

CHAPTER 6

SENATE BILL No. 104

AN ACT concerning banks; relating to examination of certain affiliated business entities; amending K.S.A. 9-1702 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 9-1702 is hereby amended to read as follows: 9-1702. ~~If upon the examination of any bank or trust company the state banking board shall deem it necessary, the commissioner hereby is authorized to make or have made by the commissioner's assistant or examiners an examination of~~ *(a) The commissioner or the commissioner's designee is hereby authorized to examine the fiduciary affairs of any officer or employee of any bank or trust company which when such officer or employee is serving in any fiduciary capacity; and upon similar determination by the state banking board the that may affect the safety and soundness of such bank or trust company.*

*(b) The commissioner or the commissioner's designee is hereby is authorized to make or have made by the commissioner's assistant or examiners an examination of examine any investment company or, holding company or corporation, corporation or any other form of business entity which is affiliated with any bank or trust company to fully ascertain:*

- (1) The relationship between such bank or trust company and any such affiliate; and*
- (2) the effect of such relationship on the bank or trust company.*

*(c) For the purposes of this section, "affiliate" shall have the meaning ascribed to it in section 2 of the bank holding act of 1956, 12 U.S.C. §1841.*

Sec. 2. K.S.A. 9-1702 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved March 21, 2005.

---