Rules of
Department of Economic Development
Division 140—Division of Finance
Chapter 22—Association’s Savings Accounts

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An association may compute earnings on
a savings account as determined by its board of
directors and as permitted by federal or
Missouri law. Each account shall be evidenced
by a passbook or certificate or other evidence of
account in a form approved by the board of
directors of the association.

(2) An association may accept noninterest
demand accounts from those persons
or organizations that have a business,
corporate, commercial or agricultural loan relationship
with the association and may also accept
demand accounts from a commercial, corpo-
rate, business or agricultural entity for the sole
purpose of effectuating payments by a nonbus-
ness customer. An association may extend secured or unsecured credit in the form of
overdraft privileges in connection with such
demand accounts.

(3) For purposes of section (2) of this regu-
lation—
(A) A business, corporate, commercial or
agricultural loan shall include any loan other
than a home loan on borrower-occupied
property or a loan to a natural person for
personal, family or household use;
(B) A loan relationship is established if
there is a line-of-credit, any outstanding loan
(including a finance lease) or a previous loan
and a reasonable expectation of the renewal of
a lending relationship based on the usual and
customary activities and needs of the bor-
rrower; and
(C) The extension of credit in the form of
overdraft privileges in connection with the
opening of a demand account may be deemed
a business, corporate, commercial or agri-
cultural loan relationship.

(4) In addition to the accounts authorized by
this regulation, an association may accept any
account as may be authorized from time-to-
time for federal associations.

Auth: sections 369.299, RSMo (1971),
amended 1994 and 369.399, RSMo (1971),
4 CSR 140-22.040 Service Charge on Small Accounts

PURPOSE: An association may make a service charge on a small account pursuant to 4 CSR 260-10.050 of this chapter.

(1) An association may make a service charge against any savings account provided that thirty (30) days prior to making the first service charge the association has mailed to the holder on such account, at his/her last known address, a notice that service charges will be made in accordance with this regulation.

(2) Nothing contained in this rule shall apply to accounts authorized by 4 CSR 260-10.050 of this chapter.


4 CSR 140-22.050 Third Party Transfers

PURPOSE: This rule permits associations on certain conditions to make specified payments to third parties with the authorization of the accountholder.

(1) An association is authorized to offer savings accounts on which interest is paid and from which the owner may make withdrawals by negotiable or transferable instruments for the purpose of making transfers to third parties.

(2) An association, if specifically authorized by a resolution of the board of directors and the authorization of the accountholder, may accept orders for payment from a savings or deposit account to third parties in such amounts as the accountholder determines.


4 CSR 140-22.060 Investment of Public Funds

PURPOSE: This regulation provides for acceptance by insured associations of deposits of all political subdivisions or instrumentalities of the state of Missouri and the government of the United States and authorizes the pledging of assets of associations as security for the deposits.

(1) Savings and deposit accounts in insured associations that are legal and proper investments or depositories for the state of Missouri and all political subdivisions or instrumentalities of the state of Missouri and the government of the United States and all agencies thereof may be opened in accordance with the provisions of this regulation.

(A) An insured association may accept for deposit public funds of the state of Missouri (and political subdivisions or instrumentalities of the state of Missouri) and of the United States government and all agencies thereof as provided by law.

(B) An insured association may pledge funds or assets, as required by law, as additional security for invested public funds so that the value of pledged funds or assets shall at all times be not less than one hundred percent (100%) of the actual amount of the funds on deposit, less the amount insured by the Federal Deposit Insurance Corporation, provided that the director of the division may, at any time or on any conditions, prohibit or limit the making of additional pledges of assets of a designated association.

(C) No public funds shall be accepted in return for any commitment to purchase the general or revenue obligations of any political subdivision of the state of Missouri.


4 CSR 140-22.070 Keogh and IRA Accounts

PURPOSE: An association may act as trustee of a trust under a plan which qualifies for specific tax treatment under sections 401(d) or 408(a) of the Internal
(1) An association may act as trustee of any trust created or organized in the United States and forming part of a stock bonus, pension or profit-sharing plan qualifying for specific tax treatment under section 401(d) of the Internal Revenue Code of 1954; as trustee or custodian of an Individual Retirement Account within the meaning of section 408(a) of the Internal Revenue Code; or as trustee with no active fiduciary duties; provided, that the association shall invest the funds of the trust or account only in the association's own accounts, deposits, obligations or securities, or, upon the condition that the association does not exercise any investment discretion or directly or indirectly provide any investment advice with respect to the trust or account assets, in such other assets as the customer may direct. The association shall observe principles of sound trust administration, including those relating to recordkeeping and segregation of assets and may receive reasonable compensation for acting in any trust capacity authorized by this section.

(2) An association acting as trustee or custodian pursuant to section (1) shall include in bold type on the first page of any contract documents the following language: "Funds invested pursuant to this agreement are not insured by the Federal Deposit Insurance Corporation ("FDIC") merely because the trustee or custodian is an institution the accounts of which are covered by such insurance. Only investments in the accounts of such an institution are insured by the FDIC, subject to its rules and regulations."


4 CSR 140-22.080 Credit and Debit Cards

PURPOSE: This rule will authorize state chartered savings and loan associations to engage in similar activities as well as permit debit card participation.

An association may issue credit and debit cards, extend credit in connection therewith, and otherwise engage in or participate in credit and debit card operations.
