

PROPOSED REGULATION

46-404.2 - APPLICATION FILING FEES. APPLICATIONS WHICH ARE NOT FILED WITH THE STATE BANKING BOARD (Reference A.C.A. 23-46-404)

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| a) New branch banking office A.C.A. § 23-48-703 | \$3,000 |
| b) Relocation of existing branch office (inside current municipality) A.C.A. § 23-48-702 | \$1,000 |
| c) Relocation of existing branch office (outside of current municipality) A.C.A. § 23-48-702 | \$2,500 |
| d) Plan of exchange
(plus expenses of Commissioner; does not include costs associated with appraisals of bank stock) | \$ 500 |
| e) Filing of fictitious name | \$ 25 |
| f) Filing of out-of-state bank/bank holding company | \$ 300 |
| g) Change in Control | \$1,500 |
| h) Purchase or Assumption (less than fifty percent (50%) of assets or liabilities) | \$3,000 |
| i) Registered Agent for Service of Process A.C.A. § 23-48-327 | \$ 25 |
| j) Relocation of existing branch office (within immediate area) A.C.A. § 23-48-702(d)(5)(A) | \$ 250 |

PROPOSED REGULATION

48-702.2 - RELOCATION OF BRANCH (Reference A.C.A. § 23-48-702)

a) Any state bank may file an application with the Commissioner to relocate any existing full service branch to another location then authorized by law.

(b) If the proposed location is within the same municipality a fee of \$1,000 shall accompany the application. If the proposed location is to a different municipality a fee of \$2,500 shall accompany the application.

(c) An abbreviated branch application provided by the State Bank Department is required to relocate a branch within the same municipality. A bank desiring to relocate an existing branch to an area outside of the incorporated city or town in which the existing branch is located must file a branch relocation application which will consist of the information required to establish a new branch. Intent to make such a relocation shall be conveyed in writing to the Commissioner no later than twenty business days before such relocation shall occur. A relocation application will follow the same notice procedures as a new branch application, giving other banks or interested parties an opportunity to object or officially protest. Official protestants will be required to pay a fee of one thousand dollars (\$1,000) as in a new branch application proceeding.

(d) The Commissioner shall approve such relocation unless it is determined the relocation is not economically feasible or will not serve the public convenience and necessity. Such relocation shall not occur until the Commissioner shall approve the relocation.

(e) In accordance with A.C.A. § 23-47-702(d)(5)(A), a bank may relocate an existing branch within a limited area without requiring a branch bank application; however, the bank must provide written notice to the Department, which includes a \$250.00 filing fee prior to the relocation. The notice must include the following information:

1. Location of the existing branch;
2. Proposed location of resulting branch;
3. Date of closing the existing branch;
4. Whether the branch is opened, built, or established due to the consolidation of two (2) or more banks within the immediate neighborhood of an existing branch or main office of the bank; and
5. That the nature of the business and customers of the branch are not substantially affected.

The statute defines “within the immediate neighborhood” as including, but not limited to:

1. Across the street;
2. Around the corner;
3. Within two (2) blocks;
4. Within one thousand feet (1,000’); or
5. In densely populated areas, within five thousand feet (5,000’).