bond for the faithful performance of their duties and the faithful accounting of all moneys that may come into their custody in an amount to be fixed and in a form to be approved by the board. (1/31)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 31. [IL H 4623](#)

**Title:** Medical Cannabis Program Act

**Introduced:** 02/05/2020

**Disposition:** Pending

**Location:** House Second Reading

**Synopsis:**

IL H 4623 would amend existing law to clarify the basis on which an employer may enforce a drug-free workplace. Under the bill, a drug-free workplace policy may be applied to registered qualifying cannabis patients working in "safety sensitive positions," which include among others, positions that require "access to or control over cash, checks, credit cards, credit card account information, or the authority or ability to commit financial resources of the business or organization, in an amount that is...required of the registered qualifying patient as a standard fidelity bond or an equivalent bond." (2/6)

**FidelityBond:** FidelityBond

### 32. [IL H 4766](#)

**Title:** Regulatory Sunset Act

**Introduced:** 02/10/2020

**Disposition:** Pending

**Location:** House Labor & Commerce Committee

**Synopsis:**

IL H 4766 would amend existing law pertaining to community association managers to extend the requirement for fidelity insurance to cover the designated community association manager and now "all other licensees," along with others required by current law, in order for the manager and his employer to have access to and disburse community association funds. (2/18)

**FidelityBond:** FidelityBond, HomeownersAssoc.

**Priority:** NewOpportunity

### 33. [IL S 1300](#)

**Title:** Pension Investment Funds

**Introduced:** 02/07/2019

**Last Amend:** 11/13/2019  
**Enacted:** 12/18/2019  
**Disposition:** Enacted  
**Effective Date:** 01/01/2020 [[code impact](#)]  
**Location:** Chaptered

**Synopsis:** 2019 IL S 1300 would amend existing law to expand revenue sources for funding The Illinois Pension Fund. Amendment 5 would add new provisions for a Police Officers' Pension Investment Fund and a Firefighters' Pension Investment Fund, each requiring that their respective "board shall contract for a blanket fidelity bond in the penal sum of not less than \$1,000,000 to cover members of the board of trustees, the executive director, and all other employees of the board, conditioned for the faithful performance of the duties of their respective offices, the premium on which shall be paid by the board." In addition, with respect to each Fund, "Each custodian shall furnish a corporate surety bond of such amount as the board designates, which bond shall indemnify the Fund, the board, and the officers and employees of the Fund against any loss that may result from any action or failure to act by the custodian or any of the custodian's agents." (11/13)

**CommercialSurety:** FiduciaryBond  
**FidelityBond:** FidelityBond, PublicOfficialBond  
**Priority:** NewOpportunity

#### 34. [IL S 2312](#)

**Title:** Police Officers' Pension Investment Fund  
**Introduced:** 11/14/2019  
**Disposition:** Pending  
**Location:** Senate Committee on Assignments Committee  
**Synopsis:** IL S 2312 would add provisions regarding comingling of funds in the police officers and firefighters pension funds. Existing provisions concerning fidelity bonds remain without revision. (11/15)  
**FidelityBond:** FidelityBond, PublicOfficialBond

#### 35. [IL S 2749](#)

**Title:** Foreign Fire Insurance Boards  
**Introduced:** 02/04/2020  
**Disposition:** Pending  
**Location:** Senate Local Government Committee

**Synopsis:** IL S 2749 would expand the authority of the existing, currently-bonded "department foreign fire insurance board" to allow it to "establish, manage, and maintain an account for the holding and expenditure of all funds paid to the board" and to "contract for the purchase of goods and services." (2/6)

**FidelityBond:** PublicOfficialBond

36. [IL S 3264](#)

**Title:** Community Association Manager Licensing

**Introduced:** 02/11/2020

**Disposition:** Pending

**Location:** Senate Licensed Activities Committee

**Synopsis:** IL S 3264 (see also IL H 4766) would amend existing law pertaining to community association managers to extend the requirement for fidelity insurance to cover the designated community association manager and now "all other licensees," along with others required by current law, in order for the manager and his employer to have access to and disburse community association funds. (2/18)

**FidelityBond:** FidelityBond, HomeownersAssoc.

**Priority:** NewOpportunity

## Indiana

### 37. [IN H 1005](#)

**Title:** Health and Insurance Matters

**Introduced:** 01/06/2020

**Last Amend:** 01/29/2020

**Disposition:** Failed - Adjourned

**Location:** HOUSE

**Synopsis:** IN H 1005 would create an Importation of Prescription Drugs Program to obtain pharmaceuticals from Canada. Under the bill, the state department shall require from a vendor that contracts with it to manage specified functions of the program a bond "to mitigate the financial consequences of potential acts of malfeasance or misfeasance, potential fraudulent acts, or potential dishonest acts committed by the vendor, an employee of the vendor, or a contractor or subcontractor of the vendor." (1/31)

**CommercialSurety:** FiduciaryBond

**FidelityBond:** FidelityBond

### 38. [IN H 1108](#)

**Title:** State Board of Accounts

**Introduced:** 01/08/2020

**Last Amend:** 03/11/2020

**Enacted:** 03/21/2020

**Disposition:** Enacted

**Effective Date:** 07/01/2020 [[code impact](#)]

**Location:** Chaptered

**Synopsis:** IN H 1108 would amend statutes concerning the state board of accounts and replace existing provisions requiring bonds between \$1,000 and \$5,000 with provisions allowing an audit committee to determine the amount of the bond for the state examiner, deputy examiners and field examiners "based on applicable risk considerations" which are not explicitly defined. (1/10)

**FidelityBond:** PublicOfficialBond

### 39. [IN H 1163](#)

**Title:** Medical Marijuana Treatment

**Introduced:** 01/08/2020

**Disposition:** Failed - Adjourned

**Location:** House Public Health Committee  
**Synopsis:** IN H 1163 would allow regulated medical marijuana treatment and create a regulatory agency committee with four commissioners, each of which must execute a surety bond in the amount of \$10,000, with surety approved by the governor. (1/10)  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

#### 40. [IN H 1216](#)

**Title:** Cannabis Regulation  
**Introduced:** 01/13/2020  
**Disposition:** Failed - Adjourned  
**Location:** House Public Health Committee  
**Synopsis:** IN H 1216 would create a regulatory agency committee consisting of four commissioners to regulate medical marijuana. Each commissioner must execute a surety bond in the amount of \$10,000, with surety approved by the governor. The required surety bond executed and filed on behalf of a commissioner shall be made payable to the state of Indiana and conditioned upon the faithful discharge of the commissioner's duties. (1/14)  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

#### 41. [IN S 112](#)

**Title:** Cannabis Compliance Commission  
**Introduced:** 01/06/2020  
**Disposition:** Failed - Adjourned  
**Location:** Senate Public Policy Committee  
**Synopsis:** IN S 112 would establish the cannabis compliance commission to regulate the growth, processing, distribution and sale of legal cannabis in Indiana, including industrial hemp and low THC hemp extract. Each of its four commissioners must execute a \$10,000 surety bond. (12/24)  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

## Kansas

### 42. [KS H 2440](#)

**Title:** Election Of County Appraisers

**Introduced:** 01/14/2020

**Disposition:** Pending

**Location:** House Taxation Committee

**Synopsis:** KS H 2440 would create an elected county appraiser position in each county for a term of four years beginning with the general election in 2022. Each such county appraiser, before entering upon the duties of office, shall execute and file with the county treasurer a good and sufficient corporate surety bond in an amount fixed by the board of county commissioners of not less than \$10,000, conditioned on the faithful performance of the duties of office. (1/17)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 43. [KS H 2465](#)

**Title:** Low Income Student Scholarship Program Act

**Introduced:** 01/22/2020

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** KS H 2465 would amend existing law to add a new requirement that a scholarship-granting organizations participating in a certain "tax credit for low income students scholarship program" shall, among other requirements, comply with the following:

"upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the state board either: (A) a surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or (B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board.

...

"scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships shall not commingle contributions made under the program with other contributions made to

such organization. A scholarship granting organization under this subsection shall also file with the state board, prior to the commencement of each school year, either: (A) a surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or (B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board." (2/18)

**CommercialSurety:** MiscellaneousBond

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

#### 44. [KS S 382](#)

**Title:** Capital Improvement State Aid Schedule

**Introduced:** 02/06/2020

**Last Amend:** 02/26/2020

**Disposition:** Pending

**Location:** HOUSE

KS S 382 would create a "tax credit for low income students scholarship program."

#### **Synopsis:**

To be eligible to participate in the program, a "scholarship granting organization" must comply with several provisions. Among them, is a requirement that "upon receipt of contributions in an aggregate amount or value in excess of \$50,000 during a school year, a scholarship granting organization shall file with the state board either: (A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be received during the school year; or (B) financial information demonstrating the scholarship granting organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board."

Scholarship granting organizations that provide other nonprofit services in addition to providing educational scholarships must not commingle contributions made under the program with other contributions made to such organization. A scholarship granting organization under this subsection must also file with the state board, prior to the commencement of each school year, either: "(A) A surety bond payable to the state in an amount equal to the aggregate amount of contributions expected to be

received during the school year; or (B) financial information demonstrating the nonprofit organization's ability to pay an aggregate amount equal to the amount of the contributions expected to be received during the school year, which must be reviewed and approved of in writing by the state board." (3/17)

**CommercialSurety:** SchoolBond  
**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

## Kentucky

### 45. [KY BR 343](#)

**Title:** Criminal Record Employment Discrimination Act

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** BR 343 would prohibit an employer from inquiring about an applicant's criminal record until he or she has been selected for an interview or a conditional job offer has been made. The bill would make an exception to this if the position requires the applicant to obtain a fidelity bond or an equivalent bond and a criminal conviction would disqualify the applicant from obtaining the bond. (08/28)

**FidelityBond:** BackgroundChecks

### 46. [KY BR 364](#)

**Title:** Wagering

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** KY BR 364 would add online poker to statutory provisions currently governing the state lottery. The president of the Kentucky Lottery Corporation may require bond from corporate employees with access to ... online poker funds ... in such an amount as provided in the administrative regulations of the board. The president may also require bond from other employees as he deems necessary. (12/6)

**CommercialSurety:** FantasyContests, GamblingCompanies

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

### 47. [KY H 43](#)

**Title:** Criminal Histories of Job Applicants

**Introduced:** 01/07/2020

**Disposition:** Pending

**Location:** House Economic Development & Workforce Investment Committee

**Synopsis:** KY H 43 would make it an unlawful practice for an employer to consider or require disclosure of the criminal record or criminal history of an applicant for employment, subject to certain exceptions, which include an exception for "any position wherein the applicant would be required to obtain a standard fidelity bond or an equivalent bond, but would be disqualified from obtaining such a bond due to a criminal conviction." (1/8)

