WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 58

(By Mr. Garnett & LeBlant)

PASSED Feb 13 1959

In Effect 90 days from Passage

Filed in Office of the Secretary of State
of West Virginia FEB 21 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section six, article seven, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to the evidences and certificates of indebtedness of industrial loan companies.

Be it enacted by the Legislature of West Virginia:

That section six, article seven, chapter thirty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 6. Powers.—In addition to the general powers conferred upon corporations by the laws of this state, each industrial loan company shall have power to exercise by its board of directors or duly authorized officers or agents, subject to law, all such powers as shall be necessary to:
7    (a) Lend money to any person, firm or corporation, 
8    secured by the obligation of such person, firm or cor- 
9    poration, or otherwise; and, in addition, to receive and 
10    require uniform periodical installments for the repayment 
11    of the loan; 
12    (b) Sell or offer for sale its secured or unsecured evi- 
13    dences or certificates of indebtedness, and such secured 
14    or unsecured evidences or certificates of indebtedness are 
15    hereby defined as money for the purpose of taxation; 
16    (c) Buy and sell bonds or choses in action of any 
17    person, firm or corporation; 
18    (d) Impose a charge of five cents for each default in 
19    the payment of one dollar, or fraction thereof, at the 
20    time at which any periodical installment for the repay- 
21    ment of a loan becomes due; 
22    (e) Demand and receive for loans or for notes, bills 
23    of evidences of debt discounted or purchased, such rate 
24    of interest as may be agreed upon by the parties, not 
25    exceeding the lawful rate of interest, and it shall be lawful 
26    to receive such interest in advance; 
27    (f) Charge for a loan made pursuant to this section,
one dollar for each fifty dollars, or fraction thereof, loaned, for expenses including any examination or investigation of the character and circumstances of the borrower, co-maker or surety, and the drawing and taking the acknowledgment of necessary papers, or other expenses, incurred in making the loan. No additional charge shall be made except to reimburse the corporation for money actually expended for additional service actually rendered the borrower. No charge shall be collected unless a loan shall have been made as the result of such examination or investigation;

(g) Purchase, hold and convey real estate as follows:

(1) Such as shall be necessary for the convenient transaction of its business, including with its office other apartments or offices to rent as a source of income, which investment shall not exceed twenty-five per cent of its paid-in capital stock and surplus;

(2) Such as is mortgaged to it in good faith by way of security for loans made by or money due to such industrial loan company;
(3) Such as is conveyed to it in satisfaction of debts previously contracted in the course of its dealings;

(4) Such as it acquired by sale on execution or judgment or decree of any court in its favor.

Industrial loan companies shall not purchase, hold or convey any real estate in any other case or for any other purpose whatever. Real estate shall be conveyed only by authority of the board of directors of such industrial loan company. No real estate acquired in the cases contemplated in the second, third and fourth paragraphs of subdivision (g) shall be held for a longer time than five years, unless such period shall be extended by the commissioner of banking.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the House of Delegates.

Takes effect 90 days from passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker House of Delegates

The within approved this the 20th day of February, 1959.

[Signature]
Governor