

## 2012 Kansas Statutes

**9-1904. Reorganization of insolvent and undercapitalized bank or trust company.** The stockholders of any insolvent or critically undercapitalized bank or trust company and its depositors and creditors may formulate a plan for the reorganization of such bank or trust company while the same is in charge of the commissioner or a special deputy commissioner or a receiver, at any time before a dividend has been paid. The depositors and creditors of such insolvent or critically undercapitalized bank or trust company may formulate a plan for the reorganization thereof, and if such plan is subscribed to in writing by creditors and depositors having not less than 80% in amount of the known claims against such bank or trust company, and such plan shall be approved by the board, and a copy thereof filed with the commissioner, the same shall be held to be legal, valid and binding upon all depositors and creditors of such insolvent or critically undercapitalized bank or trust company to the same extent and with the same effect as if all of the depositors and creditors had joined in the execution thereof.

As used in this section "depositors" and "creditors" shall mean and include the pooled money investment board acting for and on behalf of the state of Kansas and the governing body of any county, township, city, drainage district, school district, sewer district or other governmental subdivision and as such they are hereby authorized to join in the execution of any plan for the reorganization of any insolvent or critically undercapitalized bank or trust company with the same legal effect and validity as any individual depositor or creditor.

**History:** L. 1947, ch. 102, § 112; L. 1976, ch. 58, § 2; L. 1993, ch. 7, § 4; March 18.