

HOUSE No. 2705

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas A. Golden, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to public funds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas A. Golden, Jr.</i>	<i>16th Middlesex</i>	<i>1/18/2019</i>

HOUSE No. 2705

By Mr. Golden of Lowell, a petition (accompanied by bill, House, No. 2705) of Thomas A. Golden, Jr., relative to the depositing of public monies. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to public funds.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 54 of Chapter 44 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the first sentence, and inserting in place
3 thereof the following sentence:-

4 Trust funds, including cemetery perpetual care funds, unless otherwise provided or
5 directed by the donor of the funds, shall be deposited in: a trust company, co-operative bank,
6 savings bank or credit union, if the trust company, bank, or credit union is organized or exists
7 under the laws of the commonwealth or any other state or may transact business in the
8 commonwealth and has its main office or a branch office in the commonwealth; a national bank,
9 federal savings bank, federal savings and loan association or federal credit union, if the bank,
10 association or federal credit union may transact business and has its main office or a branch
11 office in the commonwealth; provided, however, that a state-chartered or federally-chartered
12 bank shall be insured by the Federal Deposit Insurance Corporation or its successor or invested

13 by cities and towns in participation units in a combined investment fund under section 38A of
14 chapter 29 or in bonds or notes which appear on the list of legal investments pursuant to section
15 15A of chapter 167; provided, further, that a state-chartered or federally-chartered credit union
16 shall be insured by the National Credit Union Administration Share Insurance Fund or its
17 successor or invested by cities and towns in bonds or notes which appear on the list of legal
18 investments prepared pursuant to said section 15A of said chapter 167 or in paid up shares or
19 deposits of credit unions or federal credit unions.

20 SECTION 2. Section 55 of said chapter 44, as so appearing, is hereby amended by
21 inserting after the word “banks,” in line 28, the following words:- credit unions or federal credit
22 unions,.

23 SECTION 3. Section 55A of said chapter 44, as so appearing, is hereby amended by
24 inserting after the word “bank” in line 4 the following words:- credit union or federal credit
25 union,.

26 SECTION 4. Section 29 of chapter 171 of the General Laws, as appearing in the 2014
27 Official Edition, is hereby amended by inserting after the fifth paragraph the following
28 paragraph:-

29 Notwithstanding any other provisions of law, any credit union or federal credit union may
30 accept public funds pursuant to sections 54, 55 and 55A of chapter 44 as provided for therein;
31 provided, however, that the total of such public funds received shall not exceed, at any time,
32 twenty-five percent of the assets of the credit union or federal credit union.