

Senate Bill 157

By: Senators Kennedy of the 18th, Stone of the 23rd, Ligon, Jr. of the 3rd, Miller of the 49th, Hill of the 4th and others

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 8 of Title 45 of the Official Code of Georgia Annotated, relating to
2 accounting for public funds, so as to specify when funds shall be considered to be held by
3 a depository; to require the State Depository Board to establish certain policies and
4 procedures related to deposit placement programs; to provide for related matters; to provide
5 for an effective date; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Chapter 8 of Title 45 of the Official Code of Georgia Annotated, relating to accounting for
9 public funds, is amended by adding a new Code section to read as follows:

10 "45-8-14.1.

11 (a) For the purposes of this chapter, funds shall be considered to be held by a depository,
12 regardless of whether or not such funds are subsequently distributed among one or more
13 federally insured banks or savings and loan associations, provided that:

14 (1) The funds are initially deposited in a depository whose deposits are insured by the
15 Federal Deposit Insurance Corporation;

16 (2) Such depository arranges for depositing the funds in one or more federally insured
17 banks or savings and loan associations insured by the Federal Deposit Insurance
18 Corporation, wherever located;

19 (3) The full amount of the principal and accrued interest of each financial deposit
20 instrument is insured by the Federal Deposit Insurance Corporation; and

21 (4) Any third-party service provider facilitating the placement of deposits in accordance
22 with this Code section is approved by the State Depository Board.

23 (b) Pursuant to Code Section 50-17-53 and the other powers of the State Depository
24 Board, the State Depository Board shall establish policies and procedures related to the
25 approval of third-party service providers and the ongoing monitoring of participation in

26 deposit placement programs in accordance with this Code section. The State Depository
27 Board shall establish such policies and procedures no later than December 31, 2019."

28 **SECTION 2.**

29 This Act shall become effective upon its approval by the Governor or upon its becoming law
30 without such approval.

31 **SECTION 3.**

32 All laws and parts of laws in conflict with this Act are repealed.