WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1957

ENROLLED

SENATE BILL NO. 142

(By Mr. Martin)

PASSED Feb 25, 1957

In Effect July 1, 1957
AN ACT to amend article one, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section seventy-nine-a, providing for special conditions to be met by foreign corporations whose sole activities within this state are the acquisition by purchase of loans secured by liens on real estate located within this state, and all acts incidental and necessary thereto.

Be it enacted by the Legislature of West Virginia:

That article one, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be
amended by adding thereto a new section, designated section seventy-nine-a, to read as follows:

Section 79-a. *Foreign Corporations; Activities Permitted, Filing and Fees.*—The provisions of section seventy-nine of this article shall not be applicable to, nor affect, any foreign corporation heretofore, or hereafter doing business in this state within the meaning of this section or any other statute, including but not limited to, chapter thirty-three of this code, by reason of carrying on in this state any one or more of the following activities: (a) The acquisition by purchase of loans secured by mortgages or deeds of trust, drawn and executed in compliance with chapter thirty-eight, article one-a, section two, of this code on property situated in West Virginia pursuant to commitment agreements or arrangements made prior to or following the origination or creation of said loans; (b) the ownership, modification, renewal, extension, transfer or foreclosure of such loans, or the acceptance of substitute or additional obligors thereon; (c) the maintaining or defending of any actions or suits relative to such loans, mortgages or deeds of trust;
(d) the maintenance of bank accounts in West Virginia banks in connection with the collection or servicing of such loans; (e) the making, collection and servicing of such loans through a West Virginia concern engaged in the business of servicing real estate loans for the investors; (f) the taking of deeds to the mortgaged property either in lieu of foreclosure or for the purpose of transferring title either to the federal housing administration or to the veterans administration as the insuror or guarantor; (g) the acquisition of title to property under foreclosure sale or from the owner in lieu of foreclosure; (h) the management, rental, maintenance and sale, or the operating, maintaining, renting or otherwise dealing with, selling or disposing of real property acquired under foreclosure sale or by agreement in lieu thereof; and (i) the physical inspection and appraisal of property in West Virginia as security for deeds of trust or mortgages and negotiations for the purchase of such loans: Provided, however, That if property acquired in or by reason of any of the activities defined in the provisions of (f), (g) and (h) hereof shall be held longer
than a period of one year, the provisions of this section
shall be inapplicable. Such foreign corporations shall file
with the secretary of state a certificate showing the name
and address of the corporation, the name of the state
wherein the corporation was chartered and including
therewith a certified copy of its articles of association or
incorporation, including all amendments thereto, and
shall pay a filing fee of fifty dollars. The corporation
shall likewise file with the secretary of state a certified
copy of all amendments subsequently made to its articles
of association or incorporation within six months from the
date of any such amendment, and failure to file any such
amendment shall subject such corporation to a fine of not
more than one thousand dollars. The provisions of section
seventy-one of this article relating to service of process
on foreign corporations shall be applicable to the foreign
corporations mentioned in this section.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

Takes effect July 1, 1957

Clerk of the Senate

Clerk of the House of Delegates

President of the Senate

Speaker House of Delegates

The within approved this the second
day of March, 1957.

Governor

Filed in the Office of the Secretary of State of West Virginia

MAR 2 - 1957

D. PITT O'BRIEN
SECRETARY OF STATE