

COUNCIL OF THE DISTRICT OF COLUMBIA


NOTICE

D.C. LAW 6-107

"District of Columbia Regional Interstate  
Banking Act of 1985 Amendments Act of 1985".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 6-276 on first and second readings, January 14, 1986, and January 28, 1986, respectively. Following the signature of the Mayor on February 14, 1986, this legislation was assigned Act No. 6-136, published in the February 28, 1986, edition of the D.C. Register, (Vol. 33 page 1168) and transmitted to Congress on February 19, 1986 for a 30-day review, in accordance with Section 602 (c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 6-107, effective April 11, 1986.

  
DAVID A. CLARKE  
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

February 19,20,21,24,25,26,27,28

March 3,4,5,6,7,10,11,12,13,14,17,18,19,20,21,24,25,26,27

April 8,9,10

LAW 6 - 107

RECEIVED APR 11 1986

AN ACT

D.C. ACT 6 - 136

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

FEB 14 1986

To amend the District of Columbia Regional Interstate Banking Act of 1985 to allow acquisitions by nonregional bank holding companies of District bank holding companies and District banks in order to foster greater economic development in the District, to establish an Office of Banking and Financial Institutions with responsibility for chartering and regulating financial institutions organized to do business in the District, to facilitate the expansion of financial services for District residents, including those who reside in underserved and low- and moderate-income areas; and for other purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985".

Sec. 2. The District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985 (D.C. Law 6-63; to be codified at D.C. Code, sec. 26-801 et seq.), is amended as follows:

(a) Section 2 is amended to read as follows:

"Sec. 2. Definitions.

"For the purpose of this act, the term:

"(1) 'Acquire' means:

"(A) The merger or consolidation of 1 bank holding company with another bank holding company;

"(B) The acquisition by a bank holding

D.C. Code,  
sec. 26-80  
(1987 supp

company of direct or indirect ownership or control of voting shares of another bank holding company or a bank, if, after the acquisition, the bank holding company making the acquisition will directly or indirectly own or control more than 5% of any class of voting shares of the other bank holding company or the bank;

"(C) The direct or indirect acquisition by a bank holding company of all or substantially all of the assets of another bank holding company or of a bank; or

"(D) Any other action that would result in direct or indirect control by a bank holding company of another bank holding company or bank.

"(2) 'Bank' means any 'insured bank' as the term is defined in 12 U.S.C. 1813(h), or any institution eligible to become an insured bank as the term is defined therein, which, in either event:

"(A) Accepts deposits that the depositor has a legal right to withdraw on demand; and

"(B) Engages in the business of making commercial loans.

"(3) 'Bank holding company' has the meaning set forth in 12 U.S.C. 1841(a)(1).

"(4) 'Banking office' means any office or other location at which a bank accepts deposits. The term 'banking office' shall not mean:

"(A) Unmanned automatic teller machines, point of sale terminals, or other similar unmanned electronic banking facilities at which deposits may be

accepted;

"(B) Offices located outside the United States; or

"(C) Loan production offices, representative offices, or other offices at which deposits are not accepted.

"(5) 'Control' has the meaning set forth in 12 U.S.C. 1841(a)(2).

"(6) 'Deposits' means all demand, time, and savings deposits, without regard to the location of the depositor. The term 'deposits' shall not include any deposits by banks. For purposes of this act, determination of deposits shall be made with reference to regulatory reports of conditions or similar reports made by or to state and federal regulatory authorities.

"(7) 'District' means the District of Columbia.

"(8) 'District bank' or 'District of Columbia bank' means a bank that:

"(A) Is organized under the laws of the United States or a state; and

"(B) Has banking offices located only in the District.

"(9) 'District bank holding company' or 'District of Columbia bank holding company' means a bank holding company:

"(A) That has its principal place of business in the District of Columbia;

"(B) The District of Columbia bank and

regional bank subsidiaries of which hold more than 80% of the total deposits held by all of its bank subsidiaries, other than bank subsidiaries controlled by it in accordance with section 4; and

"(C) That is not controlled by a bank holding company other than a District bank holding company.

"For purposes of determining whether a bank holding company that had a District bank subsidiary on January 1, 1985, is and continues to be a District bank holding company, no consideration shall be given to the deposits of any bank subsidiary located outside the region that the bank holding company controlled on January 1, 1985.

