

534.702 Admission of foreign associations.

1. *Application.* If a foreign association desires to transact business within this state, it shall furnish to the superintendent a certified copy of its articles of incorporation, or charter and bylaws, and a certified copy of the state laws under which it is organized, together with a report for the year next preceding, verified by its president, vice president, secretary, and at least three directors, which report shall show:

- a. The amount of its authorized savings liability and the par value of its shares, if any.
- b. The increase in savings liability.
- c. The withdrawal from savings liability during the year.
- d. The amount of savings liability in force at the end of the year.
- e. A detailed statement of all funds received during the year and all disbursements.
- f. The salaries paid each of its officers.
- g. A detailed statement of its assets and liabilities at the end of the year and their nature.
- h. A reconciliation of its net worth for the current year to the date of application and the previous three fiscal years.
- i. A detailed description of the anticipated types of business to be performed within the state.
- j. Any additional information required of domestic associations under section 534.505, subsection 1.

As used in this section, to transact business means to have an office, agency or agent in this state.

2. *Approval by superintendent certificate of authority.* If upon receipt of the report the superintendent finds from a review of the report that the association is properly managed, that its financial condition is satisfactory, and that its business is conducted upon a safe and reliable plan and one equitable to its members, the superintendent shall issue a like certificate of authority, signed by the superintendent as in the case of domestic associations.

3. *Conditions attending approval.* A foreign association shall not be authorized to do business in this state if the foreign association's articles of incorporation are not found by the superintendent to be in substantial compliance with the laws of this state, and affording equal security and protection to its members.

4. *Deposit by foreign association.* Before the superintendent issues a certificate to a foreign association, it shall deposit with the superintendent two hundred fifty thousand dollars, either in cash, or bonds of the United States or of the state of Iowa, or of a county or municipal corporation of the state, or notes secured by first mortgages on real estate, or a like amount in other security which is satisfactory to the superintendent.

The foreign association may collect and use the interest on any securities so deposited as long as it fulfills its obligations and complies with this chapter. Upon the approval of the superintendent, it may also exchange the securities for other securities of equal value.

5. *Liability of deposit.* The deposit made with the superintendent shall be held as security for all claims of resident members of the state against the association, and is liable for all judgments or decrees thereon, and subject to their payment.

6. *Superintendent as process agent.* The foreign associations shall also file with the superintendent a duly authorized copy of a resolution adopted by the board of directors of the association, stipulating and agreeing that, if any legal process or notice affecting the association is served on the superintendent, and a copy thereof mailed, postage prepaid, by the party procuring and issuing it, or the party's attorney, to the association, addressed to its home office, then such service and mailing of process or notice has the same effect as personal service on the association within this state.

7. *Manner of service.* When proceedings have been commenced against or affecting a foreign building and loan or savings and loan association, as contemplated in subsection 6, and notice has been served upon the superintendent, the notice shall be by duplicate copies, one of which shall be filed in the superintendent's office, and the other mailed by the superintendent, postage prepaid, to the home office of the association.

8. *Amendment to articles.* Within ten days after the adoption of an amendment to its articles of incorporation or bylaws, a foreign association shall file a duly certified copy of the amendment with the superintendent.

9. *Operations subject to supervision.* Subject to the laws and regulations of the United States, a foreign association transacting business within this state is subject to the provisions of this chapter and is subject to the supervision of the superintendent as to its operations in this state. Notwithstanding subsection 2 of section 534.102, the term "association" or "state association" in this chapter shall include a foreign association and any foreign association which is a party to a plan of merger under section 534.511 as to its operations in this state.

10. *Limited exemption for solvent foreign associations.* A foreign savings and loan association is exempt from the requirements of this section if the association's business in this state is limited to the sale of certificates of deposit through independent broker-dealers registered under section 502.406, unless the superintendent of savings and loans by order determines the association is insolvent.

1. [C97, § 1908; C24, 27, 31, 35, 39, § **9371**; C46, 50, 54, 58, § 534.69; C62, 66, 71, 73, 75, 77, 79, 81, § 534.48]

2. [C97, § 1908; C24, 27, 31, 35, 39, § **9372**; C46, 50, 54, 58, § 534.70; C62, 66, 71, 73, 75, 77, 79, 81, § 534.49]

3. [S13, § 1908-a; C24, 27, 31, 35, 39, § **9373**; C46, 50, 54, 58, § 534.71; C62, 66, 71, 73, 75, 77, 79, 81, § 534.50]

4. [C97, § 1909; C24, 27, 31, 35, 39, § **9374**; C46, 50, 54, 58, § 534.72; C62, 66, 71, 73, 75, 77, 79, 81, § 534.51]

5. [C97, § 1910; C24, 27, 31, 35, 39, § **9375**; C46, 50, 54, 58, § 534.73; C62, 66, 71, 73, 75, 77, 79, 81, § 534.52]

6. [C97, § 1911; C24, 27, 31, 35, 39, § **9376**; C46, 50, 54, 58, § 534.74; C62, 66, 71, 73, 75, 77, 79, 81, § 534.53]

7. [C97, § 1911; C24, 27, 31, 35, 39, § **9377**; C46, 50, 54, 58, § 534.75; C62, 66, 71, 73, 75, 77, 79, 81, § 534.54]

8. [C97, § 1912; C24, 27, 31, 35, 39, § **9378**; C46, 50, 54, 58, § 534.76; C62, 66, 71, 73, 75, 77, 79, 81, § 534.55]

84 Acts, ch 1067, § 44; 84 Acts, ch 1081, §26

C85, § 534.702

87 Acts, ch 171, §38; 88 Acts, ch 1149, §1; 88 Acts, ch 1158, §89