HOUSE BILL NO. 543

INTRODUCED BY EWER, HIBBARD, GRADY, R. JOHNSON

	IN THE HOUSE
FEBRUARY 9, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
	FIRST READING.
FEBRUARY 16, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 17, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 18, 1993	ENGROSSING REPORT.
FEBRUARY 19, 1993	THIRD READING, PASSED. AYES, 94; NOES, 4.
FEBRUARY 22, 1993	TRANSMITTED TO SENATE.
	IN THE SENATE
FEBRUARY 22, 1993	IN THE SENATE INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
FEBRUARY 22, 1993	INTRODUCED AND REFERRED TO COMMITTEE
FEBRUARY 22, 1993 MARCH 24, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY. FIRST READING. COMMITTEE RECOMMEND BILL BE
MARCH 24, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY. FIRST READING. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 24, 1993 MARCH 26, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY. FIRST READING. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. SECOND READING, CONCURRED IN. THIRD READING, CONCURRED IN.
MARCH 24, 1993 MARCH 26, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY. FIRST READING. COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. SECOND READING, CONCURRED IN. THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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INTRODUCED 3: House BILL NO. 543 ı

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A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING A FIDUCIARY TO ACQUIRE AND INVEST FIDUCIARY FUNDS IN A MANAGEMENT INVESTMENT COMPANY OR INVESTMENT TRUST EVEN IF THE FIDUCIARY 7 IS PROVIDING COMPENSATED SERVICES TO THE INVESTMENT COMPANY OR INVESTMENT TRUST; REQUIRING THE TO DISCLOSE TO TRUST BENEFICIARIES THE 9 FIDUCIARY COMPENSATION THE FIDUCIARY IS RECEIVING FROM A MANAGEMENT 10 11 INVESTMENT COMPANY OR INVESTMENT TRUST: AND AMENDING SECTION 12 72-34-309, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 14

NEW SECTION. Section 1. Investment by trust fiduciary in management investment company or investment trust. (1) In the absence of an express prohibition in a trust instrument, a trust company fiduciary or the trust division of a financial institution, whether organized under state or federal law, may acquire and retain, invest, and reinvest fiduciary funds in the securities of or other interests in an open-end or closed-end management investment company or investment trust registered under 15 U.S.C. 80a-1 through 80a-64.

(2) The investments authorized in subsection (1) may be



made even if the fiduciary is providing services to a management investment company or investment trust and is 3 receiving compensation as an investment adviser or manager, sponsor, broker, distributor, custodian, transfer agent, or registrar or for a similar service. The fiduciary shall disclose to all current income beneficiaries of the trust 7 the rate, formula, and method of compensation for the services provided. 9 Section 2. Section 72-34-309, MCA, is amended to read: 10 "72-34-309. Investments. The trustee has the power to 11 invest, including making those investments provided for in 12 [section 1], in any kind of property, whether real, 13 personal, or mixed." 14 NEW SECTION. Section 3. Codification instruction.

-End-

32, chapter 1, part 4, apply to [section 1].

[Section 1] is intended to be codified as an integral part

of Title 32, chapter 1, part 4, and the provisions of Title

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APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

2	INTRODUCED BY EWER, HIBBARD, GRADY, R. JOHNSON
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4	A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING A FIDUCIARY
5	TO ACQUIRE AND INVEST FIDUCIARY FUNDS IN A MANAGEMENT
6	INVESTMENT COMPANY OR INVESTMENT TRUST EVEN IF THE PIDUCIARY
7	OR AN AFFILIATE OF THE FIDUCIARY IS PROVIDING COMPENSATED
8	SERVICES TO THE MANAGEMENT INVESTMENT COMPANY OR INVESTMENT
9	TRUST; REQUIRING THE FIDUCIARY TO DISCLOSE TO TRUST
.0	BENEFICIARIES THE COMPENSATION THE FIDUCIARY IS RECEIVING
.1	FROM A MANAGEMENT INVESTMENT COMPANY OR INVESTMENT TRUST;
2	AND AMENDING SECTION 72-34-309, MCA."
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4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
L 5	NEW SECTION. Section 1. Investment by trust fiduciary
16	in management investment company or investment trust. (1) In
17	the absence of an express prohibition in a trust instrument,
18	a trust company fiduciary or the trust division of a
19	financial institution, whether organized under state or
20	federal law, may acquire and retain, invest, and reinvest
21	fiduciary funds in the securities of or other interests in
22	an open-end or closed-end management investment company or
23	investment trust registered under 15 U.S.C. 80a-1 through
24	80a-64.
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- made even if the fiduciary <u>OR AN AFFILIATE OF THE FIDUCIARY</u>
 is providing services to a management investment company or
 investment trust and is receiving compensation as an
 investment adviser or manager, sponsor, broker, distributor,
 custodian, transfer agent, or registrar or for a similar
 service. The fiduciary shall disclose to all current income
 beneficiaries of the trust the rate, formula, and method of
- Section 2. Section 72-34-309, MCA, is amended to read:
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compensation for the services provided.

personal, or mixed."

- invest, including making those investments provided for in [section 1], in any kind of property, whether real,
- NEW SECTION. Section 3. Codification instruction.

 [Section 1] is intended to be codified as an integral part

 of Title 32, chapter 1, part 4, and the provisions of Title

32, chapter 1, part 4, apply to [section 1].

-End-

HB 0543/02

HB 0543/02

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80a-64.

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14	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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- 12 [section 1], in any kind of property, whether real,
- 13 personal, or mixed."
- 14 NEW SECTION. Section 3. Codification instruction.
- 15 [Section 1] is intended to be codified as an integral part
- 16 of Title 32, chapter 1, part 4, and the provisions of Title
- 17 32, chapter 1, part 4, apply to [section 1].

-End-

53rd Legislature

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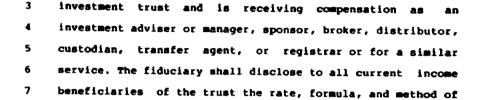
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17 32, chapter 1, part 4, apply to [section 1].

-End-