"(10) 'Low- and moderate-income area' means any area within the District which the Superintendent designates in rules as a low- and moderate-income area after the Superintendent's consideration of the income levels of residents within the area, the mix of the levels of income in the area, and the location of the levels of income within the area. The Superintendent shall from time to time revise the Superintendent's designations to reflect changes in these factors. Once an area has been determined to be a low- and moderate-income area and identified by an applicant in any application which is considered approved pursuant to section 5, that determination is final for the applicant, and any future revision in the determination of low- and moderate-income areas shall have no effect on the applicant.

"(11) 'Nonregional bank holding company' means any bank holding company which is neither a District bank

holding company nor a regional bank holding company.

"(12) 'Principal place of business' of a bank holding company means the state in which the total deposits held by the banking offices of the bank holding company's bank subsidiaries are the largest.

"(13) 'Region' means the District of Columbia and the states of Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia.

"(14) 'Regional bank' means a bank that:

"(A) Is organized under the laws of the United States or of 1 of the states in the region other than the District of Columbia; and

"(B) Has banking offices located only in states within the region.

"(15) 'Regional bank holding company' means a bank holding company:

"(A) That has its principal place of business in a state within the region other than the District of Columbia;

"(B) The regional bank and District of Columbia bank subsidiaries of which hold more than 80% of the total deposits held by all of its bank subsidiaries, other than bank subsidiaries controlled by it in accordance with section 4; and

"(C) That is not controlled by a bank holding company other than a regional bank holding company.

"For purposes of determining whether a bank

holding company that had a District of Columbia bank subsidiary on January 1, 1985, is and continues to be a regional bank holding company, no consideration shall be given to the deposits of any bank subsidiary located outside the region that the bank holding company controlled on January 1, 1985.

"(16) 'Small business' means a business with annual gross sales of \$5 million or less.

"(17) 'State' means any state of the United States or the District of Columbia.

"(18) 'Subsidiary' has the meaning set forth in 12 U.S.C. 1841(d).

"(19) 'Superintendent' means the Superintendent of Banking and Financial Institutions.

"(20) 'Target banking development area' means any low- and moderate-income area or any area which the Superintendent determines in rules is an underserved area. In determining whether an area is underserved, the Superintendent shall consult with the Council of the District of Columbia ("Council") and the District of Columbia Office of Business and Economic Development and shall consider the availability of deposit, loan, and credit services within the area to satisfy consumer and small business needs or the availability and need of other banking services within the area. Once an area has been determined to be a target banking development area and identified by an applicant in any application which is considered approved pursuant to section 6, that determination is final for the

applicant, and any future revision in the determination of target banking development areas shall have no effect on the applicant.

"(21) 'Target economic development project' means any commercial, industrial, residential real estate, business, or other economic development activity which the Superintendent decides in rules will benefit residents in low- and moderate-income areas or small businesses in low- and moderate-income areas. In reaching his or her decision, the Superintendent shall consult with the Council and the District of Columbia Office of Business and Economic Development, shall consider the policies set forth in the 1984 Comprehensive Plan for the National Capital, and subsequent amendments, and shall give special emphasis to economic development project activity in economically distressed areas which have been historically underinvested. Once a project has been determined to be a target economic development project and identified by an applicant in any application which is considered approved pursuant to section 5, that determination is final for the applicant, and any future revisions in the determination of a target economic development project shall have no effect on the applicant."

(b) A new section 3a is added to read as follows:

"Sec. 3a. Establishment of Office of Banking and Financial Institutions; Superintendent; Council review of rules.

"(a)(1) The Office of Banking and Financial Institutions is established and shall be under the direction

New,  
D.C. Code,  
26-802.1  
(1987 supp.



of the Superintendent of Banking and Financial Institutions.

"(2) The Mayor shall appoint the Superintendent, with the advice and consent of the Council, for a term of 4 years, except that the first term of the Superintendent shall terminate on January 1, 1987.

"(3) No person shall exercise the duties of the Superintendent in an acting capacity for more than 120 days.

