

and loan association" as needed emphasis in this subtitle.

9-626. RESERVED.

9-627. RESERVED.

PART IV. CONSOLIDATION; MERGER; TRANSFER OF ASSETS; STATUTORY MERGER.

9-628. AUTHORITY TO MERGE, CONSOLIDATE, OR TRANSFER ASSETS.

A SAVINGS AND LOAN ASSOCIATION MAY CONSOLIDATE WITH, MERGE INTO, OR TRANSFER ITS ASSETS TO ANY OTHER SAVINGS AND LOAN ASSOCIATION OR ANY SAVINGS BANK IF:

(1) IT COMPLIES WITH TITLE 3 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE; AND

(2) THE DIVISION DIRECTOR APPROVES THE PLAN OF CONSOLIDATION, MERGER, OR TRANSFER OF ASSETS.

REVISOR'S NOTE: This section is new language that combines without substantive change CA §§ 6-224(a) and 6-225.

In this section, "transfer of assets" is added as applying also to a savings bank. Present CA § 6-225 does not expressly include authority to transfer assets. However, a transfer of assets is by definition part of a statutory merger for which present CA § 6-225 provides express authority.

In this section, the present phrase "in Article 11, § 51, with respect to a savings institution" is deleted as unnecessary.

Note that present CA § 6-225, which provides authority for a savings and loan association to merge into a "savings institution" (savings bank) restates the prior law incorrectly. CA § 6-225 indicates that it is a revision of former Art. 23, § 161U(b); however, former Art. 23, § 161U(b) provided only for an appeal procedure. The main provision of former Art. 23, § 161U was subsection (a), which provided for the authority of a savings and loan association to merge, consolidate, or transfer assets to an "incorporated association of this State", which clearly meant only another savings and loan association, the same as the defined term is used in this title.

Although Art. 11, § 51 provides authority to a "savings institution" ("savings bank" in this article) to merge or consolidate with, among