

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1114 be amended to read as follows:

- 1 Delete the title and insert the following:
2 A BILL FOR AN ACT to amend the Indiana Code concerning
3 property and to make an appropriation.
4 Page 1, between the enacting clause and line 1, begin a new
5 paragraph and insert:
6 "SECTION 1. IC 27-7-3.5-32, AS ADDED BY SEA 349-2006,
7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2006]: Sec. 32. (a) The title insurance enforcement fund is
9 established for the following purposes:
10 (1) To provide supplemental funding for department operations
11 that are related to title insurance.
12 (2) To pay the costs of hiring and employing staff in the areas of
13 enforcement of title insurance law.
14 (b) The title insurance enforcement fund shall be administered by
15 the commissioner. The expenses of administering the title insurance
16 enforcement fund shall be paid from money in the fund.
17 (c) The treasurer of state shall invest the money in the fund not
18 currently needed to meet the obligations of the fund in the same manner
19 as other public money may be invested.
20 (d) Money in the fund at the end of a state fiscal year does not
21 revert to the state general fund.
22 **(e) The budget agency may augment the appropriation for the**
23 **department of insurance from balances in the fund.**
24 ~~(e)-(f)~~ The following shall be deposited in the title insurance
25 enforcement fund:
26 **(1) Policy reporting fees remitted by title insurers to the**
27 **commissioner under section 32.5 of this chapter.**
28 ~~(f)~~ **(2)** All fines, monetary penalties, and costs imposed upon
29 persons by the department as authorized by law for violation of
30 this chapter.
31 ~~(2)~~ **(3)** Other amounts remitted to the commissioner or the

1 department that are required by law to be deposited into the title
2 insurance enforcement fund.
3 SECTION 2. IC 27-7-3.5-32.5 IS ADDED TO THE INDIANA
4 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
5 [EFFECTIVE JULY 1, 2006]: **Sec. 32.5. (a) A person that purchases**
6 **a title insurance policy shall pay to the title insurer that issues the**
7 **title insurance policy a fee of five dollars (\$5) at the time of**
8 **payment for the title insurance policy. The fee must be specified as**
9 **a line item on the closing statement and on the HUD-1 or HUD 1A**
10 **form used in residential transactions.**
11 **(b) A title insurer shall:**
12 **(1) retain two dollars (\$2) of the fee collected under**
13 **subsection (a) as an administrative fee; and**
14 **(2) pay to the department three dollars (\$3) of the fee**
15 **collected under subsection (a) for deposit in the title**
16 **insurance enforcement fund established under section 32 of**
17 **this chapter."**
18 Renumber all SECTIONS consecutively.
(Reference is to EHB 1114 as printed February 24, 2006.)

Senator STEELE