"(b) The Superintendent shall:

"(1) Administer this act;

"(2) Promote a climate in which financial institutions will organize to do business in the District and contribute to the economic development of the District through the increased availability of capital and credit;

"(3) Expand advantageous financial services to the public in a nondiscriminatory manner;

"(4) Charter and regulate banks, savings banks, savings companies, trust companies, or other financial institutions seeking to establish, in accordance with section 713 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1302; D.C. Code, sec. 26-101 et seq.), an office or banking house located within the District where deposits or savings are received;

"(5) Regulate, to the extent provided in section 715 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1303; D.C. Code, sec. 26-401 et seq.), companies which are formed for the purpose of carrying on any 1 of the following 3 classes of

business in the District:

"(A) A safe deposit, trust, loan, and mortgage business;

"(B) A title insurance, loan, and mortgage business; or

"(C) A security, guarantee, indemnity, loan, and mortgage business;

"(6) Charter and regulate building associations, building and loan associations, and savings and loan associations which are formed within the District for the purpose of carrying on the activities described in section 691 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1299; D.C. Code, sec. 26-504);

"(7) Regulate the branching or opening of additional offices by financial institutions under the supervision of the Superintendent;

"(8) Regulate the institutions described in paragraphs (4), (5), and (6) of this subsection to the same extent that these financial institutions were regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Home Loan Bank Board prior to the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985, and in a manner that promotes safe and sound financial practices;

"(9) Promote and maintain, to the extent possible, an economic climate and regulatory framework that will

encourage financial institutions to organize to do business in the District of Columbia;

"(10) Upon confirmation, administer, to the extent provided in this act, the provisions of this act concerning interstate banking;

"(11) Assure that all financial institutions under the supervision or control of the Office of Banking and Financial Institutions and all banks and bank holding companies seeking entry into the District of Columbia under the interstate banking provisions in this act provide financial services to the public in a manner that fosters the development and revitalization of housing and commercial corridors in underserved neighborhoods in the District, helps meet the credit and deposit service needs of lower income and minority residents of the District, and expands financial and technical support for small, minority, and women-owned businesses;

"(12) In all respects permitted by law, act as the District government's regulatory authority for financial institutions operating in the District;

"(13) Establish fees not otherwise established by act, and, from time to time, increase the fees established by act; and

"(14) Issue rules necessary to carry out the purposes of this act.

"(c) All rules which the Superintendent issues pursuant to this act shall be transmitted to the Council for a 45-day review period, excluding Saturdays, Sundays, holidays, and

days when Council is in recess. The Council may adopt a resolution disapproving the rules, in whole or in part, within the 45-day review period. If the Council, by resolution, does not approve or disapprove the rules before the expiration of the 45-day review period, the rules shall become effective at the expiration of the 45-day review period.

"(d)(1) Until a Superintendent is appointed and confirmed pursuant to this subsection, all duties and responsibilities of the Superintendent concerning the chartering of new financial institutions under section 5(a) shall be performed by the Mayor, or his or her designee.

"(2) During any period the Mayor, or his or her designee, is performing the duties and responsibilities of the Superintendent, the Mayor, or his or her designee, may enter into contracts with the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, or any other entities, for those services necessary to carry out the duties and responsibilities of the Superintendent.

(c) Section 5 is amended to read as follows:

"Sec. 5. Review of applications.

"(a) Any person who is not conducting a class of business described in section 3a(b)(4), (5) or (6) in the District but desires to do so shall file an application with the Superintendent for approval to do business in the District. Consistent with applicable federal law, all the

D.C. Code,  
26-804  
(1987 supp.)

applications, including any supporting documents, and any other information required to be submitted to the Superintendent shall be made available to the public. An application filed with the appropriate federal agency for approval to conduct a class of business described in sections 3a(b)(4), (5) or (6) and still pending approval or approved prior to the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendment Act of 1985 shall not be subject to this section or the provisions of this act. The Council shall file comments regarding the applications pending upon the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendment Act of 1985. Any Council comments regarding a pending application filed prior to the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendment Act of 1985 shall meet the requirements of the preceding sentence.

"(b) Upon the filing of a complete application pursuant to subsection 5(a), the following procedures shall apply:

"(1)(A) The Superintendent shall prepare a periodic bulletin listing all pending applications. The bulletin shall be published in the District of Columbia Register and shall be mailed without charge to any person upon request.

