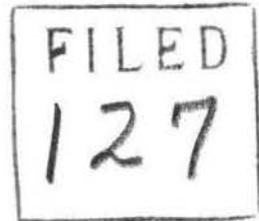


INSURANCE:
APPROVAL OF BOND FOR
SUPERINTENDENT:

Opinion No. 127

March 8, 1965



Honorable Robert D. Scharz
Superintendent
Division of Insurance
Jefferson Building
Jefferson City, Missouri

Dear Mr. Scharz:

Reference is made to your letter of February 15, 1965, with which you enclosed the official bond of the superintendent of insurance. You have requested the approval of the bond by this office pursuant to Section 374.030 RSMo 1959.

It is the policy of this office to withhold its approval of official bonds unless the bond has been carefully executed in strict compliance with the applicable statutes. Section 374.030 RSMo 1959 provides that the bond of the superintendent of insurance shall be " * * * conditioned for the faithful discharge of his duty, * - * ". The bond which you have submitted for the approval of this office is conditioned as follows: "Faithfully perform the duties of his office as provided by law." Although this condition does not follow the literal language of the statute, it is our opinion that the condition sufficiently meets the requirement of the statute.

The date of appointment to the office of superintendent of insurance is not reflected on the bond. The oath of office was taken before a notary public commissioned to execute oaths in Cole County, Missouri. However, the oath does not indicate that it was executed in Cole County, the space to be filled in for the proper county being left blank.

Upon examination, I find that the bond complies with the provisions of Section 374.030 RSMo 1959, when viewed together with Section 107.080 RSMo 1959, and I hereby register my approval as required by law, conditioned, however, upon the completion of the bond form to reflect the date of appointment to the office of superintendent of insurance and to reflect

Honorable Robert D. Scharz

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that the oath of office was executed in Cole County, Missouri.
The bond is returned herewith.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Thomas J. Downey.

Very truly yours,

NORMAN H. ANDERSON
Attorney General

TJD:aa

Encl.