

**ACT 61**

**S.B. NO. 777**

**A Bill for an Act Relating to Foreign Lenders.**

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

## ACT 61

SECTION 1. Section 207-11, Hawaii Revised Statutes, is amended by amending the definition of “foreign lender” to read as follows:

- “(2) “Foreign lender” means (A) [a member bank of the Federal Reserve System, an “insured bank” as defined in the Federal Deposit Insurance Act, an “insured institution,” as defined in the Federal Savings and Loan Insurance Corporation Act, a federally chartered savings and loan association,] “a depository institution” as defined in section 501 (a) (2) of the federal Depository Institutions Deregulation and Monetary Control Act of 1980, a “real estate investment trust” as defined in the Internal Revenue Code, [or] an insurance company, the principal office of which is in another state, whether incorporated or unincorporated and whether acting in its individual capacity or in a fiduciary capacity, (B) the trustee or trustees from time to time in office of any employee benefit plan, [and] (C) [any corporation all of the capital stock of which (except directors’ qualifying shares) is owned by one or more foreign lenders of the classes specified in clauses (A) and (B) of this paragraph] a lender approved by the Secretary of the United States Department of Housing and Urban Development for participation in any mortgage insurance program under the National Housing Act, (D) any corporation of which all of the capital stock (except the directors’ qualifying shares) is owned by one or more foreign lenders specified in (A), (B), and (C), and (E) any corporation of which all of the capital stock (except for the directors’ qualifying shares) is owned by one or more foreign lenders specified in (D), but the term “foreign lender” does not include any small loan or industrial loan company of the general character covered by chapters 408 and 409.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved May 19, 1983.)