

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 549
SENATE BILL 599

AN ACT TO AMEND CHAPTER 36A OF THE GENERAL STATUTES
REGARDING INVESTMENTS IN SECURITIES BY BANKS OR TRUST
COMPANIES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 36A of the General Statutes is amended by adding a new section as follows:

"§ 36A-66.1. Investments in securities by banks or trust companies.—Unless the governing instrument, court order, or a statute specifically directs otherwise, a bank or trust company serving as trustee, guardian, agent, or in any other fiduciary capacity may invest in any security authorized by this Chapter even if such fiduciary or an affiliate thereof, as defined in G.S. 36A-60(1), participates or has participated as a member of a syndicate underwriting such security, if:

- (1) The fiduciary does not purchase the security from itself or its affiliate; and
- (2) The fiduciary does not purchase the security from another syndicate member or an affiliate, pursuant to an implied or express agreement between the fiduciary or its affiliate and a selling member or its affiliate, to purchase all or part of each other's underwriting commitments."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July,
1985.