

1 AMENDMENT TO SENATE BILL 48

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 48 on page 1, line  
3 5, by changing "Section 2-6.5 and" to "Sections 2-6.5,"; and  
4 on page 1, line 6, by changing "Section" to "6-13.5, and";  
5 and  
6 on page 4, line 13 and line 20 by changing "\$5,000,000", each  
7 time it appears, to "\$4,000,000"; and  
8 on page 4 by inserting immediately below line 24 the  
9 following:

10 "(205 ILCS 620/6-13.5 new)

11 Sec. 6-13.5. Pledging requirements.

12 (a) The Commissioner may require a trust company holding  
13 a certificate of authority under this Act to pledge to the  
14 Commissioner securities or a surety bond which shall run to  
15 the Commissioner in an amount, not to exceed \$1,000,000, that  
16 the Commissioner deems appropriate for costs associated with  
17 the receivership of the trust company. In the event of a  
18 receivership of a trust company, the Commissioner may,  
19 without regard to any priorities, preferences, or adverse  
20 claims, reduce the pledged securities or the surety bond to  
21 cash and, as soon as practicable, utilize the cash to cover

1 costs associated with the receivership.

2 (b) If the trust company chooses to pledge securities to  
3 satisfy the provisions of this Section, the securities shall  
4 be held at a depository institution or a Federal Reserve Bank  
5 approved by the Commissioner. The Commissioner may specify  
6 the types of securities that may be pledged in accordance  
7 with this Section. Any fees associated with holding such  
8 securities shall be the responsibility of the trust company.

9 (c) If the trust company chooses to purchase a surety  
10 bond to satisfy the provisions of this Section, the bond  
11 shall be issued by a bonding company, approved by the  
12 Commissioner, that is authorized to do business in this State  
13 and that has a rating in one of the 3 highest grades as  
14 determined by a national rating service. The bond shall be  
15 in a form approved by the Commissioner. The trust company  
16 may not obtain a surety bond from any entity in which the  
17 trust company has a financial interest."