

(2) THE SECURITY IS APPRAISED BY A DISINTERESTED APPRAISER; AND

(3) THE LOAN IS APPROVED BY THE DIVISION DIRECTOR.

COMMITTEE COMMENT: This section presently appears as CA § 6-216.

In subsection (a) of this section, the phrase "individually or" was added as the presumed legislative intent to make clear that activity under this section includes the actions of one person as well as concerted efforts of two or more persons, and the term "person" was substituted for "an individual or legal entity".

Also in subsection (a) of this section, the percent of shares that determines control is increased from 10 percent to 20 percent.

In subsection (b) of this section, the term "citizen" was substituted for "resident" as more accurate of the intent of this section.

In subsection (b) of this section, "of this State" was deleted as included in the "United States".

Also in subsection (b) of this section, the phrase "a person who is not a citizen of the United States may not ... acquire control..." was substituted for the phrase "a 'controlling person' shall be a resident of this State or the United States", which is ambiguous since it could be interpreted to mean that having acquired control a person became a resident or citizen.

Subsection (c)(2) of this section is a new provision to clarify the intent of this section.

In subsection (d)(1)(i) of this section, the former phrase "of such business or transaction and the nature of the controlling person's interest" was deleted as included in the business understanding of "full disclosure".

In subsection (d)(2)(ii) of this section, the phrase "recorded vote" was substituted for "and such approval is recorded in the minutes".

Also in subsection (d)(1)(ii) of this section, the phrase "disinterested directors of the association" was substituted for "any director who has any financial interest in or who is an employee or director of the controlling person abstaining".

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