"(B) Prior to deciding whether to grant approval of the application, the Superintendent shall accept public comment on the application and shall hold a public hearing on the application, according to procedures

established by the rules issued by the Superintendent.

"(2) The Superintendent shall make either a favorable or unfavorable recommendation on the application and explain the reasons for the Superintendent's recommendation, and shall transmit to the Council the Superintendent's recommendation, a copy of the application, and any other relevant information or submissions within 90 days after receipt of the application. The Superintendent may extend this 90-day period for up to an additional 60 days. No application required by this section shall be complete unless it is accompanied by an application fee in an amount to be established by the Superintendent and made payable to the D.C. Treasurer. No entity for which insurance is required shall commence operations until the applicant has submitted evidence that the insurance has been acquired.

"(3) The Council may adopt a resolution disapproving the Superintendent's recommendation within 45 days, excluding Saturdays, Sundays, holidays, and days when the Council is in recess, after receipt of the Superintendent's recommendation.

"(4) If the Council fails to adopt a resolution disapproving the Superintendent's recommendation within the 45-day period, the Superintendent's recommendation shall be considered approved.

"(5) If the Council adopts a resolution rejecting the recommendation of the Superintendent, the Council shall transmit the resolution to the Superintendent within 10 days

after its adoption and the following procedures shall apply:

"(A) If the Superintendent has made an unfavorable recommendation on the application, the application is considered approved.

"(B) If the Superintendent has made a favorable recommendation on the application, the application is considered disapproved.

"(6) No applicant shall commence business until its application is considered approved.

"(c) Any authority granted to acquire any District bank holding company or District bank shall be contingent on the review of the Superintendent and Council as provided in this subsection. Upon the filing of a complete application, the following procedures shall apply:

"(1)(A) A regional bank holding company that seeks to acquire a District bank holding company or a District bank shall file a copy of the complete draft of the application required to be filed with the Federal Reserve Board no later than 130 days prior to filing an application with the Federal Reserve Board for approval of an acquisition in accordance with 12 U.S.C. 1842. An applicant may file an application with the Federal Reserve Board at any time subsequent to issuance of a final recommendation by the Superintendent. No application required by this section shall be complete unless it is accompanied by an application fee in the amount of \$4,000.

"(B) Until the Superintendent is appointed and confirmed in accordance with section 3a, applications

for acquisitions by regional and nonregional bank holding companies shall be reviewed pursuant to procedures set forth in section 5 of this act, and pursuant to the standards set forth in this act, except that the period for submission and review of applications shall commence 45 days, exclusive of Saturdays, Sundays, holidays and days of Council recess, before filing with the Federal Reserve Board.

"(2) The Superintendent shall make either a favorable or unfavorable recommendation on the application and explain the reasons for the recommendation, and shall transmit to the Council the recommendation, a copy of the application, and any other relevant information or submissions within 60 days from the date of receipt of the application. The Superintendent shall consider the financial and managerial resources of the bank holding company, 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, the financial history of the bank holding company or its subsidiary, the adequacy of the community development program, and whether the acquisition may result in undue concentration of resources or substantial decrease of competition in the District.

"(3) The Council may adopt a resolution disapproving the Superintendent's recommendation within 45 days, excluding Saturdays, Sundays, holidays, and days when the Council is in recess, after receipt of the Superintendent's recommendation.



"(4) If the Council fails to adopt a resolution disapproving the Superintendent's recommendation within the 45-day period, the Superintendent's recommendation shall be considered approved.

"(5) If the Council adopts a resolution disapproving the recommendation of the Superintendent, the Council shall transmit the resolution to the Superintendent within 10 days after adoption of the resolution and the following procedures shall apply:

"(A) If the Superintendent has made a favorable recommendation on the application, the application is considered disapproved.

"(B) If the Superintendent has made an unfavorable recommendation on the application, the application is considered approved.

"(6) The Superintendent shall submit a copy of the final recommendation to the Federal Reserve Board.

"(7) The applicant shall include a copy of the Superintendent's final recommendation with its application to the Federal Reserve Board.

"(d) Where not inconsistent with federal law:

(1) Each application filed pursuant to this section shall, where appropriate, include information applicable to the nature of the application, the applicant's general plan of business, the applicant's proposed capital investment in the District, and a community development program.

