

CHAPTER 172

INSURANCE

H. F. 806

AN ACT authorizing and empowering fraternal beneficiary societies, orders and associations now organized and existing, or hereafter organized, under and by virtue of the laws of the state of Iowa, or any such society, order or association, organized and existing under and by virtue of the laws of any other state, province or territory, and now or hereafter admitted to do business within this state, to create, maintain and operate for the benefit of its sick, disabled or distressed members and their families and dependents, hospitals, asylums, sanitoriums, schools and homes.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Maintenance of hospitals, etc.** It shall be lawful for
2 any fraternal beneficiary society, order or association now organized
3 and existing or hereafter organized under and by virtue of the laws
4 of the state of Iowa, or any such society, order or association organized
5 and existing under and by virtue of the laws of any other state,
6 province or territory, and now or hereafter admitted to do business
7 within this state, to create, maintain and operate, for the benefit of
8 its sick, disabled or distressed members and their families and de-
9 pendents, out of any general, special or expense fund, and from any
10 voluntary contributions it may receive therefor, hospitals, asylums,
11 sanitoriums, schools or homes, and for such purpose any such society,
12 order or association may own, hold, lease, mortgage, sell and convey
13 personal property and real property located within or without this
14 state, with necessary buildings thereon; provided, that the amount
15 of the general, special or expense fund to be expended, as herein pro-
16 vided, shall not exceed such amounts as shall have been or shall be,
17 from time to time, authorized by the legislative or supreme governing
18 body of such society, order or association; provided, further, that
19 maintenance, treatment, training and proper attendance in any such
20 hospital, asylum, sanitorium, school or home may be furnished free,
21 or a reasonable charge may be made therefor, but no such hospital,
22 asylum, sanitorium, school or home shall be operated for profit; pro-
23 vided, further, that no part of the cost or expense of creating, main-
24 taining or operating any such hospital, asylum, sanitorium, school or
25 home shall be defrayed or paid out of the mortuary, sick, disability
26 or benefit funds of any such society. The management of such insti-
27 tutions shall be in such officers as the supreme governing body may
28 designate, and such officers may or may not be members of the society,
29 order or association.

1 **SEC. 2. Legal status.** Any such hospital, asylum, sanitorium,
2 school or home when established in the manner provided by this act,
3 is hereby declared to be a charitable institution, with all the rights,
4 benefits and privileges given to charitable institutions under and by
5 the constitution and laws of the state of Iowa, and such hospital,
6 asylum, sanitorium, school or home is hereby declared to be competent
7 to be named and to take as beneficiary in and by the benefit certificate
8 of any member of such society, order or association.

1 **SEC. 3. Commissioner of insurance—powers.** The commissioner of
 2 insurance shall have the same powers, supervision and control over
 3 such hospitals, asylums, sanitoriums, schools and homes erected by
 4 any such society incorporated in this state, as he now has, or may
 5 hereafter legally exercise over fraternal beneficiary societies organ-
 6 ized or transacting business in this state. Whenever the commis-
 7 sioner of insurance finds that any such hospital, asylum, sanitorium,
 8 school or home erected by such domestic society is being mismanaged
 9 or that the interest of the society or public requires it, the commis-
 10 sioner may direct an order to the officers responsible for such mis-
 11 management or in control of such institution with reference to such
 12 mismanagement, and if such officers refuse, neglect or fail to comply
 13 with such order within the time fixed by the commissioner of insur-
 14 ance, the commissioner shall communicate the fact to the attorney
 15 general, who shall proceed in the manner provided for in section
 16 eighteen hundred thirty-nine-d (1839-d) of the supplement to the
 17 code, 1913 (C. C. 5575) as amended, or the court may remove such
 18 officers guilty of mismanagement and appoint others until the society
 19 may regularly elect or select other officers to succeed those deposed.

Approved April 16, A. D. 1923.

Note: The word "sanitorium" evidently intended for "sanitarium".

CHAPTER 173

INSURANCE

H. F. 514

AN ACT to amend section one thousand six hundred ninety-one (1691) of the code (C. C. 5605), relating to insurance other than life.

Be it enacted by the General Assembly of the State of Iowa:

1 **SECTION 1. Capital required.** That section one thousand six hun-
 2 dred ninety-one (1691) of the code is hereby amended by striking
 3 therefrom the first five words in the third line thereof, to wit: "nor
 4 larger than one million".

1 **SEC. 2. Publication clause.** This act being deemed of immediate
 2 importance, shall take effect and be in force from and after its publi-
 3 cation in the Des Moines Register and in the Des Moines Capital,
 4 newspapers published in the city of Des Moines, Iowa.

Approved April 18, A. D. 1923.

I hereby certify that the foregoing act was published in the Des Moines Register April 23, 1923, and the Des Moines Capital April 23, 1923.

W. C. RAMSAY, *Secretary of State.*