

9-1716. Powers of commissioner; order restricting declaration and payment of dividends; appeal from order to state banking board, notice and hearing. If the state bank commissioner shall determine that the condition of any bank is such that dividends should not be declared and paid upon its capital stock or that such dividends should be declared and paid only subject to certain conditions, the commissioner shall render an order in accordance with the provisions of K.S.A. 77-536, and amendments thereto, that no such dividends be declared and paid or that such dividends be declared and paid only subject to certain conditions. The board of directors of the bank shall comply with such order until such time as it is rescinded or modified by the commissioner by subsequent order served upon the bank or by the state banking board upon appeal. Within 15 days after receiving notice of the order, the bank shall have the right to appeal in writing to the board from the commissioner's determination and order by filing a notice of appeal with the commissioner, and thereupon the board shall fix a date for a hearing, which hearing shall be held within 30 days from the date such notice of appeal is filed. The board shall conduct the hearing in accordance with the provisions of the Kansas administrative procedure act and render its order affirming, modifying or rescinding the order of the commissioner, and the order of the board shall be final and conclusive and shall be complied with by the board of directors of the bank.

History: L. 1975, ch. 44, § 2; L. 1988, ch. 356, § 41; July 1, 1989.