

CHAPTER 205.

REPORTS BY CORPORATIONS.

S. P. 118.

AN ACT to amend sections sixteen hundred fourteen-f (1614-f), sixteen hundred fourteen-g (1614-g), sixteen hundred fourteen-h (1614-h), and sixteen hundred fourteen-i (1614-i), of the supplement to the code, 1913, relating to annual reports by corporations, and making provision for forfeiture and cancellation of the corporate charter, and rights to do business in this state.

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

SECTION 1. Report and fee — delinquency — penalties, etc.

1 That section sixteen hundred fourteen-f (1614-f) of the supplement
 2 to the code, 1913, be, and the same is hereby amended by placing a
 3 comma after the word "shall" in the fifth line of said section, and also
 4 by inserting after the said word "shall" the following words: "in
 5 addition to the annual fee of one dollar required," and also by inserting
 6 a comma after the said word "required;" that said section be further
 7 amended by striking out the word "two" in the seventh line of said
 8 section and inserting in lieu thereof the word "one"; also by striking
 9 out the word "four" in the seventh line of said section and inserting
 10 in lieu thereof the word "two"; also by striking out the word "six"
 11 in the eighth line of said section and inserting in lieu thereof the word
 12 "three"; also by striking out the word "eight" in the ninth line of
 13 said section and inserting in lieu thereof the word "four"; also by
 14 striking out the word "ten" in the tenth line of said section and insert-
 15 ing in lieu thereof the word "five". That said section be further
 16 amended by striking out the word "May" in the tenth line of said
 17 section and inserting in lieu thereof the word "January"; also by
 18 striking out the following words in the eighteenth line of said section,
 19 and commencing at the first of said line, to wit: "first day of May,
 20 nineteen hundred ten, and the"; also by striking out the word "May"
 21 in the eighteenth line of said section wherein it is used the second
 22 time and inserting in lieu thereof the word "February"; also by insert-
 23 ing after the word "corporation" in the twentieth line of said section
 24 the following words "in the manner provided by section sixteen hun-
 25 dred and seventeen of the code" and by inserting a comma after the
 26 word "code."

SEC. 2. Notice of delinquency — forfeiture of rights — rein-

1 statement. That section sixteen hundred fourteen-g (1614-g) of
 2 the supplement to the code, 1913, be and the same is hereby amended
 3 by striking out the word "April" in the seventh line of said section and
 4 inserting in lieu thereof the word "January"; also by striking out the
 5 word "May" in the eighth line of said section and inserting in lieu
 6 thereof the word "February". That said section be further amended
 7 by striking out the period at the end of said section and inserting in
 8 lieu thereof a comma, and also by adding after the said comma at the
 9 end of said section, the following:
 10 "or, at his discretion, the attorney general may recommend that the
 11 secretary of state cancel the name of any delinquent corporation from
 12 the list of live corporations in his office, and enter such cancellation on

13 the proper records, and when so cancelled by the secretary of state
14 the corporate rights of any such corporation shall be forfeited and its
15 corporate period terminated on the date such cancellation shall have
16 been entered on the records of his office; provided, however, that the
17 secretary of state shall forward to such corporation, a written notice
18 of the recommendations of the attorney general, such notice to state
19 that unless said corporation shall within sixty days of the date of such
20 notice fully comply with the provisions of this act by filing in the office
21 of the secretary of state any report that may be due and pay all fees
22 and penalties that have accrued, or, in lieu thereof file a proof of pub-
23 lication of notice of dissolution as required by section sixteen hundred
24 seventeen (1617) of the code, a declaration of forfeiture and cancella-
25 tion will be entered on the records of his office. After such declaration
26 and forfeiture shall have been entered by the secretary of state on
27 the records of his office such corporation shall not be entitled to exer-
28 cise the rights of a corporate body, except, it may be allowed a reason-
29 able time to close up its business and wind up its affairs, but no new
30 business shall be transacted. The notice herein provided for, when
31 enclosed in a sealed envelope with legal postage affixed thereon, and
32 addressed to the corporation, shall constitute a legal notice for the
33 purpose of this act, provided, that any corporation whose corporate
34 rights shall have been cancelled and forfeited in the manner provided
35 in this act, or any stockholder or creditor of such corporation may,
36 however, make an application to the executive council in the manner
37 provided in section one hundred seventy-h (170-h), supplement to the
38 code, 1913, for a compromise of the claim of the state for the fee and
39 penalties that may have accrued under the provisions of this chapter,
40 and upon payment of the secretary of state the fee or fees that may
41 have accrued, and such amount in addition thereto as penalties as may
42 be fixed by the executive council, and also, upon filing such annual
43 reports as may be delinquent, the secretary of state shall reinstate
44 said corporation and the decree of cancellation and forfeiture pre-
45 viously entered shall be annulled and the corporation shall be entitled
46 to continue to act as a corporation for the unexpired portion of its
47 corporate period, as fixed by its article of incorporation and the limi-
48 tations prescribed by law, with the right of renewal under section
49 sixteen hundred eighteen-a (1618-a) supplement to the code, 1913;
50 provided, however, that no corporation shall be permitted to waive any
51 duty or obligation required of corporations or the payment of any just
52 claim or claims by reason of such cancellation, forfeiture, and rein-
53 statement as herein provided."

