

MAR 6 1997
Place On Calendar

*Substituted for
SF 397
(P. 864 55)*

HOUSE FILE 475
BY COMMITTEE ON COMMERCE AND
REGULATION

(SUCCESSOR TO HSB 70)

(P. 638)
Passed House, Date 3/18/97

(P. 1089)
Passed Senate, Date 4-9-97

Vote: Ayes 100 Nays 0

Vote: Ayes 49 Nays 0

Approved April 18, 1997

A BILL FOR

1 An Act relating to the acquisition of a branch of a savings
2 association by a newly chartered bank and providing an
3 effective date.

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

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HF 475

1 Section 1. Section 524.1213, Code 1997, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 4A. For purposes of subsection 3, a bank
4 that has been chartered solely for the purpose of, and does
5 not open for business prior to, acquiring control of, or
6 acquiring all or substantially all of the assets of, one or
7 more branches owned and operated on January 1, 1997, by a
8 savings association, as defined in 12 U.S.C. § 1813, which
9 association is an affiliate of the bank, is deemed to have
10 been in continuous existence and operation as a bank for the
11 combined periods of continuous existence and operation of the
12 bank and the savings association from which the branch or
13 branches were acquired.

14 Sec. 2. Section 524.1805, Code 1997, is amended by adding
15 the following new subsection:

16 NEW SUBSECTION. 3A. For purposes of subsection 1, a bank
17 that has been chartered solely for the purpose of, and does
18 not open for business prior to, acquiring control of, or
19 acquiring all or substantially all of the assets of, one or
20 more branches owned and operated on January 1, 1997, by a
21 savings association, as defined in 12 U.S.C. § 1813, which
22 association is an affiliate of the bank, is deemed to have
23 been in continuous existence and operation as a bank for the
24 combined periods of continuous existence and operation of the
25 bank and the savings association from which the branch or
26 branches were acquired.

27 Sec. 3. EFFECTIVE DATE. This Act, being deemed of
28 immediate importance, takes effect upon enactment.

29 EXPLANATION

30 This bill amends provisions in chapter 524 relating to the
31 regulation and operation of state banks and to the acquisition
32 of certain savings associations.

33 Code section 524.1213, relating to united community bank
34 offices, is amended to provide that a bank which is chartered
35 solely for the purpose of acquiring the assets of one or more

1 branches that are located in this state and owned by a savings
2 association, is deemed to have been in existence and operation
3 as a bank for the combined periods of existence and operation
4 of the bank and the association from which the branch or
5 branches were acquired.

6 Code section 524.1805, which provides that an out-of-state
7 bank or out-of-state bank holding company may not acquire a
8 bank located in this state unless the bank has been in
9 continuous existence and operation for at least five years, is
10 amended to provide that a bank which is chartered solely for
11 the purpose of acquiring the assets of one or more branches
12 that are located in this state and owned by a savings
13 association, is deemed to have been in existence and operation
14 as a bank for the combined periods of existence and operation
15 of the bank and the association from which the branch or
16 branches were acquired.

17 The bill takes effect May 31, 1997.

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HOUSE FILE 475

S-3312

1 Amend House File 475, as passed by the House, as
2 follows:
3 1. Page 1, by striking lines 3 through 13 and
4 inserting the following:
5 "NEW SUBSECTION. 4A. For purposes of subsection
6 3, both of the following apply:
7 a. A bank that has been chartered solely for the
8 purpose of, and does not open for business prior to
9 acquiring control of, or acquiring all or
10 substantially all of the assets of, one or more
11 branches owned and operated on January 1, 1997, by a
12 savings association, as defined in 12 U.S.C. § 1813,
13 which association is an affiliate of the bank, is
14 deemed to have been in continuous existence and
15 operation as a bank for the combined periods of
16 continuous existence and operation of the bank and the
17 savings association from which the branch or branches
18 were acquired.
19 b. An office of a united community bank which was
20 formerly a branch of a state savings association or
21 federal savings association, as defined in 12 U.S.C.
22 § 1813, which was acquired by the united community
23 bank through an acquisition as defined in the united
24 community bank through an acquisition as defined in 12
25 U.S.C. § 1823(k) is deemed to be a united community
26 bank office which was formerly the principal place of
27 business of a bank referred to in subsection 3,
28 paragraph "b"."

By DONALD B. REDFERN
MICHAEL E. GRONSTAL

JOANN DOUGLAS
PATRICK J. DELUHERY

S-3312 FILED APRIL 1, 1997

*Lost**4-9-97**(p.1089)*

S-3311

1 Amend House File 475, as passed by the House, as
2 follows:

3 1. Page 1, by striking line 3 and inserting the
4 following:

5 "NEW SUBSECTION. 4A. For purposes of subsection
6 3, both of the following apply:

7 a. A bank".