**FidelityBond:** BackgroundChecks, FidelityBond

48. [KY H 77](#)

**Title:** Public Works Projects Prevailing Wage  
**Introduced:** 01/07/2020  
**Disposition:** Pending  
**Location:** House Economic Development & Workforce Investment Committee  
**Synopsis:** KY H 77 would impose a prevailing wage requirement on all public works and create the Prevailing Wage Review Board for oversight. As with other state departments and program cabinets, each inspector shall furnish bond of \$5,000 with surety satisfactory to the department. (1/8)  
**ContractSurety:** PrevailingWage  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

49. [KY H 136](#)

**Title:** Medicinal Marijuana Exemptions  
**Introduced:** 01/07/2020  
**Disposition:** Pending  
**Location:** Senate Judiciary Committee  
**Synopsis:** KY H 136 would allow medicinal cannabis and give regulatory oversight to the newly-renamed Department of Alcoholic Beverage and Cannabis Control. Existing public official bonds for the department remain without revision. (1/8)  
**FidelityBond:** PublicOfficialBond

50. [KY H 384](#)

**Title:** Powers and Duties of Constables  
**Introduced:** 02/05/2020  
**Disposition:** Pending  
**Location:** House Local Government Committee  
**Synopsis:** KY H 384 would require deputy constables to execute a bond in an amount determined sufficient by the fiscal court or council of the urban-county government or consolidated local government, the minimum amount of which shall be \$10,000, as is the case for constables. The constable and his or her surety would no longer be liable on the constable's bond for all the acts and omissions of deputies. (2/10)  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

51. [KY H 401](#)

**Title:** Teachers Retirement System  
**Introduced:** 02/07/2020  
**Last Amend:** 03/18/2020  
**Disposition:** Pending  
**Location:** Senate State and Local Government Committee  
**Synopsis:** KY H 401 would eliminate the existing requirement that the board of the Teachers' Retirement System "shall require the trustees, executive secretary, and employees it determines proper to execute bonds for the faithful performance of their duties notwithstanding the limitations of KRS Chapter 62." It would also add that the currently-required insurance "may be obtained or provided by contracting with an insurance carrier, by self-insurance, by indemnification, or by any combination thereof." (2/18)  
**FidelityBond:** FidelityBond

52. [KY H 432](#)

**Title:** State Investment Commission  
**Introduced:** 02/13/2020  
**Disposition:** Pending  
**Location:** Senate State and Local Government Committee  
**Synopsis:** KY H 432 would remove the governor from the current exemption of the requirement for each member of the State Investment Commission to post bond for his acts or omissions as a member thereof identical in amount and kind to that posted by the State Treasurer. (2/18)  
**FidelityBond:** FidelityBond, PublicOfficialBond  
**Priority:** NewOpportunity

53. [KY H 484](#)

**Title:** Retirement  
**Introduced:** 02/25/2020  
**Last Amend:** 03/10/2020  
**Disposition:** Pending  
**Location:** SENATE  
**Synopsis:** KY H 484 would create an eight-member Kentucky Public Pensions Authority whose purpose would be to administer and operate certain public employee retirement systems. The authority must "require the executive director and the

employees as it thinks proper to execute bonds for the faithful performance of their duties."

The bill also provides that the County Employees Retirement System shall be administered by the board of trustees composed of nine members, and the board shall "require the chief executive officer to execute bonds for the faithful performance of his or her duties."

It would also amend existing provisions pertaining to the Kentucky Employees Retirement System and State Police Retirement System which are currently administered by the board of trustees of the Kentucky Retirement Systems. That board would be composed of nine members instead of the current seventeen. The board would still require that its chief executive officer (formerly called "executive director") execute bonds for the faithful performance of duties, but would no longer require that its "employees as it thinks proper" execute bonds for the faithful performance of duties. (2/28)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

#### 54. [KY H 565](#)

**Title:** Assistant Treasurer

**Introduced:** 03/02/2020

**Disposition:** Pending

**Location:** Senate State and Local Government Committee

**Synopsis:** KY H 565 would amend existing law to clarify the valuation of bank deposits currently subject to surety bond requirements. (3/4)

**FidelityBond:** FinancialInstitution

#### 55. [KY S 93](#)

**Title:** Planned Community Administrative Standards

**Introduced:** 01/15/2020

**Disposition:** Pending

**Location:** Senate Judiciary Committee

**Synopsis:** KY S 93 would establish standards for planned communities and homeowners' associations. It would allow an association, through its executive board, to purchase D&O insurance and fidelity bonds as the directors consider appropriate and necessary. (1/16)

**FidelityBond:** FidelityBond, HomeownersAssoc.

**Priority:** NewOpportunity

## Louisiana

### 56. [LA H 52](#)

**Title:** Registrars of Voters

**Introduced:** 03/09/2020

**Disposition:** Pending

**Location:** House House and Governmental Affairs Committee

**Synopsis:** LA H 52 would require that bonds currently required of voter registrars be filed with the secretary of state instead of the state treasurer. (2/18)

**FidelityBond:** PublicOfficialBond

## Maryland

### 57. [MD H 121](#)

**Title:** Metropolitan Commission Revision

**Introduced:** 01/13/2020

**Last Amend:** 03/12/2020

**Disposition:** To Governor

**Location:** Eligible for Governor

**Synopsis:** MD H 121 would revise the names of certain entities ("Commission" becomes "Metropolitan Commission" and "Board of County Commissioners" becomes "Commissioners of St. Mary's County") and revise their authority somewhat with respect to water mains and sewers, but would retain the existing requirements for The Treasurer and any Deputy Treasurer appointed by the commission to give bond of \$25,000 or such greater amount as the county prescribes. (1/17)

**FidelityBond:** PublicOfficialBond

### 58. [MD H 587](#)

**Title:** Campaign Finance Entities

**Introduced:** 01/27/2020

**Disposition:** Failed - Adjourned

**Location:** House Ways and Means Committee

**Synopsis:** MD H 587 would require each treasurer of a campaign finance entity to be covered by a surety bond that runs to the benefit of the campaign finance entity to secure the money of the entity and conditioned on the faithful performance of the treasurer in an amount required by the State Board. (1/29)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

## Maine

### 59. [ME H 1405](#)

<b>LD</b>	1961
<b>Title:</b>	Trust for a Healthy Maine
<b>Introduced:</b>	01/08/2020
<b>Disposition:</b>	Pending - Carryover
<b>Location:</b>	Joint Committee on Health and Human Services
<b>Synopsis:</b>	ME H 1405 would create a trust fund for the purposes of receiving all settlement funds and other funds, and redistributing that money to state agencies or designated agents of Maine, to fund tobacco use prevention and control. All officers, directors, employees and other agents of the trust entrusted with the custody of funds of the trust or authorized to disburse the funds of the trust must be bonded either by a blanket bond or by individual bonds with a minimum of \$100,000 coverage for each person, or equivalent fiduciary liability insurance, conditioned upon the faithful performance of their duties. (1/3)
<b>CommercialSurety:</b>	FiduciaryBond
<b>FidelityBond:</b>	FidelityBond
<b>Priority:</b>	NewOpportunity

## Michigan

### 60. [MI H 4209](#)

**Title:** Property Tax Payments

**Introduced:** 02/19/2019

**Last Amend:** 11/05/2019

**Enacted:** 11/21/2019

**Disposition:** Enacted

**Effective Date:** 11/21/2019 [[code impact](#)]

**Location:** Chaptered

**Synopsis:** 2019 MI H 4209 affects individuals who collect property taxes and provides, "If the bond of the treasurer, as provided in section 43, is furnished by a surety company, the cost of the bond may be paid by the township from the property tax administration fee." (11/13)

**CommercialSurety:** FiduciaryBond, TaxBond

**FidelityBond:** PublicOfficialBond

### 61. [MI H 4908](#)

**Title:** Outstanding Bonding

**Introduced:** 09/03/2019

**Disposition:** To Governor

**Location:** To Governor

**Synopsis:** Increases the total public bond authority for Michigan authorities from \$4.2b to \$5b. (11/12)

**CommercialSurety:** FinancialGuaranty, MiscellaneousBond, RecoveryFund

**FidelityBond:** FinancialInstitution

### 62. [MI S 322](#)

**Companion:** [MI S 323](#)

**Title:** Road Commission Functions

**Introduced:** 05/16/2019

**Last Amend:** 06/20/2019

**Enacted:** 01/24/2020

**Disposition:** Enacted

**Effective Date:** 01/27/2020 [[code impact](#)]

**Location:** Chaptered

**Synopsis:**

MI S 322 would extend the sunset for the transfer of functions of a county road commission to the county board of commissioners, thus extending the existing requirement that a county officer whose salary or compensation is paid by the county to give a bond reasonable or necessary for the faithful performance of the duties of the office. (1/14)

**FidelityBond:** PublicOfficialBond

## Missouri

### 63. [MO H 1843](#)

**Title:** Blanket Bond Procurement Requirement

**Introduced:** 01/08/2020

**Disposition:** Pending

**Location:** HOUSE

MO H 1843 obligates the Missouri commissioner of administration to protect the state against loss from the acts or omissions of any person within the judiciary that receives compensation from the state. Currently, the commissioner must procure "such surety bonds as are required by statute," but this bill would delete that phrase and substitute a requirement that the commissioner secure "a blanket bond or crime insurance policy" as the commissioner deems necessary to protect the state.

The commissioner of administration may require a bond of any officer, employee, or agent of the state who has responsibility for or has access to any moneys or property belonging to the state or in which the state may have an interest and who is not otherwise required by law to give a bond. The amounts of the bonds shall be fixed by the commissioner of administration.