1 SEC. 3. Forfeiture of permit. That section sixteen hundred
2 fourteen-h of the supplement to the code, 1913, be, and the same is
3 hereby amended by striking out the word "May" in the second line
4 of said section and inserting in lieu thereof the word "February".

1 SEC. 4. Exemptions. That section sixteen hundred fourteen-i
2 (1614-i) of the supplement to the code, 1913, be, and the same is hereby
3 amended by striking out the figures "1907" in the eighth line of said
4 section and inserting in lieu thereof the figures "1913".

1 SEC. 5. Fees and penalties. The fees and penalty provided for
2 in this act shall be a prior lien on any property of the corporation

3 against all persons, whether said property is in the possession of said
4 corporation or otherwise.

Approved April 10, A. D. 1919.

CHAPTER 206.

DAIRY AND FOOD COMMISSIONER, ETC., AND IMITATION DAIRY PRODUCTS.

S. F. 178.

AN ACT to amend the law as it appears in section two thousand five hundred fifteen (2515) of the supplemental supplement to the code, 1915, and relating to the appointment of a dairy and food commissioner, a deputy dairy and food commissioner, a state dairy inspector, assistants, a chemist, and a bacteriologist and assistant chemist, define the power and duties of such officers; and to amend the law as it appears in section two thousand five hundred fifteen-g (2515-g) of the supplement to the code, 1913, relating to penalties for violating the dairy laws enforced by the dairy and food commissioner; and to amend section two thousand five hundred twenty-two (2522) of the supplement to the code, 1913, relating to making reports by manufacturers of certain dairy products; and to amend chapter thirteen (13) of title XII of the code by adding thereto a section relating to the registration and use of marks or brands on containers used for handling skimmed-milk, butter-milk, milk, cream and ice cream, also a section relating to the use of the words "butter", "creamery" and "dairy" on substitutes for butter and advertising material pertaining thereto; and to repeal the law as it appears in sections two thousand five hundred fifteen-b (2515-b) and two thousand five hundred fifteen-c (2515-c) of the supplement to the code, 1913, and section two thousand five hundred fifteen-d (2515-d) supplement to the code, 1913, as amended by chapter three hundred seventy-seven (377), section one (1), acts of the thirty-seventh general assembly, and to enact substitutes therefor relating to the sale of imitation evaporated milk, imitation ice cream, skimmed milk, milk, cream and other dairy products.

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

SECTION 1. Dairy and food commissioner — officers — assistants — appointment — salaries, etc. That the law as it appears in section twenty-five hundred fifteen (2515) supplemental supplement to the code, 1915, be and the same is hereby amended by striking out of line eleven thereof the words "of each even-numbered year" and inserting in lieu thereof the words "nineteen hundred twenty"; by striking out of line fourteen thereof the words "hold his office for two" and inserting in lieu thereof the words "who shall hold his office for a term of four"; by inserting after the word "shall" in line forty-three thereof the following; "devote all their time to their duties and shall"; by striking out of line fifty-one thereof the word "shall" and inserting in lieu thereof the word "may"; by striking out of lines fifty-five and fifty-six thereof after the comma (,) where it appears following the word "year" in line fifty-five the words "to be paid in the same manner as the salaries of other state officers. He" and inserting in lieu thereof the following; "and a bacteriologist and assistant chemist at a salary to be hereafter fixed by the general assembly. The state chemist and the bacteriologist and assistant chemist"; and by inserting after the period (.) where it appears following the word "assistants" in line sixty-one thereof the following;