

ACT 36

H.B. NO. 2508-74

A Bill for an Act Relating to State Chartered Credit Unions.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 410, Hawaii Revised Statutes, is amended as follows:

1. By amending section 410-6, Hawaii Revised Statutes, to read as follows:

“Sec. 410-6 Credit union division; establishment. A separate division may be established within the department of regulatory agencies to carry out the purposes of this chapter.”

2. By amending section 410-9, Hawaii Revised Statutes, to read as follows:

“Sec. 410-9 Fees other than examination fee. For the purpose of paying the costs incident to the ascertainment of whether an organization certificate should be approved, the subscribers to any such certificate shall pay, at the time of filing their organization certificate, the amount prescribed by the commissioner, which shall not exceed \$20 in any case; and on the approval of any organization certificate they shall also pay a fee of \$5. Not later than January 31 of each calendar year, each credit union shall pay to the credit union division of the department of regulatory agencies for the preceding calendar year, a supervision fee in accordance with a graduated scale prescribed by this section on the basis of assets as of December 31 of such preceding year, but the fee shall in no event be less than \$10, as follows:

Total Assets	Maximum Fee
\$500,000 or less	25 cents per \$1,000
Over \$500,000 and not over \$1,000,000	\$125 plus 20 cents per \$1,000 in excess of \$500,000
Over \$1,000,000 and not over \$2,000,000	\$225 plus 15 cents per \$1,000 in excess of \$1,000,000
Over \$2,000,000 and not over \$5,000,000	\$375 plus 10 cents per \$1,000 in excess of \$2,000,000
Over \$5,000,000	\$675 plus 5 cents per \$1,000 in excess of \$5,000,000

No annual supervision fee shall be payable by the credit union with respect to the year in which its charter is issued except in cases of conversion from a credit union chartered under the provisions of the Federal Credit Union Act to a credit union chartered under this chapter, or in which final distribution is made in its liquidation or the charter is otherwise canceled.

Failure of any credit union to pay any amount as herein provided shall be grounds for the revocation of the charter of the credit union failing to make the payment.

Fees collected under this section shall be deposited to the credit of a general fund and be available for the purposes of administering this chapter.”

3. By amending subsection (e) of section 410-12, Hawaii Revised Statutes, to read as follows:

“(e) Multiple accounts may be issued in joint tenancy with any person designated by the credit union member. The person first named in any such joint account shall be a member of the credit union. A nonmember named in the joint account shall not acquire the right to vote, obtain loans, or hold office because of his inclusion in the joint account.”

4. By amending section 410-36, Hawaii Revised Statutes, to read as follows:

“Sec. 410-36 Charter cancellation. Upon completion of a voluntary liquidation as provided in section 410-28, or upon completion of the liquidation in cases under section 410-35, or after the assets and liabilities of a credit union for the purpose of consolidation is provided in section 410-33, the com-

missioner shall forthwith cancel the charter of the credit union or credit unions liquidated or absorbed in consolidation without any other or further notice to the credit union or to any person. A certified copy of the order or certificate of the commissioner shall be recorded with the department of regulatory agencies. The department of regulatory agencies shall note on the margin of the record of the articles of incorporation of the credit union the volume and page where the order or certificate canceling its charter is recorded and shall be entitled to a fee of \$2 therefor. In case of voluntary liquidation under section 410-28 or consolidation under section 410-33, the credit union shall record the order of certificate of the commissioner and pay the fee therefor. In case of liquidation under section 410-35, the commissioner or liquidating agent as therein provided shall record the order or certificate of the commissioner and pay the fee therefor out of the assets of the credit union as an expense of liquidation.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 3. This Act shall take effect upon its approval.

(Approved May 24, 1974.)

*Edited accordingly.