"(2) The community development program shall set

forth the applicant's plan to:

"(A) Assist in the development of economically disadvantaged and underserved neighborhoods in the District;

"(B) Assist in meeting the credit and deposit service needs of low- and moderate-income and minority District residents;

"(C) Assist in expanding support for small, minority, and women-owned businesses; and

"(D) Market the community development program and publicize the community development program to the applicant's employees and to individuals and businesses located in areas which the applicant will serve.

"(3) To the extent considered appropriate, the Superintendent shall require that an applicant provide the following information:

"(A) A description of the local community, including low- and moderate-income neighborhoods where the applicant intends to provide credit and services and from which the applicant intends to draw deposits or customers, business services which the applicant will offer to low- and moderate-income persons throughout the District, a description of these low- and moderate-income persons, and a description of the banking services which the applicant will offer at a minimum cost to these persons. The applicant shall state its agreement to cash checks issued by the District and the United States governments at bank offices within target banking development areas, even though the

bearer of the check does not maintain an account at the bank. According to normal and prudent banking practices, the bank may verify that the individual who presents the check at the bank office is legally entitled to payment;

"(B) A description of the applicant's intended dividend policies;

"(C) A description of the applicant's intended underwriting policies;

"(D) A description of the applicant's loan policy, including the loan rates and the percentage of the total loans which will be made in low- and moderate-income areas. For the purposes of determining compliance with the requirements of this subsection, loans may include permanent mortgage financing for the purchase and rehabilitation of 1 to 4 unit owner-occupied buildings, or multi-family residential buildings, home improvement loans for single-family homes, and interim loans for construction or rehabilitation, or projects qualifying for permanent financing. For the purposes of determining compliance with the requirements of this subsection, the applicant may also offer FHA insured and VA guaranteed mortgage financing, including FHA title 1 home improvement loans, blanket and share loans for the purchase and rehabilitation of cooperatively owned residential properties, loans made pursuant to programs established under section 438 of An Act To increase compensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish

an equitable tax on real property in the District of Columbia; to provide additional revenue for the District of Columbia; and for other purposes, approved September 3, 1974 (88 Stat. 1059; D.C. Code, sec. 47-848), or a similar homesteading program established by the District of Columbia government, participation with nonprofit developers of housing, term loans for small, minority or women-owned businesses for building construction, building improvement, inventory and fixed asset financing, and working capital;

"(E) A description of any technical assistance that the applicant will offer to individuals and businesses in low- and moderate-income areas;

"(F) A description of the applicant's plans to use District-based minority firms to meet the applicant's procurement needs, including goods and professional services;

"(G) A description of the applicant's plans to cooperate with the District of Columbia's Department of Employment Services to identify potential District resident employees for the applicant's District offices, and a description of applicant's plans to assure the retention of existing jobs held by District residents;

"(H) A description of the applicant's plans to designate a senior lending officer to review specifically the needs of small, minority, or women-owned businesses and community development organizations;

"(I) A description of the applicant's plans to use its best efforts to increase the number of minority

and female representatives on the applicant's board of directors and on the board of any of the applicant's District-based subsidiaries, and a description of applicant's plans to establish a training program for employees at all levels of the bank's and bank holding company's operations;

"(J) A description of the applicant's plans for branching or opening new offices, and, where appropriate, a description of how those plans will aid the applicant in achieving the objectives of the community development program;

"(K) A description of the applicant's plans to sell food coupons, pursuant to 7 U.S.C 2011 et seq., in bank offices located in the District;

"(L) Any other information that the Superintendent considers appropriate; and

"(M) The applicant's agreement to submit an annual report to the Superintendent and the Council updating any information submitted to the Superintendent and the Council with regard to the community development program.

"(e)(1) If a bank holding company filing an application for review pursuant to this section has made in connection with that application any express written commitments to the Superintendent or the Council with respect to subjects set forth in subsection (d) of this section, the Superintendent may, at any time, review the activities of the bank holding company and of its District bank subsidiaries to determine whether the bank holding

company has fulfilled the express written commitments. The Superintendent may require a bank holding company that has made the express written commitments and its District bank subsidiaries to supply the information and to submit the reports the Superintendent considers necessary in order to make a determination under this subsection.

