

HOUSE FILE 395

Place On Calendar

BY COMMITTEE ON SMALL BUSINESS AND COMMERCE

(Formerly House Study Bill 151)

Substituted for S.F. 287

Passed House, Date 3-1-85 (p.614) Passed Senate, Date 3-15-85 (p.802)

Vote: Ayes 97 Nays 0 Vote: Ayes 38 Nays 0

Approved March 29, 1985 (p.1201)

A BILL FOR

1 An Act permitting the articles of incorporation of a trust
 2 company existing and operating on January 1, 1970 and
 3 which is authorized to act only as a trust company to be
 4 renewed in perpetuity.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

HF 395

1 Section 1. Section 524.1005, Code 1985, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 524.1005 TRUST COMPANIES OPERATING ON JANUARY 1, 1970.

5 A trust company existing and operating on January 1, 1970
6 and which was authorized to act only as a trust company may
7 continue to act only in a fiduciary capacity according to the
8 terms of its articles of incorporation. The articles of
9 incorporation of the trust company may be renewed in
10 perpetuity. When applicable, this chapter applies to the
11 operations of the trust company. Section 524.107, subsection
12 2, regarding the use of the word "trust" does not apply to a
13 trust company subject to this section.

14 EXPLANATION

15 This bill rewrites section 524.1005 regarding trust
16 companies operating and existing on January 1, 1970 and which
17 is authorized to act only as a trust company. The bill
18 permits the articles of incorporation of such a trust company
19 to be renewed in perpetuity.

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

new
New H F 395

HSB 151

MWB

SMALL BUSINESS AND COMMERCE

Section 524.1005 is amended to read as follows:

524.1005 TRUST COMPANIES ON JANUARY 1, 1970. Any trust company existing and operating on January 1, 1970, and which was authorized to act only as a trust company may continue to act, after January 1, 1970, according to the terms of its Articles of Incorporation, ~~after January 1, 1970~~, which may be renewed in perpetuity, and shall be, insofar as applicable, subject to the provisions of this chapter. Insofar as the use of the word "trust" is concerned, the provisions of subsection 2 of Section 524.107 shall not apply to a trust company subject to this section.

Study Bill 151

Small Business and Commerce: Swartz, Chair; Blanshan, Hummel, Parker and Schneklath.

2, regarding the use of the word "trust" does not apply to a trust company subject to this section.

HOUSE FILE 395

AN ACT

PERMITTING THE ARTICLES OF INCORPORATION OF A TRUST COMPANY EXISTING AND OPERATING ON JANUARY 1, 1970 AND WHICH IS AUTHORIZED TO ACT ONLY AS A TRUST COMPANY TO BE RENEWED IN PERPETUITY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 524.1005, Code 1985, is amended by striking the section and inserting in lieu thereof the following:

524.1005 TRUST COMPANIES OPERATING ON JANUARY 1, 1970.

A trust company existing and operating on January 1, 1970 and which was authorized to act only as a trust company may continue to act only in a fiduciary capacity according to the terms of its articles of incorporation. The articles of incorporation of the trust company may be renewed in perpetuity. When applicable, this chapter applies to the operations of the trust company. Section 524.107, subsection

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 395, Seventy-first General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved *March 29*, 1985

TERRY E. BRANSTAD
Governor