**Synopsis:**

The bill also gives the commissioner discretion to procure "blanket bonds," "crime insurance," or even no bonds, as it further provides: "Notwithstanding any other provision of the law, in lieu of individual bonds, the commissioner of administration may elect to procure one or more blanket bonds, or suitable crime insurance policies endorsed to include faithful performance, or may elect to assume the risk for any or all officers, employees, and agents of the state. Any blanket bond or crime insurance policy procured shall contain such coverages, terms, and conditions and shall contain such coverage limits and deductibles as the commissioner of administration deems adequate to protect the interests of the state but not less than the aggregate coverage limits otherwise prescribed by law. Procurement of a blanket bond, crime insurance policy, or creation of a self-assumption program shall constitute compliance with any statute requiring any officer, employee, or agent of the state to be bonded." (12/22)

**FidelityBond:** FidelityBond, PublicOfficialBond

### 64. [MO H 2092](#)

**Title:** Mortgage Loan Originators

**Introduced:** 01/09/2020

**Disposition:** Pending

**Location:** House Bills for Perfection  

**Synopsis:** MO H 2092 would strike an existing provision granting to a credit union board of directors a duty "to fix the amount of the surety bond which shall be required of each officer having the custody of funds." It would retain another existing provision which requires "every person appointed or elected to any position requiring the receipt, payment of money or other personal property owned by a credit union or in its custody or control as collateral or otherwise, shall give a bond with some surety company, licensed to do business in this state, as surety thereon in such reasonably adequate sum as the director shall require and approve." (2/18)

**FidelityBond:** FidelityBond, FinancialInstitution

### 65. [MO H 2141](#)

**Title:** Fresh Start Act

**Introduced:** 01/14/2020

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** MO H 2141 would amend existing law pertaining to occupational certification and registration to preclude applicants only if the crime they committed is "directly related to the duties and responsibilities of the occupation." (3/4)

**CommercialSurety:** OccupationRegReform

**FidelityBond:** BackgroundChecks

### 66. [MO H 2204](#)

**Title:** Credit Union Filing Requirements

**Introduced:** 01/15/2020

**Disposition:** Pending

**Location:** House Bills for Perfection  

**Synopsis:** MO H 2204 would remove the existing authority of credit union directors to "fix the amount of the surety bond which shall be required of each officer having the custody of funds," but would retain the existing provision requiring that "every person appointed or elected to any position requiring the receipt, payment of money or other personal property owned by a credit union or in its custody or control as collateral or otherwise, shall give a bond with some surety company, ... as surety thereon in such reasonably adequate sum as the director [of the division of credit unions] shall require and approve." (1/17)

**FidelityBond:** FidelityBond, FinancialInstitution

67. [MO H 2257](#)

**Title:** Credit Unions

**Introduced:** 01/22/2020

**Disposition:** Pending

**Location:** HOUSE

**Synopsis:** MO H 2257 (see also MO S 797) would rescind the obligation for a credit union's board of directors to "fix the amount of the surety bond which shall be required of each officer having the custody of funds." The bill would however retain the existing requirement that "every person appointed or elected to any position requiring the receipt, payment of money or other personal property owned by a credit union or in its custody or control as collateral or otherwise, shall give a bond with some surety company, licensed to do business in this state, as surety thereon in such reasonably adequate sum as the director [of the state division of credit unions] shall require and approve." (1/23)

**FidelityBond:** FidelityBond, FinancialInstitution

68. [MO H 2368](#)

**Title:** Bond Requirements for County Recorders of Deeds

**Introduced:** 02/03/2020

**Disposition:** Pending

**Location:** House Rules - Legislative Oversight Committee

**Synopsis:** MO H 2368 would amend law to lower, in future instances, the existing \$1,000 bond requirement for elected county recorders. For a recorder elected before January 1, 2021, the bond would be no less than \$1,000. For a recorder elected after December 31, 2020, the bond would be no less than \$500.

The bill would also add that: "Each candidate for county recorder shall provide to the election authority a copy of an affidavit from a surety company authorized to do business in this state that indicates the candidate is able to satisfy the bond requirements" referenced above. (2/4)

**FidelityBond:** PublicOfficialBond

69. [MO H 2461](#)

**Title:** Family Trust Company Act

**Introduced:** 02/12/2020

**Disposition:** Pending

**Location:** House Rules - Legislative Oversight Committee

**Synopsis:** MO H 2461 (also MO S 797) would amend existing law to strike from the powers granting to the board of directors of a credit union the power to "fix the

amount of the surety bond which shall be required of each officer having the custody of funds." (3/12)

**FidelityBond:** FidelityBond

#### 70. [MO S 599](#)

**Title:** State Linked Deposits Investment Limits

**Introduced:** 01/08/2020

**Last Amend:** 01/28/2020

**Disposition:** Pending

**Location:** Senate Bills for Third Reading  

**Synopsis:** MO S 599 (see also MO H 2461; MO S 797; others) would amend existing law to strike from the powers granting to the board of directors of a credit union the power to "fix the amount of the surety bond which shall be required of each officer having the custody of funds." (3/17)

**FidelityBond:** FidelityBond, FinancialInstitution

#### 71. [MO S 647](#)

**Title:** Fresh Start Act of 2020

**Introduced:** 01/08/2020

**Disposition:** Pending

**Location:** Senate Bills for Perfection  

**Synopsis:** MO S 647 would amend existing law relating to professional licensure and registration so that denial or revocation occurs only "for any offense directly related to the duties and responsibilities of the occupation." (3/17)

**CommercialSurety:** OccupationRegReform

**FidelityBond:** BackgroundChecks

#### 72. [MO S 797](#)

**Title:** Credit Unions

**Introduced:** 01/08/2020

**Disposition:** Pending

**Location:** Senate Bills for Perfection  

**Synopsis:** MO S 797 (see also MO H 2257; MO H 2461) would rescind the obligation for a credit union's board of directors to "fix the amount of the surety bond which shall be required of each officer having the custody of funds." The bill would however retain the existing requirement that "every person appointed or elected to any position requiring the receipt, payment of money or other

personal property owned by a credit union or in its custody or control as collateral or otherwise, shall give a bond with some surety company, licensed to do business in this state, as surety thereon in such reasonably adequate sum as the director [of the state division of credit unions] shall require and approve."  
(12/22)

**FidelityBond:** FidelityBond, FinancialInstitution

### 73. [MO S 869](#)

**Title:** Fire Protection and Ambulance Districts

**Introduced:** 01/14/2020

**Disposition:** Pending

**Location:** Senate Local Government and Elections Committee

**Synopsis:** MO S 869 would authorize an increase in the sales tax from 0.5% to 1% while maintaining the pre-existing requirement that all sales taxes collected by the director of revenue pursuant to this section, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust fund, which is hereby created, to be known as the "Ambulance or Fire Protection District Sales Tax Trust Fund". (1/15)

**FidelityBond:** PublicOfficialBond

## Mississippi

### 74. [MS H 229](#)

**Title:** Government Accountability and Transparency Act

**Introduced:** 01/27/2020

**Last Amend:** 03/05/2020

**Disposition:** Pending

**Location:** SENATE

MS H 229 (see also MS S 2364) would re-enact existing law allowing a State Auditor to demand recovery of the value of any public property disposed of in an unlawful manner by a public officer, employee or administrative body from the official responsible and their surety bond. It could also impose a civil penalty on the surety as follows:

**Synopsis:** "In any case where written demand is issued to a surety on the official bond of such person or persons and the surety refuses, neglects or otherwise fails within [120] days to either pay the amount demanded and the interest due thereon or to give the State Auditor a written response with specific reasons for nonpayment, then the surety shall be subject to a civil penalty in an amount of [12%] of the bond, not to exceed [\$10,000]." (3/4)

**ContractSurety:** BondClaims

**FidelityBond:** PublicOfficialBond

### 75. [MS H 395](#)

**Title:** Holistic Educational Efficiency

**Introduced:** 01/31/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** MS H 935 would provide that, beginning July 1, 2023, each county shall constitute a school district for the control, organization and administration of schools, and all other school districts shall be abolished. Each member of the resulting county boards of education shall give a surety bond in the penal sum of \$50,000. The board may execute a blanket surety bond for each school district official and employee (including school business managers and any other employee who receipts and/or disburses school district funds) in the penalty of \$50,000, unless a different penalty is prescribed by statute, to be payable, conditioned and approved in the manner provided by law.

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

76. [MS H 636](#)

**Title:** Homeowners Association Managing Agents

**Introduced:** 02/06/2020

**Last Amend:** 03/04/2020

**Disposition:** Pending

**Location:** SENATE

MS H 636 would prohibit the managing agent of a homeowners association from commingling funds among various associations unless the "managing agent commingled the funds of various associations on or before the July 1, 2020, and has obtained a written agreement with the board of each association that the managing agent will maintain a fidelity and surety bond in an amount that provides adequate protection to the associations as agreed upon by the managing agent and the board of each association." (2/10)

As amended, the managing agent may not commingle funds, and any funds presently commingled must be separated.

Also, fidelity bonds would be required for an HOA -- unless a majority of the members of the HOA vote to not maintain coverage -- for numerous events as follows:

**Synopsis:** "Unless the governing documents of the homeowners' association require greater coverage amounts, the homeowners' association shall maintain fidelity bond coverage for its directors, officers, and employees in an amount that is equal to or more than the combined amount of the reserves of the association and total assessments for highest balance during the previous year.

...

"The association's fidelity bond shall also include computer fraud and funds transfer fraud, which is not required to include cyber coverage.

...

"If the association uses a managing agent, the association's fidelity bond coverage must additionally include dishonest acts by that person or entity and its employees." (3/9)

**FidelityBond:** FidelityBond, HomeownersAssoc.

**Priority:** NewOpportunity

## 77. [MS H 1007](#)

**Title:** Criminal History

**Introduced:** 02/14/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** MS H 1007 would prohibit employers from inquiring about a job applicant's criminal history, with certain exceptions. One of the several exceptions applies if "a standard fidelity bond or an equivalent bond is required for the position for which the applicant is seeking employment and his or her conviction of one or more specified criminal offenses would disqualify the applicant from obtaining such a bond, an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses." (2/19)

**FidelityBond:** BackgroundChecks, FidelityBond

## 78. [MS H 1089](#)

**Title:** State Development Authority

**Introduced:** 02/17/2020

**Disposition:** Pending

**Location:** SENATE

**Synopsis:** MS H 1089 would create or impact various development authorities and grant to them authorization to alter, for the benefit of small or minority businesses, various requirements concerning contracting, bonds and retainage.

The bill would create within the Mississippi Development Authority a division called the Mississippi Major Economic Impact Authority for the "performance of essential public functions." Contracts by the authority or a public agency, including design and construction contracts, for the acquisition, purchase, construction or installation of certain projects and facilities would be exempt from various requirements if, for example, the contracting company makes efforts to engage Disadvantaged Business Enterprises. MDA would offer to an eligible DBE assistance through its Minority Surety Bond Guaranty Program.

