

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
Official Code

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To amend the International Banking Act of 2000 and the District of Columbia Regional Interstate Banking Act of 1985 to modernize the chartering of banks in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Bank Charter Modernization Amendment Act of 2007”.

Sec. 2. Section 7 of the International Banking Act of 2000, effective April 3, 2001 (D.C. Law 13-268; D.C. Official Code § 26-636), is amended as follows:

Amend
§ 26-636

(a) Subsection (d) is amended to read as follows:

“An application filed under this section shall be subject to the application review procedures contained in section 5(a), (b), and (g) of the District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985 (D.C. Law 6-63; D.C. Official Code § 26-704(a), (b), and (g)).”

(b) A new subsection (e) is added to read as follows:

“(e) The Commissioner shall submit an annual report to the Council of all actions that the Commissioner takes pursuant to this section.”

Sec. 3. The District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985 (D.C. Law 6-63; D.C. Official Code § 26-701 *et seq.*), is amended as follows:

(a) Section 3(b) (D.C. Official Code § 26-702.01(b)) is amended as follows:

Amend
§ 26-702.01

(1) Paragraph (20) is amended by striking the phrase “; and” at the end of the paragraph and inserting a semicolon in its place.

(2) Paragraph (21) is amended by striking the period at the end of the paragraph and inserting the phrase “; and” in its place.

(3) A new paragraph (22) is added to read as follows:

“(22) Submit an annual report to the Council of all actions that the Commissioner takes pursuant to this section.”

(b) Section 5 (D.C. Official Code § 26-704) is amended as follows:

(1) Subsection (b) is amended as follows:

Amend
§ 26-704

(A) Paragraph (2) is amended to read as follows:

“(2) The Commissioner shall either approve or disapprove the application and explain the reasons for the decision. An application required by this section shall not be complete unless it is accompanied by an application fee in an amount to be established by the Commissioner and made payable to District of Columbia Treasurer. An entity for which deposit insurance is required shall not commence operations until the applicant has submitted

evidence that the deposit insurance has been acquired.”.

(B) Paragraphs (3) through (5) are repealed.

(2) Subsection (c) is amended as follows:

(A) The lead-in text is amended to read as follows: “Any authority granted to acquire any District bank holding company or District bank shall be contingent on the review and approval of the Commissioner as provided in this subsection. Upon the filing of a complete application, the following procedures shall apply:”.

(B) Paragraph (1)(B) is repealed.

(C) Paragraph (2) is amended to read as follows:

“(2) The Commissioner shall either approve or disapprove the application and explain the reasons for the decision. The Commissioner shall consider:

“(A) The financial and managerial resources of the bank holding company;

“(B) The future prospects and stability of the subsidiaries of the bank holding company and the bank whose assets or shares the bank holding company seeks to acquire;

“(C) The financial history of the bank holding company or its subsidiary;

“(D) The adequacy of the bank holding company’s community development program; and

“(E) Whether the acquisition may result in undue concentration of resources or substantial decrease of competition in the District.”.

(D) Paragraphs (3) through (5) are repealed.

(E) Paragraph (6) is amended to read as follows:

“(6) The Commissioner shall submit a copy of the approval or disapproval to the Federal Reserve Board.”.

(F) Paragraph (7) is repealed.

(G) A new paragraph (8) is added to read as follows:

“(8) The Commissioner shall submit to the Council:

“(A) A quarterly report of any applications filed or decisions reached by the Commissioner pursuant to this section; and

“(B) An annual report of all actions that the Commissioner takes pursuant to this section.”.

(3) Subsection (d)(3)(M) is amended to read as follows:

“(M) The applicant’s agreement to submit an annual report to the Commissioner and the Council updating any information submitted to the Commissioner with regard to the community development program.”.

(4) Subsection (e)(1) is amended by striking the phrase “or the Council”.

(5) Subsections (f) through (i) are repealed.

(c) Section 7a(d) (D.C. Official Code § 26-706.01(d)) is amended by striking the phrase “and the Council approves, by resolution, the reduction or extension”.

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§ 26-706.01

Sec. 4. Fiscal impact statement

The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia