

ASSEMBLY BILL NO. 78—ASSEMBLYMAN HICKEY

PREFILED FEBRUARY 1, 2013

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the deposit of certain public money in insured institutions. (BDR 31-664)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public money; authorizing a county treasurer to deposit county money in certain insured deposit accounts in insured banks, insured credit unions or insured savings and loan associations; providing for the redeposit of county money into insured deposit accounts in one or more other insured banks, insured credit unions or insured savings and loan associations under certain circumstances; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes a county treasurer to deposit county money in demand
2 accounts and time accounts in insured banks, insured credit unions or insured
3 savings and loan associations. Existing law provides that money deposited by a
4 county treasurer that is not within the limits of insurance provided by an
5 instrumentality of the United States must be secured by certain types of collateral.
6 (NRS 356.120, 356.125, 356.133) **Section 1** of this bill authorizes a county
7 treasurer to deposit county money in insured deposit accounts under certain
8 circumstances. **Section 1** provides that if the amount of county money deposited in
9 such an account exceeds the limits of insurance provided by an instrumentality of
10 the United States, the insured bank, insured credit union or insured savings and loan
11 association in which the county money is initially deposited is required to: (1)
12 arrange for the redeposit of the amount of the county money that exceeds the limits
13 of insurance provided by an instrumentality of the United States into insured
14 deposit accounts in one or more other insured banks, insured credit unions or
15 insured savings and loan associations; and (2) ensure that the total amount of
16 county money redeposited in an account is within the limits of insurance provided
17 by an instrumentality of the United States.



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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 356 of NRS is hereby amended by adding thereto a new section to read as follows:

1. In addition to deposits authorized by NRS 356.120 and 356.125, a county treasurer may:

(a) If one or more insured banks, insured credit unions or insured savings and loan associations are located in the county, deposit county money in such insured banks, credit unions or savings and loan associations in insured deposit accounts.

(b) If no such bank, credit union or savings and loan association exists in the county, deposit county money in any insured bank, insured credit union or insured savings and loan association in the State of Nevada in insured deposit accounts.

2. If at any time the amount of county money deposited in an account pursuant to subsection 1 and any interest accrued on the money exceeds the limits of insurance provided by an instrumentality of the United States, the bank, credit union or savings and loan association shall:

(a) Arrange for the redeposit of the amount of the county money that exceeds the limits of insurance provided by an instrumentality of the United States into one or more insured deposit accounts in one or more insured state or national banks, insured credit unions or insured savings and loan associations; and

(b) Ensure that the total amount of money redeposited in an account and any interest accrued on the money is within the limits of insurance provided by an instrumentality of the United States.

Sec. 2. NRS 356.140 is hereby amended to read as follows:

356.140 1. Demand accounts ~~and~~ authorized by NRS 356.120, time accounts ~~respectively~~ authorized by NRS ~~356.120 and~~ 356.125 and insured deposit accounts authorized by section 1 of this act must be kept in the name of the county in such manner as the board of county commissioners may prescribe.

2. The balance in each such account, as certified to by the proper officer of the bank, credit union or savings and loan association in which the money is deposited, and by oath of the county treasurer, may be accounted for by the county as cash.

Sec. 3. NRS 356.190 is hereby amended to read as follows:

356.190 1. Where the county treasurer, in accordance with the terms and provisions of NRS 356.120 to 356.180, inclusive, and section 1 of this act, has deposited and kept on deposit any public money in depositories so designated, he or she:



1 (a) Is not liable personally on or upon his or her official bond for
2 any public money that may be lost by reason of the failure or
3 insolvency of any such depository.

4 (b) Is chargeable with the safekeeping, management and
5 disbursement of any bonds that may be deposited with the county
6 treasurer as security for deposits of county money, and with interest
7 thereon, and with the proceeds of any sale of such bonds.

8 2. The county treasurer may deposit for safekeeping with an
9 insured bank, insured credit union, insured savings and loan
10 association or trust company within or without this state any
11 securities or bonds pledged with him or her, as county treasurer, as
12 collateral or as security for any purpose, but the securities or bonds
13 may only be so deposited by the county treasurer with the joint
14 consent and approval, in writing, of the pledgor thereof and the
15 board of county commissioners. Any bonds or securities so
16 deposited must be deposited under a written deposit agreement
17 between the pledgor and the county treasurer, to be held and
18 released only upon a written order of the county treasurer that has
19 been approved by the board of county commissioners.

20 **Sec. 4.** This act becomes effective on July 1, 2013.

