SENATE ENROLLED ACT No. 447

AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 30-2-10-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 8.5. (a) The bank, trust company, savings association, or credit union that receives the payments made by a settlor under section 2 of this chapter may enter into a contract under which the account into which the settlor's payments are deposited is managed by a third party.**

(b) To manage the funds in a settlor's account under subsection (a), a third party must be:

(1) an investment adviser registered with the United States Securities and Exchange Commission under the federal Investment Advisers Act of 1940 (15 U.S.C. 80b-1 et seq.); or

(2) an investment adviser registered under IC 23-19-4.

(c) In managing the funds in a settlor's account under subsection (a), an investment adviser shall comply in all respects with the Indiana Uniform Prudent Investor Act under IC 30-4-3.5-1(c)(3).

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: _____ Time: _____

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