8 2. Page 1, by inserting after line 13 the
9 following:

10 "b. An office of a united community bank which was
11 formerly a branch of a state savings association or
12 federal savings association, as defined in 12 U.S.C.
13 § 1813, which was acquired by the united community
14 bank through an acquisition as defined in the united
15 community bank through an acquisition as defined in 12
16 U.S.C. § 1823(k) is deemed to be a united community
17 bank office which was formerly the principal place of
18 business of a bank referred to in subsection 3,
19 paragraph "b"."

By DONALD B. REDFERN
MICHAEL E. GRONSTAL

JOANN DOUGLAS
PATRICK J. DELUHERY

S-3311 FILED APRIL 1, 1997

*Withdrawn
4-9-97
(P1089)*

Bradley, Ch
Metcalfe
Koenigs

HSB 70

COMMERCE AND REGULATION

Succeeded By
SF (HF) 475

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE AND REGULATION
BILL BY CHAIRPERSON METCALF)

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

A BILL FOR

1 An Act relating to the acquisition of a branch of an out-of-state
2 state or federal savings association by a newly chartered bank
3 and providing an effective date.

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

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1 Section 1. Section 524.1213, Code 1997, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 4A. For purposes of subsection 3, a bank
4 that has been chartered solely for the purpose of, and does
5 not open for business prior to, acquiring control of, or
6 acquiring all or substantially all of the assets of, one or
7 more branches that were in existence and operation on January
8 1, 1997, and that are owned by a state savings association or
9 federal savings association, as defined in 12 U.S.C. § 1813,
10 which association has its main office outside this state, is
11 deemed to have been in continuous existence and operation as a
12 bank for the combined periods of continuous existence and
13 operation of the bank and the state or federal savings
14 association from which the branch or branches were acquired.

15 Sec. 2. Section 524.1805, Code 1997, is amended by adding
16 the following new subsection:

17 NEW SUBSECTION. 3A. For purposes of subsection 1, a bank
18 that has been chartered solely for the purpose of, and does
19 not open for business prior to, acquiring control of, or
20 acquiring all or substantially all of the assets of, one or
21 more branches that were in existence and operation on January
22 1, 1997, and that are owned by a state savings association or
23 federal savings association, as defined in 12 U.S.C. § 1813,
24 which association has its main office outside this state, is
25 deemed to have been in continuous existence and operation as a
26 bank for the combined periods of continuous existence and
27 operation of the bank and the state or federal savings
28 association from which the branch or branches were acquired.

29 Sec. 3. EFFECTIVE DATE. This Act takes effect on May 31,
30 1997.

31 EXPLANATION

32 This bill amends provisions in chapter 524 relating to the
33 regulation and operation of state banks and to the acquisition
34 of certain state and federal savings associations.

35 Code section 524.1213, relating to united community bank

1 offices, is amended to provide that a bank which is chartered
2 solely for the purpose of acquiring the assets of one or more
3 branches that are located in this state and owned by an out-
4 of-state state or federal savings association, is deemed to
5 have been in existence and operation as a bank for the
6 combined periods of existence and operation of the bank and
7 the association from which the branch or branches were
8 acquired.

9 Code section 524.1805, which provides that an out-of-state
10 bank or out-of-state bank holding company may not acquire a
11 bank located in this state unless the bank has been in
12 continuous existence and operation for at least five years, is
13 amended to provide that a bank which is chartered solely for
14 the purpose of acquiring the assets of one or more branches
15 that are located in this state and owned by an out-of-state
16 state or federal savings association, is deemed to have been
17 in existence and operation as a bank for the combined periods
18 of existence and operation of the bank and the association
19 from which the branch or branches were acquired.

20 The bill takes effect May 31, 1997.

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HOUSE FILE 475

Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

AN ACT

RELATING TO THE ACQUISITION OF A BRANCH OF A SAVINGS ASSOCIATION BY A NEWLY CHARTERED BANK AND PROVIDING AN EFFECTIVE DATE.

RON J. CORBETT
Speaker of the House

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

MARY E. KRAMER
President of the Senate

Section 1. Section 524.1213, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 4A. For purposes of subsection 3, a bank that has been chartered solely for the purpose of, and does not open for business prior to, acquiring control of, or acquiring all or substantially all of the assets of, one or more branches owned and operated on January 1, 1997, by a savings association, as defined in 12 U.S.C. § 1813, which association is an affiliate of the bank, is deemed to have been in continuous existence and operation as a bank for the combined periods of continuous existence and operation of the bank and the savings association from which the branch or branches were acquired.

I hereby certify that this bill originated in the House and is known as House File 475, Seventy-seventh General Assembly.

ELIZABETH ISAACSON
Chief Clerk of the House

Sec. 2. Section 524.1805, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 3A. For purposes of subsection 1, a bank that has been chartered solely for the purpose of, and does not open for business prior to, acquiring control of, or acquiring all or substantially all of the assets of, one or more branches owned and operated on January 1, 1997, by a savings association, as defined in 12 U.S.C. § 1813, which association is an affiliate of the bank, is deemed to have been in continuous existence and operation as a bank for the combined periods of continuous existence and operation of the bank and the savings association from which the branch or branches were acquired.

Approved April 18, 1997

TERRY E. BRANSTAD
Governor