

government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 9, 1981.

Passed the House April 16, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 88

[Senate Bill No. 3785]

LENDERS, REAL ESTATE—MORTGAGE BANKING IDENTIFICATION

AN ACT Relating to banking; and amending section 30.04.020, chapter 33, Laws of 1955 and RCW 30.04.020.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 30.04.020, chapter 33, Laws of 1955 and RCW 30.04.020 are each amended to read as follows:

The name of every bank shall contain the word "bank" and the name of every trust company shall contain the word "trust," or the word "bank." No person except:

(1) A national bank;

(2) A bank or trust company authorized by the laws of this state;

(3) A foreign corporation authorized by this title so to do, shall,

(a) Use as a part of his or its name or other business designation or in any manner as if connected with his or its business or place of business any of the following words or the plural thereof, to wit: "bank," "banking," "banker," "trust."

(b) Use any sign at or about his or its place of business or use or circulate any advertisement, letterhead, billhead, note, receipt, certificate, blank, form, or any written or printed or part written and part printed paper, instrument or article whatsoever, directly or indirectly indicating that the business of such person is that of a bank or trust company.

This section shall not prevent a lender approved by the United States secretary of housing and urban development for participation in any mortgage insurance program under the National Housing Act from using the words "mortgage banker" or "mortgage banking" in the conduct of its business, but only if both words are used together in either of the forms which appear in quotations in this sentence.

Every person who, and every director and officer of every corporation which, to the knowledge of such director or officer violates any provision of this section shall be guilty of a gross misdemeanor.

Passed the Senate March 24, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 89

[Senate Bill No. 3893]

BANKS AND TRUST COMPANIES—DIVIDENDS—PREFERRED STOCK— STOCK ACQUISITION

AN ACT Relating to banks and banking; amending section 30.04.180, chapter 33, Laws of 1955 as amended by section 2, chapter 136, Laws of 1969 and RCW 30.04.180; amending section 30.04.230, chapter 33, Laws of 1955 as last amended by section 1, chapter 92, Laws of 1973 1st ex. sess. and RCW 30.04.230; amending section 30.12.010, chapter 33, Laws of 1955 as last amended by section 1, chapter 35, Laws of 1975 and RCW 30.12.010; adding new sections to chapter 30.08 RCW; repealing section 30.04.090, chapter 33, Laws of 1955, section 1, chapter 356, Laws of 1955, section 2, chapter 106, Laws of 1959, section 1, chapter 194, Laws of 1963, section 1, chapter 133, Laws of 1967, section 1, chapter 54, Laws of 1967 ex. sess. and RCW 30.04.090; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 30.04.180, chapter 33, Laws of 1955 as amended by section 2, chapter 136, Laws of 1969 and RCW 30.04.180 are each amended to read as follows:

No bank or trust company shall declare or pay any dividend to an amount greater than its net profits then on hand, which net profits shall be determined only after deducting:

(1) All losses;

(2) All assets or depreciation that the supervisor or a duly appointed examiner may have required to be charged off; and no bank or trust company shall enter or at any time carry on its books any of its assets at a valuation exceeding the actual cost. However, amortizing the discount on municipal and United States government securities is permitted on a pro rata basis, over the life of the security, providing that the approval of the supervisor has been obtained and maintained by each individual bank;

(3) All expenses, interest and taxes due or accrued from said bank or trust company;

(4) Bad debts as defined by RCW 30.04.130 owing to such bank or trust company.

After providing for the above deductions the board of directors of any bank or trust company may at any regular meeting thereof declare a dividend out of so much of the undivided profits of such bank or trust company as they shall judge expedient: PROVIDED, HOWEVER, That before any such dividend is declared or the net profits in any way disposed of, not less