

Introduced by Senator Polanco

February 25, 2000

An act to amend Sections 4922, 18003, and 18011 of the Financial Code, relating to financial institutions.

LEGISLATIVE COUNSEL'S DIGEST

SB 2148, as introduced, Polanco. Financial institutions.

Existing law provides for the conversion of a California state depository corporation of any class into another class.

This bill would delete the requirement that a converting depository corporation submit amendments of its bylaws to the Commissioner of Financial Institutions for approval.

Existing law, the Industrial Loan Law, the Industrial Banking Law, and the Thrift and Loan Law, provide definitions of terms used in the construction of those laws.

This bill would revise the definitions in those laws of certain terms, including "industrial loan company," "industrial bank," "thrift and loan company," "company," and "affiliated company."

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4922 of the Financial Code is
 2 amended to read:
 3 4922. ~~(a)~~A converting depository corporation shall
 4 adopt, and shall file with the commissioner an application
 5 for approval, of, ~~such~~ any amendments to its articles as



1 *that* may be necessary to carry out the conversion. Section
2 904 of the Corporations Code shall not apply to the
3 amendments.

4 ~~(b) A converting depository corporation shall adopt,~~
5 ~~and shall file with the commissioner an application for~~
6 ~~approval of, such amendments to its bylaws as may be~~
7 ~~necessary to carry out the conversion. The amendments~~
8 ~~shall not take effect until they are approved by the~~
9 ~~commissioner and the conversion becomes effective.~~

10 SEC. 2. Section 18003 of the Financial Code is
11 amended to read:

12 18003. “Industrial loan company,” “industrial bank,”
13 “thrift and loan company,” or “company” means ~~any~~
14 ~~corporation which in the regular course of business loans~~
15 ~~money and issues its own choses in action under the~~
16 ~~provisions of this division~~ *a corporation organized under*
17 *the laws of this state whose primary purpose is to engage*
18 *in industrial loan business.*

19 SEC. 3. Section 18011 of the Financial Code is
20 amended to read:

21 18011. “Affiliated company”, ~~as used in this division,~~
22 ~~is a company under substantially the same management~~
23 ~~or control, directly or indirectly, as the industrial loan~~
24 ~~company~~ *means a person, other than an individual, that,*
25 *directly or indirectly through one or more of its*
26 *intermediaries, controls, is controlled by, or is under*
27 *common control with, an industrial loan company.*

