

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 473 be amended to read as follows:

- 1 Page 4, between lines 9 and 10, begin a new paragraph and insert:
2 "SECTION 4. IC 8-15.5-2-11 IS ADDED TO THE INDIANA
3 CODE AS ANEW SECTION TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2011]: **Sec. 11. "Sovereign wealth fund" means an
5 investment fund that is:**
6 **(1) held by the government of a state, province, territory, or
7 nation;**
8 **(2) funded by currency reserves; and**
9 **(3) managed separately from official currency reserves."**
10 Page 4, between lines 30 and 31, begin a new paragraph and insert:
11 "SECTION 6. IC 8-15.5-5-4, AS ADDED BY P.L.47-2006,
12 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2011]: Sec. 4. (a) **Except as provided in subsection (d)**, the
14 operator may finance its obligations with respect to the toll road project
15 and the public-private agreement in the amounts and upon the terms
16 and conditions determined by the operator.
17 (b) **Except as provided in subsection (d)**, the operator may:
18 (1) issue debt, equity, or other securities or obligations;
19 (2) enter into sale and leaseback transactions; and
20 (3) secure any financing with a pledge of, security interest in, or
21 lien on any user fees charged and collected for the use of the toll
22 road project and any property interest of the operator in the toll
23 road project.
24 However, any bonds, debt, other securities, or other financing issued

1 for the purposes of this article shall not be considered to constitute a
2 debt of the state or any political subdivision of the state or a pledge of
3 the faith and credit of the state or any political subdivision.

4 (c) The operator may deposit the user fees charged and collected for
5 the use of the toll road project in a separate account held by a trustee
6 or escrow agent for the benefit of the secured parties of the operator.

7 **(d) The operator may not finance a toll road project with money
8 obtained in any manner from a sovereign wealth fund."**

9 Page 6, between lines 34 and 35, begin a new paragraph and insert:
10 "SECTION 10. IC 8-15.7-2-19.5 IS ADDED TO THE INDIANA
11 CODE AS ANEW SECTION TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2011]: **Sec. 19.5. "Sovereign wealth fund" means an
13 investment fund that is:**

14 **(1) held by the government of a state, province, territory, or
15 nation;**

16 **(2) funded by currency reserves; and**

17 **(3) managed separately from official currency reserves."**

18 Page 13, between lines 28 and 29, begin a new paragraph and insert:
19 "SECTION 15. IC 8-15.7-8-4, AS ADDED BY P.L.47-2006,
20 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2011]: **Sec. 4. Except as provided in subsection (b), the**
22 **financing of a qualifying project may be in the amounts and upon the**
23 **terms and conditions that are determined by the parties to the**
24 **public-private agreement.**

25 **(b) A qualifying project may not be financed with money
26 obtained in any manner from a sovereign wealth fund."**

27 Page 14, between lines 14 and 15, begin a new paragraph and insert:

28 **"(d) A financing arrangement entered into under this section
29 must be in compliance with section 4(b) of this chapter."**

30 Renumber all SECTIONS consecutively.
(Reference is to ESB 473 as printed April 8, 2011.)

Representative Reske