

Waldman 2/27/91

FILED FEB 28 1991

SENATE FILE 183

BY COMMITTEE ON COMMERCE

House File 251 substituted 2/27/91

(SUCCESSOR TO SSB 48)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the number of presidents of a state bank which
2 is established by merger or consolidation.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 183

S-3081

1 Amend Senate File 183 as follows:
2 1. Page 1, by striking lines 6 through 11 and
3 inserting the following: "bank may have a
4 chairperson, additional presidents, additional vice
5 presidents, assistant vice presidents, assistant
6 cashiers, and other officers as may be prescribed by
7 the articles of incorporation or the bylaws. Upon
8 notice".

By BERL E. PRIEBE

S-3081 FILED FEBRUARY 26, 1991
Adopted 2/27

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1 Section 1. Section 524.701, Code 1991, is amended to read
2 as follows:

3 524.701 OFFICERS AND EMPLOYEES.

4 A state bank shall have, as officers, a president, one vice
5 president, and a cashier. As additional officers the state
6 bank may have a chairperson, additional vice presidents,
7 assistant vice presidents, assistant cashiers, and other
8 officers as may be prescribed by the articles of incorporation
9 or the bylaws. However, if affiliate banks merge or
10 consolidate to become a state bank under section 524.1213,
11 that state bank may have more than one president. Upon notice
12 by the superintendent, an individual who performs active
13 executive or official duties for a state bank may be treated
14 as an officer for the purpose of this chapter. A state bank
15 may have a chairperson of the board of directors and one vice
16 president who, if they do not perform executive or official
17 duties or receive a salary, need not be treated as officers
18 for the purpose of this chapter. All officers shall be
19 elected by the board of directors. No more than two offices
20 may be held by the same individual. All other individuals
21 employed by a state bank, except directors who are not
22 officers, ~~shall be~~ are employees for the purpose of this
23 chapter. The president of a state bank ~~shall be~~ is a member
24 of the board of directors.

25 Sec. 2. Section 524.706, subsection 1, paragraph c, Code
26 1991, is amended to read as follows:

27 c. For the purposes of this subsection "executive officer"
28 means an officer of a state bank who participates or has
29 authority to participate, otherwise than in the capacity of a
30 director, in major policymaking functions of the bank,
31 regardless of whether the officer has an official title or
32 whether the officer's title contains a designation of
33 assistant and regardless of whether the officer is serving
34 without salary or other compensation. The chairperson of the
35 board, the every president, every vice president, the cashier,

1 secretary, and treasurer of a state bank are assumed to be
2 executive officers, unless, by resolution of the board of
3 directors or by the bank's bylaws, but subject to contrary
4 notice by the superintendent as provided for in section
5 524.701, any such officer is excluded from participation in
6 major policymaking functions, otherwise than in the capacity
7 of a director of the bank, and the officer does not actually
8 participate.

9 EXPLANATION

10 This bill provides that a state bank which is established
11 as the result of merger or consolidation may have more than
12 one president.

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PRIEBE, CH.
DELUHERY
NYSTROM

SSB 48
Commerce

SENATE FILE 183
BY (PROPOSED COMMITTEE ON
COMMERCE BILL BY
CHAIRPERSON DELUHERY)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

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