The authority would be authorized to accept in lieu of any bond otherwise required from minority or small business concerns in an amount equal to 100% of the total cost of the contracted project, any combination of the following: (i) cash; (ii) certificates of deposit from any bank or banking corporation insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation; (iii) Federal treasury bills; (iv) letters of credit issued by a bank as that term is defined in Section 81-3-1, Mississippi Code of 1972; or (v) surety bonds issued by an insurance company licensed and qualified to do

business in the State of Mississippi.

The authority would also be authorized, in its discretion, to waive any bond required on any project which does not exceed a total dollar value of \$100,000.

A retainage shall be held by the authority in an amount not to exceed 15% from each draw according to American Institute of Architects standards. Upon satisfactory completion of such project, 10% of the total cost of the contract shall be held in an interest-bearing escrow account for one year. Funds deposited in such escrow account shall stand as a surety for any defects in workmanship or materials detected within twelve months of completion. The balance of all monies so escrowed including accrued interest shall be paid to the contractor at the end of such twelve-month period.

The bill would also enact provisions affecting the Mississippi Economic Development Corporation. Its employees entrusted with the custody of the securities of or authorized to disburse the funds of the corporation shall be bonded, either by a blanket bond or by individual bonds, with a surety bond or bonds with a minimum limitation of \$100,000 coverage for each person covered thereby, conditioned upon the faithful performance of their duties.

The bill would also enact provisions affecting the Mississippi Business Finance Corporation, which makes loans, and whose manager shall be required to have a surety bond in an amount to be fixed by the committee. (2/19)

**ContractSurety:** BidBonds, MinorityBusiness, PerformanceBond, Retainage, SmallBusiness

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

#### 79. [MS H 1121](#)

**Title:** Motor Vehicle Commission Law

**Introduced:** 02/17/2020

**Disposition:** Failed

**Location:** Died

MS H 1121 would create the Mississippi Motor Vehicle Commission Law and the Mississippi Motor Vehicle Commission composed of eight members to oversee the distribution and sales of motor vehicles in the state.

**Synopsis:**

"The commission shall purchase either a blanket position honesty or faithful performance bond from some surety company authorized to do business in this state in the penal sum of Ten Thousand Dollars

(\$10,000.00), made payable to the State of Mississippi, conditioned for the honest and faithful performance of the duties of the chairman and each member of the commission, the executive secretary of the commission and all other employees of the commission, said bond to be approved by the Governor and filed in the Office of the Secretary of State."

"New applications for licenses as a new, used or wholesale motor vehicle dealer shall, in addition to the foregoing, be accompanied by the filing with the commission of a corporate surety bond in the penal sum of Twenty-five Thousand Dollars (\$25,000.00) on a bond form approved by the commission. However, an applicant for licenses at multiple locations may choose to provide a corporate surety bond in the penal sum of One Hundred Thousand Dollars (\$100,000.00) covering all licensed locations of the same capacity in lieu of separate bonds for each location."

"The bond shall be in effect upon the applicant being licensed and shall be conditioned upon his complying with the provisions of the Mississippi Motor Vehicle Commission Law. The bond shall be an indemnity for any loss sustained by any person by reason of the acts of the person bonded when those acts constitute grounds for the suspension or revocation of license. The bond shall be executed in the name of the State of Mississippi for the benefit of any aggrieved party. The aggregate liability of the surety for any claimants, regardless of the number of years this bond is in force or has been in effect, shall not exceed the amount of the bond. The proceeds of the bond shall be paid upon receipt by the commission of a final judgment from a Mississippi court of competent jurisdiction against the principal and in favor of an aggrieved party."

"New, used and wholesale motor vehicle dealers shall be required to maintain motor vehicle liability insurance providing blanket coverage on vehicles operated on the public streets and highways of this state, including vehicles in dealership inventory unless the motor vehicle dealer's inventory does not have a motor. Evidence of liability insurance for business and inventory vehicles shall be filed with the application for license, and the application for license shall be denied if proof of liability insurance satisfactory to the Department of Revenue is not provided."

Any person who is a party to any hearing before the commission and who is aggrieved by any decision of the commission with respect to any hearing before it shall have the right of appeal to the chancery court of the county of such person's residence or principal place of business within this state, and would file an appeal bond in the penal sum of \$500 with two sureties or with a surety company qualified to do business in Mississippi as surety,

conditioned to pay the costs of such appeal, said bond to be approved by any member of the commission or by its executive secretary or by the clerk of the chancery court to which such appeal is taken. (2/21)

**CommercialSurety:** AppealBond, LicenseBond, MotorVehicleDealers

**FidelityBond:** FidelityBond, PublicOfficialBond

**Priority:** NewOpportunity

#### 80. [MS H 1376](#)

**Title:** Commissioner of Corrections Qualifications

**Introduced:** 02/17/2020

**Last Amend:** 03/12/2020

**Disposition:** Pending

**Location:** SENATE

MS H 1376 (see also MS H 1377) would require the Governor to appoint a Commissioner of Corrections who would be required to execute a good and sufficient bond payable to the State of Mississippi in the sum of \$250,000, conditioned upon an accurate accounting for all monies and property coming into his hands.

**Synopsis:** "The commissioner, upon approval by the Governor, may require of other officers, employees and agents of the department a good and sufficient bond in such sum as he may determine, subject to the minimum requirements set forth herein, payable to the State of Mississippi upon like condition. The bonds shall be approved by the Governor and filed with the Secretary of State, and shall be executed by a surety company authorized to do business under the laws of this state." (2/26)

**FidelityBond:** FidelityBond, PublicOfficialBond

#### 81. [MS H 1377](#)

**Title:** Corrections Omnibus Bill

**Introduced:** 02/17/2020

**Last Amend:** 03/12/2020

**Disposition:** Pending

**Location:** SENATE

**Synopsis:** MS H 1377 (see also MS H 1376) would require the Governor to appoint a Commissioner of Corrections who would be required to execute a good and sufficient bond payable to the State of Mississippi in the sum of \$250,000, conditioned upon an accurate accounting for all monies and property coming into his hands.

"The commissioner, upon approval by the Governor, may require of other officers, employees and agents of the department a good and sufficient bond in such sum as he may determine, subject to the minimum requirements set forth herein, payable to the State of Mississippi upon like condition. The bonds shall be approved by the Governor and filed with the Secretary of State, and shall be executed by a surety company authorized to do business under the laws of this state."

The bill would also provide that a contract for correctional services shall not be entered into unless, among other requirements:

"The contractor shall post a performance bond to assure the contractor's faithful performance of the specifications and conditions of the contract. The bond is required throughout the term of the contract. The terms and conditions must be approved by the Department of Corrections and the Department of Finance and Administration and such approval is a condition precedent to the contract taking effect." (2/26)

**ContractSurety:** PerformanceBond

**FidelityBond:** FidelityBond, PublicOfficialBond

**Priority:** NewOpportunity

## 82. [MS S 2283](#)

**Title:** School District Conflict of Interest Provisions

**Introduced:** 02/07/2020

**Disposition:** Pending

**Location:** House Education Committee

MS S 2283 would amend existing law pertaining to conflict of interest for school district personnel to include within its purview other school district administrators with authority to negotiate school district contracts, and to substitute the word "willfully" for the misspelled "wilfully" in the following sentence:

**Synopsis:**

"Any person who shall authorize or enter into any contract in violation of the provisions hereof, or who shall knowingly or willfully pay out or receive any money upon any such contract shall be civilly liable for the amount so paid or received, and, in the case of an official who has furnished a bond, the surety upon such bond shall likewise be liable for such amount." (2/10)

**CommercialSurety:** SchoolBond

**FidelityBond:** FidelityBond

83. [MS S 2307](#)

**Title:** Board of Barber Examiners  
**Introduced:** 02/07/2020  
**Last Amend:** 03/06/2020  
**Disposition:** Pending  
**Location:** House Public Health and Human Services Committee

**Synopsis:** MS S 2307 would re-enact existing law requiring the secretary of the Board of Barbering Examiners to "file with the Secretary of State a bond in the sum of \$10,000 conditioned according to law" and requiring all regulated schools of barbering in the state to "to maintain a surety bond in the amount of \$25,000 to ensure that in the event a school ceases operation, that all unused tuition fees will be refunded to the students concerned."  
(3/12)

**CommercialSurety:** CosmetologySchools, PermitBond  
**FidelityBond:** FidelityBond, PublicOfficialBond

84. [MS S 2364](#)

**Title:** Audits Performance Fees  
**Introduced:** 02/13/2020  
**Disposition:** Pending  
**Location:** House Accountability, Efficiency, Transparency Committee

MS S 2364 (see also MS H 229) would re-enact existing law allowing a State Auditor to demand recovery of the value of any public property disposed of in an unlawful manner by a public officer, employee or administrative body from the official responsible and their surety bond. It could also impose a civil penalty on the surety as follows:

**Synopsis:** "In any case where written demand is issued to a surety on the official bond of such person or persons and the surety refuses, neglects or otherwise fails within [120] days to either pay the amount demanded and the interest due thereon or to give the State Auditor a written response with specific reasons for nonpayment, then the surety shall be subject to a civil penalty in an amount of [12%] of the bond, not to exceed [\$10,000]." (3/12)

**ContractSurety:** BondClaims  
**FidelityBond:** PublicOfficialBond

85. [MS S 2384](#)

**Title:** Fair Chance Hiring Standards

**Introduced:** 02/13/2020  
**Disposition:** Failed  
**Location:** Died  
**Synopsis:** MS S 2384 would prohibit an employer from soliciting or otherwise inquiring about the criminal history of a job applicant in certain circumstances. This bill would expressly "not apply to a job for which a federal, state, or local law, or compliance with legally mandated insurance or bond requirement disqualifies an individual based on criminal history."  
(2/19)  
**CommercialSurety:** OccupationRegReform  
**FidelityBond:** BackgroundChecks

#### 86. [MS S 2515](#)

**Title:** Public Officers and Employees  
**Introduced:** 02/14/2020  
**Disposition:** Pending  
**Location:** House Accountability, Efficiency, Transparency Committee  
**Synopsis:** MS S 2515 would require that "any public officer or employee handling or having the custody of public funds, by virtue of his or her office or employment, shall give an individual bond in an amount of \$25,000, unless a specific amount is otherwise required by law." This requirement expressly "shall not apply to any public officer or employee whose activity of handling or having custody of public funds is incidental to his or her employment or job duties, as defined by State Auditor regulation." (2/19)  
**FidelityBond:** FidelityBond, PublicOfficialBond  
**Priority:** NewOpportunity

#### 87. [MS S 2627](#)

**Title:** Department of Information Technology Services  
**Introduced:** 02/17/2020  
**Disposition:** Failed  
**Location:** Died  
**Synopsis:** MS S 2627 would create the Mississippi Department of Information Technology Services to provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation.  
  
