

524.1303 Voluntary dissolution after commencement of business.

1. A state bank which has commenced business may propose to voluntarily dissolve upon the affirmative vote of the holders of at least a majority of the shares entitled to vote on the voluntary dissolution, adopting a plan of dissolution involving both a provision for acquisition of its assets and assumption of its liabilities by another state bank, national bank, or other financial institution insured by the federal deposit insurance corporation and a provision for continuance of its business if acquisition of its assets and assumption of its liabilities is not effected, or any other plan of dissolution providing for full payment of its liabilities.

2. Upon acceptance for processing of an application for approval of a plan of dissolution on forms prescribed by the superintendent, the superintendent shall conduct such investigation as the superintendent may deem necessary to determine whether the plan of dissolution adequately protects the interests of depositors, other creditors, and shareholders and, if the plan of dissolution involves an acquisition of assets and assumption of liabilities by another state bank, whether such acquisition and assumption would be consistent with adequate and sound banking and in the public interest, on the basis of factors substantially similar to those set forth in [section 524.1403, subsection 1](#), paragraph “d”.

[C97, §1857; S13, §1857; C24, 27, 31, 35, 39, §9277; C46, 50, 54, 58, 62, 66, §528.76; C71, 73, 75, 77, 79, 81, §524.1303]

[92 Acts, ch 1161, §5](#); [95 Acts, ch 148, §97](#); [2004 Acts, ch 1141, §27](#); [2005 Acts, ch 19, §110](#); [2022 Acts, ch 1062, §103, 104](#)

Referred to in [§524.1309](#)
Subsection 2 amended
Subsections 3 – 6 stricken