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E & R AMENDMENTS TO LB 217

1           1.     Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           "Section 1.   Section 72-1268, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           72-1268.   ~~(1)~~ Notwithstanding any other provision of law,  
6 every bank and building and loan association shall be eligible for  
7 the maximum investment offered to all banks provided for in section  
8 72-1263.   The bank or building and loan association shall give a  
9 bond or, in lieu of a bond, may give security for any investment  
10 under the Nebraska Capital Expansion Act as provided in sections  
11 72-1268.01 to 72-1268.04.   Any bank or building and loan  
12 association may apply for the privilege of keeping on deposit such  
13 funds.

14           ~~(2)(a)~~ Every bank and building and loan association  
15 shall, as a condition of accepting state funds, agree to cash free  
16 of charge state warrants which are presented by payees of the state  
17 without regard to whether or not such payee has an account with  
18 such bank or building and loan association, and such bank or  
19 building and loan association shall not require such payee to place  
20 his or her fingerprint or thumbprint on the state warrant as a  
21 condition to cashing such warrant.

22           (b) The condition of accepting state funds in subdivision  
23 (2)(a) of this section shall not preclude any bank or building and  
24 loan association from refusing to cash a state warrant presented to

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1 the bank or building and loan association if (i) a stop-payment  
2 order has been placed on the state warrant, (ii) the state warrant  
3 has been reported as unregistered, voided, lost, stolen, destroyed,  
4 or that a duplicate state warrant has been issued in its place,  
5 (iii) the state warrant is incomplete or is forged or altered in  
6 any manner, (iv) the state warrant lacks any necessary indorsement  
7 or an indorsement is illegible, unauthorized, or forged, (v) the  
8 state warrant is stale-dated, or (vi) the bank or building and loan  
9 association has a reasonable belief that the individual presenting  
10 the state warrant is not the payee named on the state warrant.

11           Sec. 2.     Section 77-2301, Reissue Revised Statutes of  
12 Nebraska, is amended to read:

13           77-2301. (1) The State Treasurer shall deposit, and at  
14 all times keep on deposit for safekeeping, in the state or national  
15 banks, or some of them doing business in this state and of approved  
16 standing and responsibility, the amount of money in his or her  
17 hands belonging to the several current funds in the state treasury.  
18 Any bank may apply for the privilege of keeping on deposit such  
19 funds or some part thereof.

20           (2)(a) Every bank shall, as a condition of keeping on  
21 deposit state funds, agree to cash free of charge state warrants  
22 which are presented by payees of the state without regard to  
23 whether or not such payee has an account with such bank, and such  
24 bank shall not require such payee to place his or her fingerprint  
25 or thumbprint on the state warrant as a condition to cashing such  
26 warrant.

27           (b) The condition of keeping on deposit state funds in

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1 subdivision (2)(a) of this section shall not preclude any bank from  
2 refusing to cash a state warrant presented to the bank if (i) a  
3 stop-payment order has been placed on the state warrant, (ii) the  
4 state warrant has been reported as unregistered, voided, lost,  
5 stolen, destroyed, or that a duplicate state warrant has been  
6 issued in its place, (iii) the state warrant is incomplete or is  
7 forged or altered in any manner, (iv) the state warrant lacks any  
8 necessary indorsement or an indorsement is illegible, unauthorized,  
9 or forged, (v) the state warrant is stale-dated, or (vi) the bank  
10 has a reasonable belief that the individual presenting the state  
11 warrant is not the payee named on the state warrant.

12           (3) All deposits shall be subject to payment when  
13 demanded by the State Treasurer on his or her check and shall be  
14 subject also to such regulations as are imposed by law and rules  
15 adopted by the State Treasurer in receiving and holding such  
16 deposits.

17           Sec. 3. Original sections 72-1268 and 77-2301, Reissue  
18 Revised Statutes of Nebraska, are repealed.".

19           2. On page 1, strike beginning with "the" in line 1  
20 through line 4 and insert "state funds; to amend sections 72-1268  
21 and 77-2301, Reissue Revised Statutes of Nebraska; to change  
22 provisions relating to eligibility for the keeping on deposit and  
23 investment of state funds; and to repeal the original sections.".