The membership of the authority shall be composed of five members to be appointed by the Governor. Each member of the authority shall be required to furnish a surety bond in the minimum amount of \$50,000 to be

approved by the Secretary of State, conditioned according to law and payable to the State of Mississippi, before entering upon his duties.

The authority shall select an executive director who shall be required to make a good and sufficient bond in some surety company qualified and doing business in the State of Mississippi, in the minimum penal sum of \$50,000 conditioned upon the faithful performance of his duties as required by law and the directives of the authority.

Among other things, the "authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services." "The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost."

"Upon written complaint of any person claiming to be adversely affected by disclosure of confidential information by any information confidentiality officer, the director shall give notice to the information confidentiality officer of the fact that such complaint has been filed and shall give such notice to the Chairman of the Mississippi Department of Information Technology Services, who shall call a meeting of the members of the authority for the purpose of hearing such complaint." The authority shall then conduct an investigation and the "finding of the authority shall be prima facie evidence of the truth thereof in any judicial procedure seeking forfeiture of the bond of such information confidentiality officer."

**CommercialSurety:** ProtestBond  
**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

88. [MS S 2634](#)

**Title:** Secretary of State Public Safety Power Transfers  
**Introduced:** 02/17/2020  
**Disposition:** Failed  
**Location:** Died

**Synopsis:** MS S 2634 would relocate certain existing public offices so that the secretary of state would appoint an assistant secretary of state to a position concerned with driver licenses, where currently a commissioner appoints a director to such position, but the requirement that such person "shall execute and furnish a bond in the amount of \$10,000" would remain intact. (2/21)

**FidelityBond:** PublicOfficialBond

#### 89. [MS S 2730](#)

**Title:** Smith Wills Stadium Commission

**Introduced:** 02/17/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** MS S 2730 would create the "Smith-Wills Stadium Commission" for the purpose of improving the capital facility and grounds of a stadium existing in Jackson. The commission would appoint a director who "shall give bond to the State of Mississippi in the sum of \$50,000, and said bond shall be conditioned upon the faithful discharge and performance of his official duty."

"The principal and surety on said bond shall be liable thereunder to the state for double the amount of value of any money or property which the state may lose, if any, by reason of any wrongful or criminal act of said director." (2/21)

**ContractSurety:** BondClaims

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

#### 90. [MS S 2981](#)

**Title:** Grenada County Partnership

**Introduced:** 03/18/2020

**Disposition:** Pending

**Location:** Senate Local and Private Committee

**Synopsis:** MS S 2981 would authorize the board of supervisors of Grenada County to establish an economic and industrial development authority known as the Greater Grenada Partnership having five to seven trustees and "performing an essential governmental function in the exercise of the powers conferred upon it."

Before entering upon the duties of the office, each such trustee must give bond in the sum of \$5,000, "conditioned upon the faithful performance of his duties, such bond to be made payable to the partnership and to be approved by the partnership." (3/19)

**ContractSurety:** PerformanceBond

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

## North Carolina

### 91. [NC H 470](#)

**Same as:** [NC S 490](#)  
**Title:** Parenting Coordinators  
**Introduced:** 03/28/2019  
**Last Amend:** 10/31/2019  
**Enacted:** 11/06/2019  
**Disposition:** Enacted  
**Effective Date:** 01/01/2019, 11/06/2019, 12/01/2019, 01/01/2020, 07/01/2020 [[code impact](#)]  
**Location:** Chaptered  
**Synopsis:** Retains existing requirement for Administrative clerks to be bonded. Signed by Governor on 11/06 becoming Session Law Number 2019-243. (11/12)  
**FidelityBond:** FidelityBond, PublicOfficialBond

### 92. [NC H 806](#)

**Title:** Crime and Fidelity Insurance Policies  
**Introduced:** 04/18/2019  
**Disposition:** Pending - Carryover  
**Location:** Senate Rules and Operations of the Senate Committee  
**Synopsis:** HB 806 would require managers for lot owners or unit owners' association to be covered by a fidelity bond in an amount at least equal to the annual budgets of all of their clients, but not to exceed \$2 million. The bond would have to cover the manager and its employees and would have to protect the funds the manager or its employees' custody. Any lot owner or unit owners' association with annual assessments for common expenses of \$25,000 or more would have to obtain a "crime and fidelity insurance" equal to 125% of the unit owners' association annual operating budget, but not more than \$1 million. The bond would have to insure the association against losses resulting from theft or dishonesty that the officers and members of its executive board or its employees committed. (04/30)  
**FidelityBond:** HomeownersAssoc.

## Nebraska

### 93. [NE L 492](#)

**Title:** Regional Metropolitan Transit Authority Act

**Introduced:** 01/22/2019

**Last Amend:** 05/21/2019

**Enacted:** 05/31/2019

**Disposition:** Enacted

**Effective Date:** 09/01/2019 [[code impact](#)]

**Location:** Governor's Veto Overridden

**Synopsis:** NE L 492 would create the Regional Metropolitan Transit Authority Act designed to address traffic congestion through the establishment of comprehensive regional public transportation systems. It would establish a board of directors for any regional metropolitan transit authority established under the Act. Each member of the boards, before entering upon the duties of office, shall file with the city clerk or village clerk of the municipality in which he or she resides an oath that he or she will duly and faithfully perform all the duties of the office to the best of his or her ability and a bond in the penal sum of \$5,000 executed by one or more qualified sureties for the faithful performance of his or her duties. (1/15)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 94. [NE L 799](#)

**Title:** Cities of the Primary Class Provisions

**Introduced:** 01/08/2020

**Disposition:** Pending

**Location:** Legislature

**Synopsis:** NE L 799 would revise existing statutory provisions concerning territorial limits and annexation from language referencing a "city" to language referencing a "city of the first class which is declared to be a city of the primary class pursuant to section 15-102." Existing provisions concerning surety and fidelity bonds remain. (1/12)

**FidelityBond:** PublicOfficialBond

### 95. [NE L 909](#)

**Title:** Banking and Finance Provision Changes

**Introduced:** 01/10/2020  
**Last Amend:** 03/06/2020  
**Disposition:** Pending  
**Location:** Legislature  
**Synopsis:** NE L 909 would amend existing laws pertaining to certain banking institutions to revise the current \$50,000 surety bond requirement by adding that such bond "on or after January 1, 2021, shall be increased by fifty thousand dollars for each branch office established or to be established in Nebraska." (2/21)  
**CommercialSurety:** LicenseBond  
**FidelityBond:** FinancialInstitution  
**Priority:** NewOpportunity

96. [NE L 989](#)

**Title:** Sales And Use Taxes On Digital Advertisements  
**Introduced:** 01/14/2020  
**Disposition:** Pending  
**Location:** Revenue Committee  
**Synopsis:** NE L 989 would extend existing sales and use taxes to include the retail sale of "digital advertisements" which means "an advertising message delivered over the Internet that markets or promotes a particular good, service, or political candidate or message." The amendment would not modify the existing provision permitting the Tax Commissioner to require of all tax collectors and their designated delegates a surety bond in favor of the State of Nebraska to insure against any misappropriation of state funds so collected. (1/15)  
**FidelityBond:** PublicOfficialBond

97. [NE L 1022](#)

**Title:** Election of Election Commissioners  
**Introduced:** 01/16/2020  
**Disposition:** Pending  
**Location:** Government, Military and Veterans Affairs Committee  
**Synopsis:** NE L 1022 would add "election commissioner" to the list of public officials who may be required to furnish a surety bond approved by the county board. (1/16)  
**FidelityBond:** PublicOfficialBond

## New Hampshire

### 98. [NH H 253](#)

**Title:** Criminal Records Checks

**Introduced:** 01/02/2019

**Last Amend:** 01/30/2020

**Disposition:** Pending

**Location:** Concurrence

**Synopsis:** HB 253 would prohibit an employer from including a question on any application for employment about whether applicant has ever been arrested, charged with, or convicted of any crime or violation, or adjudicated as a juvenile delinquent. This would not apply in certain cases, including when the position would require a standard fidelity bond or equivalent bond and the applicant's conviction of a crime would disqualify the applicant from obtaining the bond. (02/18)

**FidelityBond:** BackgroundChecks, FidelityBond

### 99. [NH H 1209](#)

**Title:** Condominium Board Fidelity Insurance Coverage

**Introduced:** 01/08/2020

**Last Amend:** 03/11/2020

**Disposition:** Pending

**Location:** SENATE

**Synopsis:** NH H 1209 would add a new provision that obligates certain condominium organizations to obtain "fidelity insurance." It provides: "For an organization of unit owners in condominiums of more than 20 units, blanket fidelity insurance coverage, which shall be secured and maintained at its own cost and expense, insuring against the dishonest acts of any person, trustee, manager, managing agent, or employee, or the organization of unit owners responsible for handling organizational funds, in an amount equal to at least 1/4 of the annual assessments, excluding special assessments." "The manager or managing agent shall maintain, at its sole cost and expense, its own fidelity insurance with substantially the same form of coverage." The new language in this bill does not, however, expressly reference "bonds." (12/4)

**FidelityBond:** FidelityBond, HomeownersAssoc.

**Priority:** NewOpportunity

100. [NH S 710](#)

**Title:** Homeowners' Association Act

**Introduced:** 01/08/2020

**Disposition:** Pending

**Location:** SENATE

**Synopsis:** NH S 710 would create the homeowners' association act to regulate homeowners' associations. The bill would require an association to distribute an annual budget report which contains, among other things, a summary of the association's property, general liability, earthquake, flood and fidelity insurance policies. (1/17)

**FidelityBond:** HomeownersAssoc.

## New Jersey

### 101. [\(2018\) NJ A 344](#)

**Identical:** [\(2018\) NJ A 2501](#), [\(2018\) NJ S 1575](#)

**Title:** Individual Development Accounts

**Introduced:** 01/09/2018

**Enacted:** 01/21/2020

**Disposition:** Enacted

**Effective Date:** 01/21/2020 [[code impact](#)]

**Location:** Chaptered

NJ A 344 would create a New Jersey Individual Development Account Program within the Department of Community Affairs to provide each eligible individual in the state with "an opportunity to establish an individual development account in a financial institution, to the extent funding will permit."

