

**CHAPTER 11-22**  
**DEPOSIT OF FUNDS HELD IN TRUST BY COUNTY OFFICERS**

**11-22-01. Sheriff, clerk of court, public administrator may deposit funds entrusted to them with county treasurer.**

Any and all funds, other than fees and taxes, received by any sheriff, ex officio clerk of the district court, or public administrator by virtue of the office may be paid over and delivered to the treasurer of the county. Upon the delivery of the money to the treasurer, the officer depositing the same shall be absolved from all liability for the safekeeping of the funds.

**11-22-02. Treasurer's receipt - Special funds provided for deposits.**

The county treasurer shall deliver a receipt to the officer making a deposit under the provisions of this chapter and shall deliver a copy of each such receipt to the county auditor immediately. The treasurer shall place the sum deposited in a special fund provided for that purpose or in a separate special fund maintained for each county officer making such deposits. The treasurer shall be vested with the same rights, duties, and liabilities with respect to deposits made under this chapter as with respect to public funds in the treasurer's hands as county treasurer.

**11-22-03. Deposit of special funds by county treasurer.**

Any special fund deposited with the county treasurer under the provisions of this chapter shall be deposited by the county treasurer as other public funds are deposited, and any interest collected or accruing on moneys in any such fund placed on time deposit shall be credited to the fund entitled thereto.

**11-22-04. How special funds are disbursed.**

Moneys deposited under the provisions of this chapter shall be disbursed only upon the order of the county auditor based upon the order of the officer making the deposit or of that officer's successor in office. If the deposit is made in the form of a check or draft, the county treasurer shall not disburse the fund unless or until such check or draft is paid.

**11-22-05. Neglect of duty - Liability.**

If an officer identified in section 11-22-01 fails to deposit with the county treasurer money which the officer receives by virtue of the office or makes or delivers, or causes to be made or delivered, any order for the withdrawal of the deposit except to the person, firm, corporation, or limited liability company entitled to receive the same, that officer shall be liable upon that officer's bond to any person suffering loss thereby.