

HOUSE BILL NO. HB0228

Credit unions-depositories for public funds.

Sponsored by: Representative(s) McOmie and Hammons and
Senator(s) Sessions

A BILL

for

1 AN ACT relating to public funds; authorizing political
2 subdivisions to deposit public funds in federal credit
3 unions and credit union certificates of deposit; specifying
4 conditions; making conforming amendments; and providing for
5 an effective date.

6

7 *Be It Enacted by the Legislature of the State of Wyoming:*

8

9 **Section 1.** W.S. 9-4-803, 9-4-807, 9-4-817(a) by
10 creating a new paragraph (v), (c) by creating a new
11 paragraph (ii), by renumbering (ii) as (iii), (d)(intro)
12 and (ii), 9-4-818(a) and 9-4-831(a) by creating a new
13 paragraph (xxvii) are amended to read:

14

15 **9-4-803. Deposit of state money in approved**
16 **depositories; authority of treasurer.**

1

2 The state treasurer may deposit any portion of the public
3 monies in his possession in national banks within this
4 state or in any state banks incorporated under the laws of
5 and doing business in this state, as have been approved
6 under W.S. 9-4-801 through 9-4-818 by the board of
7 deposits. As used in W.S. 9-4-801 through 9-4-818, with
8 respect to the deposit of state funds, "bank" includes
9 federal and state savings and loan associations. Federal
10 and state savings and loan associations may be designated
11 as depositories for state funds in the same manner as state
12 and national banks. As used in W.S. 9-4-801 through
13 9-4-818, with respect to the deposit of funds of political
14 subdivisions, "bank" means any of the institutions
15 specified in W.S. 9-4-817(a).

16

17 **9-4-807. Deposit of state money in approved**
18 **depositories; federal insurance; security for deposits not**
19 **covered.**

20

21 Any properly designated depository of the public funds of
22 the state, or of any political subdivision thereof, which
23 is entitled to the benefits of deposit insurance provided
24 for by the Federal Deposit Insurance Corporation or the

1 National Credit Union Share Insurance Fund and the acts of
2 congress relating thereto, shall give and at all times
3 maintain security for the prompt payment and the
4 safekeeping of the whole amount of any such deposit. The
5 deposit insurance provided by the Federal Deposit Insurance
6 Corporation or the National Credit Union Share Insurance
7 Fund is eligible as the security required for the portion
8 of any deposit that is insured by the corporation, and
9 constitutes all of the security required for the portion.
10 Any portion of the deposit as is not so insured shall be
11 secured by depository bond or approved collateral
12 securities as required by law.

13

14 **9-4-817. Deposits by political subdivisions; selected**
15 **institutions; security; withdrawals.**

16

17 (a) To the extent they are not otherwise invested,
18 the monies collected and held by a treasurer of a political
19 subdivision, municipality or special district within this
20 state shall be deposited in:

21

22 (v) Federal credit unions, if no entity
23 described in paragraphs (i) through (iv) of this subsection

1 is located within the boundaries of the political
2 subdivision.

3

4 (c) The deposits made pursuant to this section shall
5 be made to the extent that they are:

6

7 (ii) In the case of deposits in credit unions,
8 fully insured by the National Credit Union Share Insurance
9 Fund; or

10

11 ~~(ii)~~ (iii) Secured, in accordance with this
12 article, by a pledge of collateral or the furnishing of a
13 surety bond.

14

15 (d) Any bank, savings and loan association, ~~or~~
16 federal savings bank, or federal credit union located in
17 the state, may apply to keep the monies upon the following
18 conditions:

19

20 (ii) All funds deposited in a savings deposit
21 account shall be withdrawable upon demand provided that the
22 bank, credit union or savings and loan association may at
23 any time require giving of notice in writing of an intended
24 withdrawal of thirty (30) days before a withdrawal is made;

1

2 **9-4-818. Deposits by political subdivisions;**
3 **applications by, and approval of, banks; rate of interest;**
4 **defaults.**

5

6 (a) Applications by banks, credit unions and savings
7 and loan associations shall be submitted to the proper
8 governing board and shall be acted upon by the proper
9 governing board as soon thereafter as practicable. Prior to
10 the deposit, the board shall negotiate the rate of interest
11 applicable to the deposit. No monies shall be deposited by
12 any treasurer except in banks, credit unions and savings
13 and loan associations which have been approved by the
14 proper governing board.

15

16 **9-4-831. Investment of public funds.**

17

18 (a) The state treasurer, or treasurer of any
19 political subdivision, municipality or special district of
20 this state, and the various boards of trustees and boards
21 of directors of county hospitals, airports, fairs and other
22 duly constituted county boards and commissions, may invest
23 in:

24

1 (xxvii) Certificates of deposit of a credit
2 union doing business in this state to the extent that the
3 certificates are fully insured by the National Credit Union
4 Share Insurance Fund or are secured by a pledge of assets
5 and the credit union is otherwise authorized as a
6 depository as prescribed by law. The state treasurer shall
7 not invest funds pursuant to this paragraph.

8

9 **Section 2.** This act is effective July 1, 2009.

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(END)