

CHAPTER 574

BONDS, FINES, FORFEITURES

574.02 Repealed.
 574.20 Bonds, by whom approved.
 574.263 Natural resource development projects.

574.264 Security in place of bond.
 574.34 Fines, how disposed of.

574.02 [Repealed, 1999 c 99 s 24]

574.20 BONDS, BY WHOM APPROVED.

Except as otherwise provided by law in particular cases, bonds shall be approved as follows:

(1) The official bonds of all state officers, including those of the treasurers, superintendents, and other officials, and employees of the several public educational, charitable, penal, and reformatory institutions belonging to the state, shall be approved, as to form, by the attorney general, and in all other respects by the governor;

(2) The official bonds of county, town, city, and school district officers and employees by the governing body of the political subdivision for whose security they are, respectively, given; and

(3) Those required or permitted by law to be given in any court, by the judge or justice of the court in which the proceeding is begun or pending.

No officer, official, or employee required to give bond shall enter upon duties until the bond is duly approved and filed.

History: 1999 c 99 s 20

574.263 NATURAL RESOURCE DEVELOPMENT PROJECTS.

Subdivision 1. **Definition.** For the purposes of this section and section 574.264, "natural resource development project" includes site preparation by discing, shearing, rock raking or piling, patch scarification, or furrowing; prairie restoration; creation of wildlife openings and other wildlife habitat improvements; landscape clearing; tree planting; tree seeding; tree pruning; timber stand improvement by thinning or clearing existing forest trees by manual, mechanical, or chemical techniques; or construction, reconstruction, and maintenance of department of natural resources trails, public accesses, water control structures, fish barriers, sewage treatment systems, roads, and bridges.

Subd. 2. **Contractor's bond.** A contract with the state for a natural resource development project may require a performance bond at the discretion of the commissioner of natural resources. If the commissioner determines that a performance bond is required, it shall not be less than five percent of the contract price.

Subd. 3. **Bid deposit in place of performance bond.** For a contract made by the commissioner for a natural resource development project, the commissioner may require a bid deposit in place of a performance bond for charges that may accrue because of doing the specified work and to enforce the terms of the contract. The commissioner may set the amount of the bid deposit, but it may not be less than five percent of the contract price.

Subd. 4. **Payment bond.** A contract with the state for a natural resource development project may require a payment bond at the discretion of the commissioner of natural resources. If the commissioner determines that a payment bond is required, the commissioner also has the discretion to decide whether the bond may be in the form of securities in place of a bond as provided in section 574.264. If so, the securities cannot have less value than five percent of the contract price.

History: 1999 c 231 s 189

574.264 SECURITY IN PLACE OF BOND.

Subdivision 1. **Natural resource development projects.** In place of a performance or payment bond or bid deposit for a state contract for a natural resource development project

less than \$50,000, the person required to file the bond or bid deposit may deposit in a local designated state depository or with the state treasurer a certified check, a cashier's check, a postal, bank, or express money order, assignable bonds or notes of the United States, or an assignment of a bank savings account or investment certificate or an irrevocable bank letter of credit, in the same amount that would be required for the bond or bid deposit. If securities listed in this section are deposited, their value shall not be less than the amount required for the bond or bid deposit and the person required to file the bond or bid deposit shall submit an agreement authorizing the commissioner to sell or otherwise take possession of the securities in the event of default under the contract or nonpayment of any persons furnishing labor and materials under, or to perform, the contract.

[For text of subd 2, see M.S.1998]

History: 1999 c 231 s 190

574.34 FINES, HOW DISPOSED OF.

Subdivision 1. **General.** Fines and forfeitures not specially granted or appropriated by law shall be paid into the treasury of the county where they are incurred, except in a county in a judicial district under section 480.181, subdivision 1, paragraph (b), as added in Laws 1999, chapter 216, article 7, section 26, the fines and forfeitures must be deposited in the state treasury and credited to the general fund.

[For text of subd 2, see M.S.1998]

History: 1999 c 243 art 11 s 11

NOTE: The amendment to subdivision 1 by Laws 1999, chapter 243, article 11, section 11, is effective July 1, 2000, with respect to counties in the fifth, seventh, and ninth judicial districts. Laws 1999, chapter 243, article 11, section 13.