**Synopsis:** A community-based organization establishing an individual development account shall, among other things, "be deemed to have a fiduciary duty with respect to moneys in an individual development account or reserve fund. The commissioner may require that an organization post and maintain a fidelity bond or other security with regard to the position of the organization as fiduciary for the moneys in an individual development account or reserve fund." (3/17)

**CommercialSurety:** FiduciaryBond

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

### 102. [NJ A 593](#)

**Title:** Disbursement Service Organizations Requirements

**Introduced:** 01/14/2020

**Disposition:** Pending

**Location:** Assembly State and Local Government Committee

**Synopsis:** NJ A 593 would require all third-party disbursement service organizations that contract with local government units and boards of education to make payments and execute financial transactions for those purposes to post a bond with the local government unit or board of education in an amount approved by the Local Finance Board. The bond would be forfeited in the event that the third-party disbursement service organization fails to make payments or execute financial transactions, including federal or State tax deposits, on behalf of the local government unit or board of education. (1/17)

**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

103. [NJ A 3456](#)

**Identical:** [NJ S 1807](#)  
**Title:** Tuition Reimbursement Program  
**Introduced:** 02/25/2020  
**Disposition:** Pending  
**Location:** Assembly Higher Education Committee

NJ A 3456 (also NJ S 1807) would create a tuition reimbursement program to provide "equitable refunds in the event of the closure" for students enrolled in certain private post-secondary educational schools with the use of a required "performance bond."

"A private career school shall obtain a performance bond payable to the Commissioner of Labor and Workforce Development in an amount to be determined by the commissioner. The proceeds of the performance bond may be used to pay approved refunds or to reimburse the fund established pursuant to [the paragraph immediately below] for refunds or other payments made to or on behalf of a student.

**Synopsis:** "A restricted, nonlapsing, revolving Private Career School Student Tuition Protection Fund, to be managed and invested by the State Treasurer, is hereby established in the Department of Labor and Workforce Development. The purpose of the fund shall be to provide for a system of equitable refunds in the event of the closure of a private career school. The State Treasurer shall have full statutory powers of investment of the fund, except that any interest, income, and dividends derived from the investment of the fund shall be credited to the fund. The operating expenses of the fund shall be paid out of the monies in the fund."

The department would pay claims approved under the bill "from the performance bond required pursuant to [the first-quoted paragraph above] whenever possible. When the bond is insufficient to pay all approved claims, the department shall direct the State Treasurer to issue a refund check drawn against the available funds in the fund." (2/28)

**CommercialSurety:** SchoolBond  
**ContractSurety:** BondClaims, PerformanceBond  
**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

104. [NJ A 3734](#)

**Title:** Nonprofit Youth Serving Athletic Organizations  
**Introduced:** 03/16/2020  
**Disposition:** Pending  
**Location:** Assembly Women and Children Committee

**Synopsis:** NJ A 3734 would establish financial reporting, public notice and records requirements for certain nonprofit youth-serving athletic organizations, such as Little Leagues, Babe Ruth Leagues, Pop Warner Leagues, Police Athletic Leagues and others. Such organizations "shall obtain insurance or a surety bond for the purpose of satisfying any claim against a signatory or any person authorized by the organization to handle its finances." (3/17)

**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

105. [NJ S 302](#)

**Title:** Clean Energy Technology Center  
**Introduced:** 01/14/2020  
**Disposition:** Pending  
**Location:** Senate Environment and Energy Committee

**Synopsis:** NJ S 302 would establish a Clean Energy Technology Center in the Board of Public Utilities to finance clean energy technology research and provide loans and loan guarantees to companies, institutions of higher education, and nonprofits to encourage the creation of clean energy technology ventures and the training of workers to perform associated "green jobs." The center shall establish public-private partnerships with state-based investors, entrepreneurs and institutions that are involved in the clean energy industry for the purposes of facilitating matching grants for recipients of funding from the center.

Also, all officers and employees of the center having access to its cash or negotiable securities shall give a bond to the center, at its expense, in such amounts and with such surety as the board may prescribe. (1/17)

**ContractSurety:** P3  
**FidelityBond:** PublicOfficialBond

106. [NJ S 1807](#)

**Identical:** [NJ A 3456](#)  
**Title:** Private School Student Tuition Reimbursement Program  
**Introduced:** 02/24/2020

**Disposition:** Pending

**Location:** Senate Higher Education Committee

NJ S 1807 (also NJ A 3456) would create a tuition reimbursement program to provide "equitable refunds in the event of the closure" for students enrolled in certain private post-secondary educational schools with the use of a required "performance bond."

"A private career school shall obtain a performance bond payable to the Commissioner of Labor and Workforce Development in an amount to be determined by the commissioner. The proceeds of the performance bond may be used to pay approved refunds or to reimburse the fund established pursuant to [the paragraph immediately below] for refunds or other payments made to or on behalf of a student.

**Synopsis:** "A restricted, nonlapsing, revolving Private Career School Student Tuition Protection Fund, to be managed and invested by the State Treasurer, is hereby established in the Department of Labor and Workforce Development. The purpose of the fund shall be to provide for a system of equitable refunds in the event of the closure of a private career school. The State Treasurer shall have full statutory powers of investment of the fund, except that any interest, income, and dividends derived from the investment of the fund shall be credited to the fund. The operating expenses of the fund shall be paid out of the monies in the fund."

The department would pay claims approved under the bill "from the performance bond required pursuant to [the first-quoted paragraph above] whenever possible. When the bond is insufficient to pay all approved claims, the department shall direct the State Treasurer to issue a refund check drawn against the available funds in the fund." (2/26)

**CommercialSurety:** SchoolBond

**ContractSurety:** BondClaims, PerformanceBond

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

## New Mexico

### 107. [NM H 11](#)

**Title:** Public Regulation Commission  
**Introduced:** 01/28/2020  
**Last Amend:** 02/17/2020  
**Disposition:** Failed - Adjourned  
**Location:** Senate Corporations and Transportation Committee  
**Synopsis:** NM H 11 would eliminate the bond requirement currently imposed on "all employees of the commission as provided in the Surety Bond Act" within the commission resource division which manages the operations of the office of public regulation commission regulatory affairs. (1/30)  
**FidelityBond:** PublicOfficialBond

### 108. [NM H 44](#)

**Title:** State Work and Save Act  
**Introduced:** 01/21/2020  
**Last Amend:** 02/08/2020  
**Enacted:** 02/26/2020  
**Disposition:** Enacted  
**Effective Date:** 05/20/2020 [[code impact](#)]  
**Location:** Chaptered  
**Synopsis:** NM H 44 would enact the New Mexico Work and Save Act and create a New Mexico Work and Save Board administratively attached to the office of the state treasurer to encourage participation, saving, sound investment practices and appropriate selection of investment options in the private sector. The board must, among other things, provide a blanket surety bond for all employees and board members in an amount as determined by the board and conditioned on the faithful performance of the duties of each employee during the employee's employment and each board member during the board member's term of office. (12/19)  
**FidelityBond:** PublicOfficialBond  
**Priority:** NewOpportunity

### 109. [NM S 259](#)

**Title:** Escrow Company Surety Bonds  
**Introduced:** 02/04/2020

**Disposition:** Failed - Adjourned

**Location:** SENATE

NM S 259 would increase for licensed escrow companies and applicants the existing bond requirement from a surety bond of \$100,000 to a fidelity bond of \$1,000,000 in a form acceptable to the director. The bill would add further provisions concerning bond claims as follows:

"The fidelity bond required by this section shall be for the benefit of:

(1) any person damaged by an act or acts of the escrow company or its directors, officers or employees as a result of a violation of the provisions of, or any rule promulgated pursuant to, the Escrow Company Act, the Criminal Code or other acts made criminal offenses pursuant to state law;

(2) any person damaged by the negligence, fraud or embezzlement of the escrow company or its directors, officers or employees; or

(3) any person damaged by any other breach of fiduciary duty by the escrow company or its directors, officers or employees."

It would also dictate certain terms of cancellation of the bond as follows:

**Synopsis:**

"Every fidelity bond filed with the director by an escrow company pursuant to Subsection A of this section shall contain a provision prohibiting the bond company from canceling the fidelity bond for failure to pay the premium unless the bond company files a written notice with the director at least ten days before canceling the fidelity bond. Every fidelity bond filed with the director by an escrow company pursuant to Subsection A of this section shall contain a provision prohibiting the bond company from canceling the fidelity bond for any other reason unless the bond company files a written notice with the director at least thirty days before canceling the fidelity bond."

It would also allow for a higher bond amount in certain circumstances as follows:

"Upon investigation or examination of an applicant for licensure as an escrow company or of a licensed escrow company, the director may determine the necessity for an applicant or licensee to acquire and maintain suitable additional insurance in an amount as required by the director, to protect the escrow company, or the clients of the escrow company, against burglary, robbery, forgery, theft, fraud, embezzlement or

other similar insurable losses to which the escrow company or its clients may be exposed." (2/5)

**CommercialSurety:** LicenseBond

**ContractSurety:** BondClaims

**FidelityBond:** FidelityBond

## New York

### 110. [NY A 9674](#)

**Same as:** [NY S 6491](#)

**Title:** North Shore Water Authority

**Introduced:** 02/04/2020

**Disposition:** Pending

**Location:** Assembly Corporations, Authorities, and Commissions Committee

**Synopsis:** NY A 9674 would create the Water Authority of North Shore Act to protect, preserve and enhance the quality and quantity of the water within its supply area. The water authority would have a treasurer "shall execute a bond, conditioned upon the faithful performance of the duties of his or her office, the amount and sufficiency of which shall be approved by the board of directors and the premium therefor shall be paid by the authority." (2/5)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

### 111. [NY S 5565](#)

**Same as:** [NY A 9665](#)

**Title:** Public Banking Act

**Introduced:** 05/07/2019

**Last Amend:** 02/25/2020

**Disposition:** Pending

**Location:** Senate Banks Committee

**Synopsis:** NY S 5565 would allow for the establishment of public banks, which would be chartered upon submission of application documents that demonstrate, among other things, the "procedures for obtaining fidelity insurance." (2/26)

**FidelityBond:** FidelityBond, FinancialInstitution

**Priority:** NewOpportunity

## Ohio

### 112. [OH H 263](#)

**Title:** Occupational Licensing Restrictions

**Introduced:** 05/28/2019

**Last Amend:** 02/06/2020

**Disposition:** Pending

**Location:** Bills for House Third Consideration

**Synopsis:** HB 263 would prohibit a person from being disqualified from pursuing, practicing, or engaging in any occupation for which a license is required solely or in part because of a prior conviction of a crime, unless the crime directly relates to the duties and responsibilities for the licensed occupation. The bill would require state licensing authorities to revise their existing license requirements to list the criminal convictions that would disqualify a license applicant to meet this standard. State license authorities would be prohibited from using terms such as "moral turpitude" and "good character." State licensing authorities also could not consider a license applicant's arrests without a conviction. The bill would revise existing licensing laws concerning criminal convictions to require compliance with this process and to eliminate references to moral turpitude and good character requirements. (05/30)

