

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 238 be amended to read as follows:

- 1 Page 6, between lines 37 and 38, begin a new paragraph and insert:
2 "SECTION 6. IC 5-13-9-5.3 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2010]: **Sec. 5.3. (a) In addition to the authority to invest in**
5 **certificates of deposit under IC 5-13-9-5, and notwithstanding any**
6 **other law, the board of county commissioners of each county, and**
7 **the fiscal body of each political subdivision other than a county,**
8 **may by ordinance or resolution authorize the investing officer of**
9 **each, respectively, to invest public funds in certificates of deposit**
10 **in accordance with the following conditions:**
11 **(1) The funds are initially invested through a depository that**
12 **is selected by the investing officer.**
13 **(2) The selected depository arranges for the deposit of the**
14 **funds in certificates of deposit in one (1) or more federally**
15 **insured banks or savings and loan associations, wherever**
16 **located, for the account of the county or political subdivision.**
17 **(3) The full amount of the principal and any accrued interest**
18 **of each certificate of deposit are covered by insurance of any**
19 **federal deposit insurance agency.**
20 **(4) The selected depository acts as a custodian for the county**
21 **or political subdivision with respect to the certificates of**
22 **deposit issued for its account.**
23 **(5) At the same time that the county's or political**
24 **subdivision's funds are deposited and the certificates of**
25 **deposit are issued, the selected depository receives an amount**
26 **of deposits covered by insurance of any federal deposit**
27 **insurance agency from customers of other institutions,**
28 **wherever located, at least equal to the amount of the funds**
29 **invested by the county or political subdivision through the**
30 **selected depository.**
31 **(b) Public funds invested in accordance with subsection (a) are**

1 **not subject to any security or pledging requirements that may**
2 **otherwise be applicable to the deposit or investment of public**
3 **funds."**

4 Page 17, line 15, after "occurs." insert "**For purposes of this**
5 **section, deposits that comply with IC 5-13-9-5.3 that are evidenced**
6 **by one (1) or more certificates of deposit issued by a federally**
7 **insured bank or savings and loan association are not considered**
8 **public funds deposits in the bank or savings and loan association."**

9 Renumber all SECTIONS consecutively.
 (Reference is to SB 238 as printed January 29, 2010.)

Senator LAWSON C