



STATE OF ALABAMA  
Department of Finance  
Office of the State Comptroller

100 North Union Street, Suite 220  
Montgomery, Alabama 36130-2620  
Telephone (334) 242-7050 Fax (334) 242-7466  
www.comptroller.alabama.gov

Robert Bentley  
Governor

Bill Newton  
Acting Director of Finance

Thomas L. White, Jr., CPA  
State Comptroller

Janice A. Hamm, CPA  
Deputy State Comptroller

**MEMORANDUM**

**TO:** ALL COUNTY TAX ASSESSORS - ELECT

**FROM:** Thomas L. White, Jr.  
State Comptroller

**DATE:** July 22, 2015

**RE:** Public Official Surety Bond

In compliance with the Code of Alabama, 1975, you are required to execute a public official surety bond for the faithful performance of your duties (Section 11-2-1, Code of Alabama, 1975).

There are certain provisions in the Code relative to the execution and filing of your bond. In an effort to handle the bonds as expeditiously as possible, I will briefly discuss those things that will be checked by this office. Bonds not properly prepared or in compliance with the Code will be returned for correction.

The bond should be filed and recorded in the office of the Judge of Probate and a duplicate copy filed in the office of the State Comptroller (Section 11-2-3, Code of Alabama, 1975). **Before the bond can be filed though, it must show the signature of the approving officer and the day and year approved (Section 36-5-6 through 36-5-8, Code of Alabama, 1975). The Judge of Probate is the approving officer for tax assessor bonds.**

Your bond must be filed no later than the date you take office which is October 1, 2015 (Section 11-2-6, Code of Alabama, 1975). However, it is important that your bond be **filed as soon as possible** in order to avoid last minute delays should the bond have to be returned for correction. If any official required by law to give bond fails to file the same within the time fixed by law, he/she vacates his/her office (Section 36-5-15, Code of Alabama, 1975). The amount of the bond shall be in the sum of not less than \$5,000.00 (Section 40-4-1, Code of Alabama, 1975) and shall be for the term of six (6) years from October 1, 2015.

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The bond is to be made payable solely to the State of Alabama (Section 36-5-5, Code of Alabama, 1975). The bond must be made by a surety or guaranty company authorized by the laws of this state to make bonds and qualified to do business in this state (Section 11-2-6). The bond must also be issued through an insurance producer duly licensed under the laws of this state (Section 27-3-27).

Please have your agent print his/her name and the city of residence directly below his/her signature. The Insurance Department is contacted to check authorization of agent so name and city must be legible.

In addition to filing your public official bond, you must also file an oath of office with the Probate Judge. After your bond has been properly approved and filed, you may obtain a commission from the Secretary of State at the cost of \$5.00. Any questions concerning the oaths and commissions should be directed to Shemekwa Farrow, Commissions Administrator, at (334) 242-7224.

To summarize, the following checklist might be helpful in filing you bond:

- ( ) Amount of bond to be at least \$5,000.00 (Section 40-4-1)
- ( ) Term – 6 years from October 1, 2015 (Section 36-3-5)
- ( ) Payable solely to the State of Alabama (Section 36-5-5)
- ( ) Signature of insurance producer with name and city printed below the signature (Section 27-3-27)
- ( ) Approved and signed by Probate Judge. Must say “approved” with month, day and year indicated (Section 40-4-1)
- ( ) Your signature as principal
- ( ) Approved copy to be filed in Comptroller’s office (Section 40-4-1).  
Mail to following address:

State Comptroller’s Office  
Department of Finance – Receipts Section  
P. O. Box 302602  
Montgomery, AL 36130-2602  
Attn: Shirley O’Connell

Should you need assistance or have additional questions, please contact Shirley O’Connell at (334) 242-0440.

TLW/pb