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**GOVERNMENT CODE - GOV**

**TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980]** ( Title 2 enacted by Stats. 1943, Ch. 134. )

**DIVISION 4. FISCAL AFFAIRS [16100 - 17700]** ( Division 4 added by Stats. 1945, Ch. 119. )

**PART 4. WARRANTS [17000 - 17296.5]** ( Part 4 added by Stats. 1945, Ch. 120. )

**CHAPTER 1. General [17000 - 17097]** ( Chapter 1 added by Stats. 1945, Ch. 120. )

**ARTICLE 5. Lost or Destroyed Warrants [17090 - 17097]** ( Article 5 added by Stats. 1945, Ch. 120. )

**17090.** Whenever any warrant lawfully drawn by the Controller is lost or destroyed before it is paid by the Treasurer, the owner or custodian may, prior to the time the warrant becomes void, procure the issuance of a replacement warrant upon compliance with this article.

(Amended by Stats. 2014, Ch. 28, Sec. 41. (SB 854) Effective June 20, 2014.)

**17091.** Application for a replacement warrant shall be made by filing with the Controller:

(a) An affidavit setting forth the fact of its loss or destruction, giving the number, date, amount, and name of the payee, together with all material facts relative to the loss or destruction.

(b) An agreement to indemnify and hold harmless the state, its officers, and employees, from any loss resulting from the issuance of the replacement warrant.

No indemnity agreement shall be required: (1) when the payee is the United States Government, a state of the United States, any agency, instrumentality or officer of the United States Government or of a state, or any county, city, city and county, town, district, or other political subdivision of a state, or any officer thereof; or (2) when the owner or custodian is the State of California or any agency or officer thereof.

The Controller need not require an indemnity agreement if the Controller determines that it is in the best interest of the state and that the state is adequately protected without an agreement.

(Amended by Stats. 2014, Ch. 28, Sec. 42. (SB 854) Effective June 20, 2014.)

**17091.5.** In the case of a lost or destroyed warrant issued by the Controller payable to a retirant, beneficiary, or disabiltant of a state retirement system, for a monthly allowance, the Controller may accept an application and affidavit filed by the state retirement system on behalf of the payee. No indemnity or hold harmless agreement shall be required with such an application.

(Added by Stats. 1985, Ch. 1532, Sec. 4.)

**17092.** The indemnity agreement shall be in a form as approved by the Attorney General. The Controller shall examine and pass upon the sufficiency of the application, including the agreement, and approve or reject it within 30 days after it is filed with the Controller.

(Amended by Stats. 1965, Ch. 784.)

**17093.** If the application is approved, the Controller shall issue and deliver to the applicant, on demand, a replacement warrant for the full amount of the original warrant. When the Controller issues the replacement, he or she shall notify the Treasurer that a replacement warrant has been issued and identify the warrant.

(Amended by Stats. 2014, Ch. 28, Sec. 43. (SB 854) Effective June 20, 2014.)

**17094.** The Controller shall make the proper entries on his books, showing the lost or destroyed warrants, and the issuance of replacement warrants in lieu thereof.

(Amended by Stats. 2014, Ch. 28, Sec. 44. (SB 854) Effective June 20, 2014.)

**17095.** The Treasurer shall pay a replacement warrant as though it were the original.

*(Amended by Stats. 2014, Ch. 28, Sec. 45. (SB 854) Effective June 20, 2014.)*

**17096.** A replacement warrant is void if not presented to the Treasurer for payment within the same time limit provided by law for the original warrant.

*(Amended by Stats. 2014, Ch. 28, Sec. 46. (SB 854) Effective June 20, 2014.)*

**17096.1.** An agency that submits a claim schedule to the State Controller's office that results in a warrant that is canceled under Section 17070 may submit a claim schedule against the fund to which the original warrant reverted pursuant to Section 17072 for two years following the date of cancellation of the original warrant.

*(Added by Stats. 1997, Ch. 920, Sec. 7. Effective October 12, 1997.)*

**17097.** Any loss incurred in connection with the issuance of a replacement warrant shall be charged against the account from which the payment was derived.

*(Amended by Stats. 2014, Ch. 28, Sec. 47. (SB 854) Effective June 20, 2014.)*