

CHAPTER 8 ACCOUNTS

Chapter exempt from chapter rescission pursuant to Iowa Code section 17A.7

189—8.1(533) Definitions.

“Account” or *“accounts”* means shares, certificates or share draft accounts of a member in a credit union or a public unit which are approved under Iowa Code chapter 533.

“Member” means a natural person or an entity within the field of membership who has become eligible for credit union services and has been accepted for membership by the credit union.

“Public unit” means the United States, a state of the United States, a county, municipality or a political subdivision thereof.

189—8.2(533) Insurance required. All accounts of a credit union shall be insured in accordance with Iowa Code chapter 533. Credit unions shall provide notice to members of the amount and type of deposit insurance coverage on members’ accounts at each main and branch office location. Information regarding insured deposits shall be made available to members upon request. The notice and information requested under this rule shall not limit the notice for information required by the credit union deposit insurer.

189—8.3(533) Authorized accounts. Credit unions are authorized to have accounts as provided under Iowa Code chapter 533 which are clarified and explained under this chapter and are consistent with the laws of the residence of the account holder. This shall include, but not be limited to: ownership accounts, trust accounts, executor accounts, corporate accounts, IRA and Keogh accounts, deferred compensation accounts, and public unit accounts.

189—8.4(533) Ownership accounts. Ownership accounts shall mean accounts owned by single individuals or their agents or nominees; accounts held by a guardian, custodian, or conservator for the benefit of a ward or minor; or accounts owned by more than one person whether as joint tenants with right of survivorship, as tenants in common, or by husband and wife as community property.

189—8.5(533) Trust accounts.

8.5(1) Credit unions shall receive trust accounts only as depositories and not as trustees of trust accounts.

8.5(2) Trust accounts shall include irrevocable trust accounts, revocable trust accounts and testamentary accounts. Testamentary accounts shall include tentative or “Totten” trust accounts, payable-upon-death accounts, or any account which evidences an intention that the funds of the account shall pass on the death of the owner of the funds to a named beneficiary.

8.5(3) To the extent required by law, funds held in revocable trust accounts and testamentary accounts shall be subject to the debts of the owner of the account and to inheritance tax. Within 30 days of notice of the death of an owner of funds held in a revocable trust account or a testamentary account, the credit union shall notify the executor of the deceased owner’s estate, or the beneficiary, of the existence and current balance of the account.

189—8.6(533) Executor accounts. Executor accounts shall include accounts established for the purpose of administering funds held on deposit in the name of a decedent, either in the name of the decedent or in the name of an executor or administrator of the decedent’s estate.

189—8.7(533) Corporate accounts. Corporate accounts shall include accounts held by a corporation, partnership, or unincorporated activity. This shall mean any account other than the account of a natural person.

189—8.8(533) IRA and Keogh accounts. IRA and Keogh accounts shall include accounts of a participant or designated beneficiary of a trust or custodial account maintained pursuant to a pension or profit-sharing plan described and authorized by the U.S. Internal Revenue Code.

189—8.9(533) Deferred compensation accounts. Deferred compensation accounts shall include accounts into which are deposited funds by an employer pursuant to a deferred compensation plan described and authorized by the U.S. Internal Revenue Code.

These rules are intended to implement Iowa Code chapter 533.

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