**CommercialSurety:** LicenseBond, MiscellaneousBond

**FidelityBond:** BackgroundChecks

### 113. [OH S 89](#)

**Title:** Career Technical Education

**Introduced:** 03/06/2019

**Last Amend:** 02/05/2020

**Disposition:** Pending

**Location:** Conference Committee

**Synopsis:** OH S 89 would require the treasurer of an "educational service center governing board" to execute a bond, in an amount and with surety to be approved by the board, payable to the state, conditioned for the faithful performance of all the official duties required of the treasurer, as is the case for the treasurer of each school district board of education. (2/10)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

114. [OH S 194](#)

**Title:** Voting Equipment Examiners  
**Introduced:** 09/09/2019  
**Last Amend:** 11/06/2019  
**Disposition:** Pending  
**Location:** House Rules and Reference Committee  
**Synopsis:** OH S 194 concerns voter equipment and voter registration systems. Existing provisions regarding bonds and satisfactory surety remain without revision. (11/13)  
**FidelityBond:** PublicOfficialBond

115. [OH S 289](#)

**Title:** Condominiums and Planned Community Properties  
**Introduced:** 03/03/2020  
**Disposition:** Pending  
**Location:** Senate General Government and Agency Review Committee  
**Synopsis:** OH S 289 would amend existing law to add new provisions requiring that the board of condominiums and planned community properties must secure "blanket fidelity, crime, or dishonesty insurance coverage for any person who controls or disburses association funds." (3/4)  
**FidelityBond:** FidelityBond, HomeownersAssoc.  
**Priority:** NewOpportunity

## Oklahoma

### 116. [OK H 4112](#)

**Title:** Uniform Common Interest Ownership

**Introduced:** 02/03/2020

**Disposition:** Pending

**Location:** House Rules Committee

**Synopsis:** OK H 4112 would create the Uniform Common Interest Ownership Act to govern cooperatives, condominiums and planned communities. Among other things, it would require an association to maintain, to the extent reasonably available and subject to reasonable deductibles, property insurance, commercial general liability insurance and fidelity insurance. In addition, in the case of a sale of a unit where delivery of a public offering statement is required under the act, a seller shall provide a surety bond or substitute collateral for or insurance against the lien as provided for liens on real estate. (1/20)

**CommercialSurety:** LienReleaseBond

**FidelityBond:** FidelityBond, HomeownersAssoc.

**Priority:** NewOpportunity

### 117. [OK S 1708](#)

**Title:** Occupational Regulations

**Introduced:** 02/03/2020

**Disposition:** Pending

**Location:** Senate Business, Commerce and Tourism Committee

**Synopsis:** OK S 1708 would establish a process to review criminal records to reduce an offender's disqualification from state occupational recognition. (1/17)

**CommercialSurety:** MiscellaneousBond

**FidelityBond:** BackgroundChecks

## Oregon

### 118. [OR D 158](#)

**Title:** Oregon Hemp Commission

**Disposition:** Failed - Adjourned

**Location:** Filed as Draft

**Synopsis:** OR D 158 would create the Oregon Hemp Commission having five temporary members with various qualifications appointed by the Department of Agriculture to conduct research, promote the industry, levy assessments, fund scholarships and other things. The amendment provides that: (1) a person authorized by the Oregon Hemp Commission to receive or disburse moneys under the Act shall obtain a fidelity bond from the Oregon Department of Administrative Services; (2) the bond must be in an amount equal to the maximum amount of moneys that the commission determines the person may control; (3) the commission shall pay the cost of the bond; and (4) if the person is an employee of the commission, the department shall purchase the bond and the commission shall pay the cost of the bond. (1/12)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

### 119. [OR H 4051](#)

**Title:** State Hemp Commission

**Introduced:** 02/03/2020

**Last Amend:** 02/11/2020

**Disposition:** Failed

**Location:** Died

**Synopsis:** OR H 4051 would create the Oregon Hemp Commission and require that and person authorized by the commission to receive or disburse money must obtain a fidelity bond from the Oregon Department of Administrative Services in an amount equal to the maximum amount of money that the commission determines the person may control. (1/28)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

## Pennsylvania

### 120. [PA H 2073](#)

**PN** 3052  
**Title:** Township Code  
**Introduced:** 11/20/2019  
**Last Amend:** 12/17/2019  
**Disposition:** Pending  
**Location:** Senate Local Government Committee

**Synopsis:** PA H 2073 would allow townships to obtain insurance in lieu of a certain performance bonds. Proposed revisions provide: "When any officer or employe [sic] of a township, other than a tax collector, is required to give a bond for the faithful performance of the officer's or employe's [sic] duties, the board of commissioners may purchase insurance in lieu of a bond if the insurance covers the same events of loss and insures the township against the same misconduct as the bond."

PA H 2073 would also impose a bond requirement on appointed tax collectors of certain townships. Proposed revisions provide: "If a person other than an individual is appointed, the person shall post bonds to the same extent as would an individual appointed to fill the vacancy and as further provided by terms and conditions as set forth by the board of commissioners." (11/22)

**ContractSurety:** PerformanceBond  
**FidelityBond:** PublicOfficialBond

### 121. [PA S 1039](#)

**PN** 1544  
**Title:** County Code  
**Introduced:** 02/19/2020  
**Disposition:** Pending  
**Location:** Senate Local Government Committee

**Synopsis:** PA S 1039 would revise the existing County Code to implement numerous requirements pertaining to to bonds, blanket bonds and other forms of financial surety required for various county personnel. The revisions appear to largely comport with pre-existing requirements, and this bill may be simply repositioning these bond requirements to a different subsection of the County Code. (2/21)

**FidelityBond:** FidelityBond, PublicOfficialBond

## Rhode Island

### 122. [RI H 7864](#)

**Title:** Hope Valley and Wyoming Fire District

**Introduced:** 02/26/2020

**Disposition:** Pending

**Location:** House Municipal Government Committee

**Synopsis:** RI H 7864 would create the Hope Valley/Wyoming Fire District. Its treasurer, tax collector and tax collector's agent would "give bond to the Hope Valley/Wyoming Fire District in such sum and with such surety as the eligible voters may determine, which will provide for the faithful discharge of the duties of the office." (2/28)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

## South Dakota

### 123. [SD H 1031](#)

**Title:** School District Fiduciary Funds

**Introduced:** 01/14/2020

**Enacted:** 02/19/2020

**Disposition:** Enacted

**Effective Date:** 07/01/2020 [[code impact](#)]

**Location:** Signed by Governor

**Synopsis:** SD H 1031 would amend provisions affecting designated school board employees in charge of certain funds by changing instances of the phrase "agency funds" to "custodial funds" and allowing estimation of the fund amounts. Thus, as amended, state law would require that an "employee designated, if other than the business manager, shall be placed under surety bond in the amount estimated to be in the hands of the employee at any one time during the school fiscal year." (1/14)

**FidelityBond:** FidelityBond

## Tennessee

### 124. [TN H 2497](#)

**Same as:** [TN S 2356](#)

**Title:** Surety Bonds

**Introduced:** 02/05/2020

**Disposition:** Pending

**Location:** SENATE

**Synopsis:** TN H 2497 (see also TN S 2356) would amend existing law to allow a human resource agency to alternatively obtain insurance in lieu of the existing surety bond requirement. Such a policy of insurance must have limits not less than \$400,000 per occurrence and must provide "government crime coverage, employee dishonesty insurance coverage, or equivalent coverage that insures the lawful performance by officials and their employees of their fiduciary duties and responsibilities." The existing bond language would remain as an alternative to the new insurance option. (2/6)

**FidelityBond:** PublicOfficialBond

### 125. [TN S 2356](#)

**Same as:** [TN H 2497](#)

**Title:** Human Resource Agencies Liability Insurance

**Introduced:** 02/05/2020

**Disposition:** Pending

**Location:** Senate State & Local Government Committee

**Synopsis:** TN S 2356 (see also TN H 2497) would amend existing law to allow a human resource agency to alternatively obtain insurance in lieu of the existing surety bond requirement. Such a policy of insurance must have limits not less than \$400,000 per occurrence and must provide "government crime coverage, employee dishonesty insurance coverage, or equivalent coverage that insures the lawful performance by officials and their employees of their fiduciary duties and responsibilities." The existing bond language would remain as an alternative to the new insurance option. (2/6)

**FidelityBond:** PublicOfficialBond

## Utah

### 126. [UT H 10](#)

**Title:** Sunset on Boards and Commissions

**Introduced:** 01/27/2020

**Last Amend:** 03/12/2020

**Disposition:** To Governor

**Location:** To Governor

**Synopsis:** UT H 10 would eliminate several dozen state government boards, advisory boards, committees, advisory committees and councils. No existing provisions concerning public official bonds are specifically stricken in the bill, although the various eliminated entities may or may not be subject to bond requirements elsewhere. (1/28)

**FidelityBond:** PublicOfficialBond

### 127. [UT H 451](#)

**Title:** Administration of State Facilities

**Introduced:** 03/02/2020

**Last Amend:** 03/09/2020

**Disposition:** To Governor

**Location:** To Governor

**Synopsis:** UT H 451 would create a state building board to review and approve agency master plans of structures built or contemplated. "A member of the board is not required to post a bond for the performance of the member's official duties." (3/12)

**FidelityBond:** PublicOfficialBond

## Virginia

### 128. [VA H 155](#)

**Title:** Bank and Trust Subsidiaries

**Introduced:** 01/08/2020

**Enacted:** 03/10/2020

**Disposition:** Enacted

**Location:** Chaptered

**Synopsis:** VA H 155 would amend existing law concerning a subsidiary bank's request that it substitute in every fiduciary capacity for a bank under common ownership. It would also apply to such a bank's request to substitute for a trust subsidiary under common ownership (meaning "a trust subsidiary at least 80 percent or more of which is owned, directly or indirectly through a subsidiary, by the same Virginia bank holding company as owns, directly or indirectly through a subsidiary, at least 80 percent of the stock of the subsidiary bank substituted as fiduciary.") Existing provisions concerning surety and fidelity bonds would remain without revision. (12/22)

**FidelityBond:** FidelityBond, FinancialInstitution

### 129. [VA H 1380](#)

**Title:** Uniform Directed Trusts

**Introduced:** 01/08/2020

**Disposition:** To Governor

**Location:** Eligible for Governor

**Synopsis:** VA H 1380 would create the Uniform Directed Trust Act, and specifies that, unless the terms of a trust provide otherwise, the rules applicable to a trustee apply to a trust director regarding various matters, including giving bond to secure performance. (1/9)

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

### 130. [VA S 102](#)

**Title:** Lottery Board

**Introduced:** 01/08/2020

**Disposition:** Failed

**Location:** SENATE

**Synopsis:** VA S 102 would add "casino gaming" to existing laws affecting the state lottery, which already require a bond or other surety satisfactory to the Director of the Virginia Lottery from licensed agents as provided under existing law and department employees with access to department funds

or lottery funds, in such amount as provided in the rules and regulations of the Virginia Lottery Board. (12/8)

**CommercialSurety:** GamblingCompanies, LicenseBond

**FidelityBond:** FidelityBond

**Priority:** NewOpportunity

131. [VA S 1059](#)

**Title:** Sports Betting

**Introduced:** 01/17/2020

**Disposition:** Failed

**Location:** Died

VA S 1059 would establish the Virginia Sports Betting Department and create a Virginia Sports Betting Board to regulate sports betting. The director and members of the board shall give bond in such amount as may be fixed by the Governor, conditioned upon the faithful discharge of their duties.

