

14 erty damage or ten thousand dollars (\$10,000.00) for personal injury  
 15 or death of one (1) person, or twenty thousand dollars (\$20,000.00)  
 16 for personal injury or death of more than one person, arising out of a  
 17 single accident.

Approved April 3, 1953.

## CHAPTER 231

### TRUST FUNDS FOR FUNERAL EXPENSE

H. F. 878

AN ACT relating to the sale of personal property or services under prearranged funeral plans and requiring the proceeds thereof to be held in trust for the purposes intended under certain conditions, and providing penalties for the violation thereof.

*Be It Enacted by the General Assembly of the State of Iowa: .*

1 SECTION 1. Whenever an agreement is made by any person, firm  
 2 or corporation for the final disposition of a dead human body wherein  
 3 delivery of personal property to be used under a prearranged funeral  
 4 plan or the furnishing of professional services of a funeral director or  
 5 embalmer in connection therewith, is not immediately required, eighty  
 6 per cent of all payments made under the agreement, including interest  
 7 thereon, shall be and remain trust funds until occurrence of the death  
 8 of the person for whose benefit the funds were paid, unless said funds  
 9 are sooner released to the person making such payment by mutual consent  
 10 of the parties.

1 SEC. 2. All such trust funds shall be deposited in a bank or trust  
 2 company authorized to transact business in this state within thirty  
 3 (30) days after the receipt thereof and shall be held in a separate account  
 4 or in one common trust fund under a trust agreement in the name,  
 5 of the depositor in trust for the designated beneficiary until said trust  
 6 fund is released under either of the conditions provided in section one  
 7 (1).

1 SEC. 3. Any bank or trust company doing business in this state  
 2 and receiving such trust deposits shall make report thereof annually  
 3 to the superintendent of banking, indicating the name and address of  
 4 each depositor and beneficiary, the amount so deposited and the interest  
 5 paid on such account. Such annual report shall be made on or before  
 6 February first of the year following the year of deposit.

1 SEC. 4. Any person, firm or corporation, or any agent or representative  
 2 thereof, who shall violate any of the provisions of sections one  
 3 (1) and two (2) of this Act, or who shall aid and abet in such violation,  
 4 shall be deemed guilty of a misdemeanor.

1 SEC. 5. This Act being deemed of immediate importance shall be  
 2 in full force and effect from and after its passage and publication in  
 3 the Oskaloosa Tribune Press, a newspaper published at Oskaloosa,

4 Iowa, and The Buffalo Center Tribune, a newspaper published at Buf-  
5 falo Center, Iowa.

Approved May 28, 1953.

I hereby certify that the foregoing Act, House File 378, was published in the Oskaloosa Tribune Press, Oskaloosa, Iowa, June 5, 1953, and in The Buffalo Center Tribune, Buffalo Center, Iowa, June 4, 1953.

MELVIN D. SYNHORST, *Secretary of State.*

## CHAPTER 232

### MERGER OF BANKS AND TRUSTS

#### S. F. 230

AN ACT relating to merger, consolidation, and conversion of national and state banks and trust companies.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. Definitions. As used in this title:

- 2 1. "Bank" means a state or a national bank. The singular "bank"  
3 includes the plural "banks" if the context warrants.  
4 2. "Continuing bank" means a merging bank the charter of which  
5 becomes the charter of the resulting bank.  
6 3. "Converting bank" means a bank converting from a state to a na-  
7 tional bank, or the reverse.  
8 4. "Merger" includes consolidation.  
9 5. "Merging bank" means a party to a merger.  
10 6. "National bank" means a national banking association located  
11 in this state.  
12 7. "Resulting bank" means the bank resulting from a merger or  
13 conversion.  
14 8. "State bank" means a bank or trust company chartered under  
15 the laws of this state.

1 SEC. 2. Resulting national bank.

- 2 1. Nothing in the law of this state shall restrict the right of a state  
3 bank to merge with or convert into a resulting national bank. The  
4 action to be taken by such merging or converting state bank and its  
5 rights and liabilities and those of its stockholders shall be the same  
6 as those prescribed for national banks at the time of the action by the  
7 law of the United States and not by the law of this state, except that  
8 a vote of the holders of two-thirds of each class of voting stock of a  
9 state bank shall be required for the merger or conversion, and that on  
10 conversion by a state into a national bank the rights of dissenting  
11 stockholders shall be those specified in section nine (9) hereof.

- 12 2. Upon the completion of the merger or conversion, the certificate  
13 and charter of any merging or converting state bank shall automatic-  
14 ally terminate.

1 SEC. 3. Resulting state bank. Upon written approval by the su-  
2 perintendent of banking, banks may be merged to result in a state  
3 bank or a national bank may convert into a state bank as hereafter  
4 prescribed, except that the action by a national bank shall be taken