

(2) *If it appears from the financial statement of an association, or the Director has reason to believe that the capital of an association is impaired, the Director may examine the association and ascertain the facts, and if he finds that such deficiency exists he shall require the association to make good such deficiency within sixty (60) days after the date of request. The directors of every association upon which a request to make good a deficiency is made, shall levy an assessment upon the guaranty stock to repair the deficiency. The directors shall cause notice of such request to be given to each stockholder of such association showing the amount of the assessment which the stockholder must pay for the purpose of making good such deficiency.*

(3) *If any stockholder refuses or neglects to pay the assessment specified in the notice aforesaid within ninety (90) days from the date of mailing or service of such notice, the directors of the association may sell to the highest bidder the shares of stock of such stockholder. Before such sale the directors shall publish notice of the sale for ten (10) days in a newspaper of general circulation published in the county or city of this State where the principal office of the association is located and serve a copy of such notice of sale on the stockholder personally or by mailing it to his last known address ten (10) days before the day fixed for such sale.*

(4) *For the purposes of this sub-section: (i) if the value of the assets of an association after deducting the amount of its liabilities, including the value of its outstanding free share accounts, is less than the aggregate par value of the association's outstanding guaranty stock, the capital of the association shall be deemed to be impaired for the purposes of this section; (ii) all fees, charges and commissions received by an association shall be treated as earned income for the year received.*

(5) *The provisions for assessment in this sub-section shall not apply to free share accounts of members or borrowers.*

160Q. MEMBERSHIP AND VOTING RIGHTS.

All shareholders of associations heretofore or hereafter formed under this Article and all borrowers from such associations, and all persons assuming or obligated upon loans made or held by such associations shall be members thereof, and all persons buying the property securing loans made by such associations subject to such loans shall have the privilege of such membership at all meetings of the members of such associations; each borrower and each obligor upon a loan and each owner shall be entitled to one vote as such borrower, obligor or owner. Shareholders, with the exception of borrowers, shall be entitled to one vote for each fully paid share owned, or alternatively, shareholders shall have one vote for each free shareholder account.

160R. BY-LAWS; COPY AND FILING.

At the written request of the Director, a copy of the by-laws and any amendments thereto of an association, certified to be a true copy pursuant to Section 48 of this Article, shall be filed with the Department within ten (10) days of such request.