**Synopsis:** Prior to issuance of a license, every licensed vendor shall either (i) be bonded by a surety company entitled to do business in the Commonwealth in such amount and penalty as may be prescribed by the regulations of the Board or (ii) provide other surety as may be satisfactory to the Director, payable to the Department, and conditioned on performance of its duties under this chapter. Such surety shall be prescribed by Board regulations and shall not exceed a reasonable amount. (1/21)

**CommercialSurety:** GamblingCompanies, LicenseBond

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

## Vermont

### 132. [VT H 603](#)

**Title:** National Guard Statutes  
**Introduced:** 01/07/2020  
**Disposition:** Pending  
**Location:** House General, Housing, and Military Affairs Committee  
**Synopsis:** VT H 603 would repeal bond requirements currently imposed on certain members of the state militia known as the National Guard, including its quartermaster general and all officers who are responsible for public military property or funds. (1/7)  
**CommercialSurety:** MiscellaneousBond  
**FidelityBond:** FidelityBond

### 133. [VT S 186](#)

**Title:** Bonded Officials  
**Introduced:** 01/07/2020  
**Disposition:** Pending  
**Location:** House Government Operations Committee  
**Synopsis:** VT S 186 would repeal provisions of law relating to bonds said to be no longer required for certain state, county and municipal officials. (1/8)  
**FidelityBond:** PublicOfficialBond

## Washington

### 134. [WA H 1171](#)

**Companion:** [WA S 5107](#)

**Title:** Trust Institutions

**Introduced:** 01/16/2019

**Disposition:** Failed - Adjourned

**Location:** Indefinitely Postponed

**Synopsis:** SB 5107/HB 1171 provides that the board of directors of a state trust company would have to require fidelity bonds and liability insurance covering the company and its active directors, officers, managers, and employees, except as otherwise permitted by the Director of the Department of Financial Institutions (Director). The fidelity bond would have to indemnify the company for losses sustained due to the dishonest, fraudulent, or criminal act or omission committed or omitted by directors, officers, managers, and employees. The board of directors must set the bond amount required at least once per year. The Director would be authorized to adopt regulations to provide additional specifications for the bond's coverage. (01/25)

**FidelityBond:** FinancialInstitution

## West Virginia

### 135. [WV H 2528](#)

**Title:** Agriculture Commissioner Employees  
**Introduced:** 01/08/2020  
**Disposition:** Failed - Adjourned  
**Location:** House Agriculture and Natural Resources Committee  
**Synopsis:** WV H 2528 would reword the list of personnel the Commissioner of the Department of Agriculture may employ, but as before the amendment, the Commissioner still "may require them to give bond for the faithful performance of their duties." (1/9)  
**FidelityBond:** PublicOfficialBond

### 136. [WV H 4353](#)

**Similar to:** [WV S 499](#)  
**Title:** Criminal Conduct and Initial Licensure  
**Introduced:** 01/15/2020  
**Last Amend:** 02/17/2020  
**Enacted:** 03/05/2020  
**Disposition:** Enacted  
**Effective Date:** 05/19/2020 [[code impact](#)]  
**Location:** Signed by Governor  
**Synopsis:** WV H 4353 would create a rational nexus requirement between prior criminal conduct and initial licensure decision making for a profession license or occupation, with specific provisions applicable to certain professions such as a motor vehicle dealer, license plate maker, horse or dog racer, lie detector, lottery employee, viatical settlement provider or viatical settlement broker. (2/3)  
**CommercialSurety:** LicenseBond  
**FidelityBond:** BackgroundChecks

### 137. [WV H 4401](#)

**Similar to:** [WV S 613](#)  
**Title:** State Resiliency Office  
**Introduced:** 01/17/2020  
**Disposition:** Failed - Adjourned  
**Location:** House Veterans Affairs and Homeland Security Committee  
**Synopsis:** WV H 4401 would grant to the State Resiliency Office new positions and powers generally relating to flood control and hazard mitigation, and would require "all

employees and officers of the State Resiliency Office who are entrusted with funds or property to execute of [sic] surety bonds." (1/20)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

138. [WV H 4485](#)

**Similar to:** [WV S 586](#)

**Title:** Department of Homeland Security

**Introduced:** 01/23/2020

**Last Amend:** 02/20/2020

**Disposition:** Failed - Adjourned

**Location:** HOUSE

**Synopsis:** WV H 4485 (see WV S 586) would require that "all employees and officers of the State Resiliency Office who are entrusted with funds or property shall execute surety bonds." (2/21)

**FidelityBond:** FidelityBond, PublicOfficialBond

**Priority:** NewOpportunity

139. [WV H 4621](#)

**Similar to:** [WV S 514](#)

**Title:** Fintech Regulatory Sandbox Act

**Introduced:** 01/31/2020

**Last Amend:** 03/05/2020

**Enacted:** 03/24/2020

**Disposition:** Enacted

**Effective Date:** 06/05/2020 [[code impact](#)]

**Location:** Signed by Governor

**Synopsis:** WV H 4621 (see WV S 514) would create the West Virginia FinTech Regulatory Sandbox Act to encourage and enable an individual or an entity to partner with existing financial services providers operating within the state to obtain limited access to the market in the state to test an innovative product or service without obtaining a license or other authorization that might otherwise be required.

"The Division of Financial Institutions shall require a sandbox participant to post a consumer protection bond with the commissioner as security for potential losses suffered by consumers. The bond amount shall be determined by the commissioner in consultation with the sandbox

participant in an amount not less than \$5,000 and shall be commensurate with the risk profile of the innovative product or service. The commissioner may require that a bond be increased or decreased at any time based on risk profile and shall provide the sandbox participant with 30 days prior written notice of such increase or decrease. The commissioner may use bond proceeds to offset losses suffered by consumers as a result of an innovative product or service. The bond shall expire two years after the date of the conclusion of the testing period." (2/19)

**CommercialSurety:** MiscellaneousBond  
**FidelityBond:** FidelityBond, FinancialInstitution  
**Priority:** NewOpportunity

#### 140. [WV S 213](#)

**Similar to:** [WV H 4933](#)  
**Title:** Administration of Trusts  
**Introduced:** 01/09/2020  
**Last Amend:** 03/07/2020  
**Disposition:** To Governor  
**Location:** To Governor

**Synopsis:** WV S 213 would govern trust directors and provides that, unless the terms of a trust provide otherwise, the rules applicable to a trustee apply to a trust director regarding, among other things, giving of bond to secure performance under §44D-7-702 of the code. (1/10)

**CommercialSurety:** UniformTrustCode  
**FidelityBond:** FidelityBond  
**Priority:** NewOpportunity

#### 141. [WV S 514](#)

**Similar to:** [WV H 4621](#)  
**Title:** FinTech Regulatory Sandbox Act  
**Introduced:** 01/16/2020  
**Last Amend:** 02/20/2020  
**Disposition:** Failed - Adjourned  
**Location:** House Judiciary Committee

**Synopsis:** WV S 514 (see WV H 4621) would create the West Virginia FinTech Regulatory Sandbox Act to encourage and enable an individual or an entity to partner with existing financial services providers operating within the state to obtain limited access to the market in the state to test an innovative product or service without obtaining a license or other

authorization that might otherwise be required.

"The Division of Financial Institutions shall require a sandbox participant to post a consumer protection bond with the commissioner as security for potential losses suffered by consumers. The bond amount shall be determined by the commissioner in consultation with the sandbox participant in an amount not less than \$5,000 and shall be commensurate with the risk profile of the innovative product or service. The commissioner may require that a bond be increased or decreased at any time based on risk profile and shall provide the sandbox participant with 30 days prior written notice of such increase or decrease. The commissioner may use bond proceeds to offset losses suffered by consumers as a result of an innovative product or service. The bond shall expire two years after the date of the conclusion of the testing period." (2/21)

**CommercialSurety:** MiscellaneousBond

**FidelityBond:** FidelityBond, FinancialInstitution

**Priority:** NewOpportunity

#### 142. [WV S 586](#)

**Similar to:** [WV H 4485](#)

**Title:** Department of Military Affairs and Public Safety

**Introduced:** 01/22/2020

**Last Amend:** 02/27/2020

**Disposition:** To Governor

**Location:** To Governor

**Synopsis:** WV S 586 (see WV H 4485) would require that "all employees and officers of the State Resiliency Office who are entrusted with funds or property shall execute surety bonds." (2/21)

**FidelityBond:** FidelityBond, PublicOfficialBond

**Priority:** NewOpportunity

#### 143. [WV S 613](#)

**Similar to:** [WV H 4401](#)

**Title:** State Resiliency Office and Officer

**Introduced:** 01/24/2020

**Disposition:** Failed - Adjourned

**Location:** Senate Government Organization Committee

**Synopsis:** WV S 613 would create a State Resiliency Office and require all its employees and officers who are entrusted with funds or property to execute surety bonds of an unspecified amount. (1/28)

**FidelityBond:** PublicOfficialBond

**Priority:** NewOpportunity

**Report prepared by Surety & Fidelity Association of America on March 25, 2020**