EXHIBIT 3
DATE 1.12.05
SB 122

Amendments to Senate Bill No. 122
1st Reading Copy

Requested by Senator Jim Shockley

For the Senate Judiciary Committee

Prepared by Valencia Lane
January 8, 2005 (12:33pm)

1. Page 3, line 18.
Following: "action"
Insert: ": (i)"
Following: "or"
Strike: "to an"
Insert: "its"

2. Page 3, line 19.
Following: "interest"
Strike: "of the insured depository institution"
Insert: ";"
Following: "or"
Insert: "(ii)"

- END -

(see over)

SENATE JUDICIARY
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a qualified assignment agreement.

(17) "Structured settlement payment right" means the right to receive period payments under a structured settlement, whether from the structured settlement obligor or the annuity issuer, when:

(a) (i) the payee is domiciled in this state; or

(ii) the domicile or principal place of business of the structured settlement obligor or the annuity issuer is located in this state;

(b) a court or responsible administrative authority in this state approved the structured settlement agreement; or

(c) the structured settlement agreement is expressly governed by the laws of this state.

(18) "Terms of the structured settlement" means, with respect to a structured settlement, the terms of the structured settlement agreement, the annuity contract, a qualified assignment agreement, or any order or other approval of a court or responsible administrative authority or other government authority that authorized or approved the structured settlement.

(19) (a) "Transfer" means a sale, assignment, pledge, hypothecation, or other alienation or encumbrance of a structured settlement payment right made by a payee or transferee for consideration.

(b) The term does not include the creation or perfection of a security interest in a structured settlement payment right under a blanket security agreement entered into with an insured depository institution in the absence of any action: (i) to redirect the structured settlement payment to the insured depository institution ~~or to an~~ its agent or successor in interest ~~of the insured depository institution~~; or (ii) to otherwise enforce the blanket security interest against the structured settlement payment right.

(20) "Transfer agreement" means the agreement providing for a transfer of a structured settlement payment right.

(21) (a) "Transfer expenses" means all expenses of a transfer that are:

(i) required under the transfer agreement to be paid by the payee; or

(ii) deducted from the gross advance amount, including without limitation any court filing fee, attorney fee, escrow fee, lien recordation fee, judgment and lien search fee, finder's fee, commission, or other payment.

(b) Transfer expenses do not include a payee's preexisting obligations that are payable on the payee's account from the proceeds of a transfer.

(22) "Transferee" means a party acquiring or proposing to acquire a structured settlement payment right through a transfer.