

## 9-329. PRIORITY OF CLAIMS.

IN ANY DISTRIBUTION OF ASSETS ON LIQUIDATION OF A SAVINGS AND LOAN ASSOCIATION, THE PRIORITY OF CLAIMS IS AS FOLLOWS:

## (1) IN A MUTUAL ASSOCIATION:

(I) GENERAL CREDITORS AND HOLDERS OF SAVINGS DEPOSIT ACCOUNTS;

(II) HOLDERS OF SAVINGS SHARE ACCOUNTS;  
AND

(III) CONTRIBUTORS TO THE INITIAL GENERAL RESERVE FUND AND EXPENSE FUND UNDER SUBTITLE 2 OF THIS TITLE; AND

## (2) IN A CAPITAL STOCK ASSOCIATION:

(I) GENERAL CREDITORS AND HOLDERS OF SAVINGS DEPOSIT ACCOUNTS;

(II) HOLDERS OF SAVINGS SHARE ACCOUNTS;

(III) CONTRIBUTORS TO THE INITIAL GENERAL RESERVE FUND AND EXPENSE FUND UNDER SUBTITLE 2 OF THIS TITLE UNLESS THE FUNDS WERE PROVIDED BY PAID-IN SURPLUS; AND

(IV) CAPITAL STOCKHOLDERS.

COMMITTEE COMMENT: This section replaces Art. 23, § 161X(c).

The section is restated to delineate a mutual association and a capital stock association.

This section makes clear that an association may treat a holder of record as an owner.

"Capital stock", "savings and loan association", "savings deposit accounts", and "savings share accounts" are defined in § 9-101 of this title.

GENERAL COMMITTEE COMMENT:

CA § 6-212(a), which provides that a savings and loan association may issue only one class of shares, that all shareholders have equal rights as to voting, earnings, and assets, and that an association may not pay any fixed rate or amount on a free share account, is deleted as obsolete. See also this General Committee Comment as to Art. 23, § 161A(f).

Former CA § 6-213(b)(1) is deleted as unnecessary since an existing guaranty stock association already has the authority to issue capital stock.