

## **PROPOSED REGULATION**

### **46.403.1. PUBLICATION REQUIREMENTS. APPLICATIONS BEFORE THE STATE BANKING BOARD.**

Sponsors of the following applications must publish notice of the proposed application three (3) times at equal intervals in a newspaper of statewide circulation. Publication shall be as close as practicable to the date the application is filed with the State Bank Department, but no more than ten (10) calendar days prior to or after the filing date. Publications must provide for a fifteen (15) day comment period beginning with the actual filing of the application. These applications are:

- (1) New state bank charters;
- (2) Merger or consolidation applications between one or more banks, or saving and loan associations into a state bank;
- (3) Purchase or assumption application (over 50% of the assets or liabilities) of another depository institution; and
- (4) Change of a state bank's main banking office from one municipality to another (Simple or Complex Application).

### **46-404.1 - APPLICATION FILING FEES. APPLICATIONS TO BE PRESENTED TO THE STATE BANKING BOARD.**

Following is a list of application filing fees:

a) New bank charter	\$8,000
b) Merger applications (per institution)	\$5,000
c) Conversion (national bank to state bank)	\$8,000
d) Conversion (stock savings and loan or federal savings bank to state bank)	\$8,000
e) Charter amendments	\$ 200
f) Charter amendments for trust powers	\$ 500
g) Purchase or assumption (over fifty percent (50%) of assets or liabilities of another depository institution)	\$5,000
h) Relocation of main office from one municipality to another (Application does not include any reorganization or change of business plans – must be simple relocation of address only)	\$2,500
i) Reorganization and Relocation of Bank Charter (Complex Application)	\$6,500

#### **46-406.1 - HEARINGS. FILING FEES FOR WRITTEN/OFFICIAL PROTESTS**

a) A filing fee of \$2,500 will be required to file an official protest for the following applications:

- 1) New bank charter
- 2) Merger application
- 3) Purchase or assumption (over fifty percent (50%) of assets or liabilities) or (less than fifty percent (50%) of assets or liabilities)
- 4) Conversion (national to state bank)
- 5) Conversion (stock savings and loan or federal savings bank to state bank)
- 6) Relocation of main office from one municipality to another (Simple Application)
- 7) Reorganization and Relocation of Bank Charter (Complex Application)

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a) A filing fee of \$2,500 will be required to file an official protest for the following applications:

- 8) New bank charter
- 9) Merger application
- 10) Purchase or assumption (over fifty percent (50%) of assets or liabilities) or (less than fifty percent (50%) of assets or liabilities)
- 11) Conversion (national to state bank)
- 12) Conversion (stock savings and loan or federal savings bank to state bank)
- 13) Relocation of main office from one municipality to another (Simple Application)
- 14) Reorganization and Relocation of Bank Charter (Complex Application)

b) A filing fee of \$1,000 will be required to file an official protest for a branch application (A.C.A. § 23-48-703).

MEMORANDUM

FROM: CANDACE A. FRANKS, DEPUTY BANK COMMISSIONER

SUBJECT: REGULATIONS

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Please find below a brief synopsis of an Arkansas State Bank Department regulation:

REORGANIZATION AND RELOCATION OF BANK CHARTER APPLICATION

This regulation is to set the fee for a new Reorganization and Relocation of Bank Charter application due to the complexity of these types of applications and time spent by State Bank Department staff and the State Banking Board for investigation and processing. We have a basic bank relocation application, which we have had for many years. Banks that will use this new application are submitting very complex organizational structure and business plans, as well as financial structures, which require much more extensive financial review and research by Department personnel.

**FINANCIAL IMPACT STATEMENT**

**PLEASE ANSWER ALL QUESTIONS COMPLETELY**

**DEPARTMENT:** \_\_\_\_\_ **ARKANSAS STATE BANK DEPARTMENT**  
**DIVISION:** \_\_\_\_\_ **LEGAL**  
**PERSON COMPLETING THIS STATEMENT:** \_\_\_\_\_ **BARBARA MAHONEY**  
**TELEPHONE NO.:** 501-324-9019 **FAX NO.:** 501-324-9028 **EMAIL:** bmahoney@banking.state.ar.us

**FINANCIAL IMPACT STATEMENT**

To comply with Act 1104 of 1995, please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

**SHORT TITLE OF THIS RULE:**

Increase Application Fee for Reorganization and Relocation of Bank Charter

1. Does this proposed, amended, or repealed rule have a financial impact?

Yes  No

2. If you believe that the development of a financial impact statement is so speculative as to be cost prohibitive, please explain.

Development of a financial impact statement would be cost prohibitive because there is no way to measure financial impact as we have no way of knowing how many, if any, of these application we will receive. There are few that would qualify for this process.

3. If the purpose of this rule is to implement a federal rule, please give the incremental cost for implementing the rule. Please indicate if the cost provided is the cost of the program.

	<u>Current Fiscal Year</u>		<u>Next Fiscal Year</u>
General Revenue	0.00	General Revenue	0
Federal Funds	0.00	Federal Funds	0
Cash Funds	0.00	Cash Funds	0
Special Revenue	0.00	Special Revenue	0
Other (Identify)	0.00	Other (Identify)	0
Total	0.00	Total	0

4. What is the total estimated cost by fiscal year to any party subject to the proposed, amended, or repealed rule? Identify the party subject to the proposed rule, and explain how they are affected.

	<u>Current Fiscal Year</u>		<u>Next Fiscal Year</u>
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00
	\$0.00		\$0.00

5. What is the total estimated cost by fiscal year to the agency to implement this rule?

**Current Fiscal Year**

NA

NA

**Next Fiscal Year**

NA

NA

Charlie Daniels  
Secretary of State  
State Capitol Room 026  
Little Rock, AR 72201-1094  
(501)682-3527