"(2) Upon the determination of the Superintendent that a bank holding company has failed to fulfill express written commitments that the bank holding company made with respect to subjects set forth in subsection (d) of this section, the Superintendent may order the bank holding company to take steps to comply with all the commitments within a reasonable period of time.

"(3) If the Superintendent believes at any time that a bank holding company subject to an order issued under paragraph (2) of this subsection has failed to comply with the order within the period specified in the order, the Superintendent may conduct a hearing in accordance with section 109 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1208; D.C. Code, sec. 1-1509), on the issue whether the bank holding company has fulfilled any express written commitments that the bank holding company made with respect to subjects set forth in subsection (d) of this section.

"(4) If, after a hearing as specified in paragraph (3) of this subsection, the Superintendent determines that a bank holding company has failed to fulfill express written commitments that the bank holding company

made with respect to subjects set forth in subsection (d) of this section, the Superintendent may order the bank holding company to divest itself of control of all District banks and District bank holding companies within a reasonable period of time. If the Superintendent orders a bank holding company to divest itself of control of all District banks and bank holding companies pursuant to this subsection, the divestiture shall, in all events, be completed within 1 year after the date on which the Superintendent's order becomes final and not pending further review.

"(5) The Superintendent's decision in a case initiated under subsection (e)(3) of this section shall be subject to judicial review by the District of Columbia Court of Appeals pursuant to section 110 of the District of Columbia Administrative Procedure Act, approved October 21, 19868 (82 Stat. 1208; D.C. Code, sec. 1-1510).

"(6) The Superintendent shall initiate any case under subsection (e)(3) of this section on the issue of whether a bank holding company has failed to fulfill express written commitments that the bank holding company made with respect to subjects set forth in subsection (d) of this section within 4 years of the date of acquisition of the District bank or District bank holding company in connection with which the bank holding company made the express written commitments.

"(f) Any applicant which files an application with the Superintendent pursuant to this section shall also file, on the same day, a notification copy of the application with

the Council.

"(g) Nothing in this section shall prohibit the applicant from resubmitting to the Superintendent a disapproved application. Any resubmitted application shall be considered in accordance with the procedures set forth in this section.

"(h) The Council shall hold a public hearing or public roundtable on each application transmitted to the Council by the Superintendent pursuant to section 5 or 7a.

"(i) The Superintendent may issue rules providing for emergency circumstances under which applications may be exempted from the Council review requirement of this act, if the Council has not disapproved the rules pursuant to section 3."

(d) Section 6 is amended to read as follows:

"Sec. 6. Prohibitions.

"(a) Except as otherwise expressly permitted by applicable federal or District law, a bank holding company that is neither a District bank holding company nor a regional bank holding company shall not acquire a District bank holding company or a District bank.

"(b) Except as otherwise required by applicable federal law, a District bank holding company or a regional bank holding company that ceases to be a District bank holding company or a regional bank holding company shall, as soon as practicable, and, in all events, within 1 year after the event, divest itself of control of all District bank holding companies and all District banks. Divestiture shall not be

D.C. Code,  
26-805  
(1987 supp.)



required if (1) the District bank holding company or the regional bank holding company ceases to be a District bank holding company or a regional bank holding company, as the case may be, because of an increase in the deposits held by bank subsidiaries not located within the region and if the increase is not the result of an acquisition of a bank holding company or bank, or (2) a District bank or District bank holding company ceases to be a District bank or District bank holding company because of an acquisition authorized by this act."

(e) A new section 7a is inserted to read as follows:

"Sec. 7a. Alternative entry by acquisition.

"(a)(1) Notwithstanding any other provisions of this act, 90 days after the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendment Act of 1985, any nonregional bank holding company may make application to the Superintendent for approval to acquire:

"(1) Any District bank that was in existence on December 18, 1985, and continuously operating for at least 2 years prior to that date, or

"(2) Any District bank holding company all of the District bank subsidiaries of which were in existence on December 18, 1985, and that had been in existence and continuously operating for at least 2 years prior to that date. The Superintendent shall list applications for acquisition among the pending applications in the Superintendent's periodic bulletin, published in the District of Columbia Register, and mailed without charge to

New,  
D.C. Code,  
26-806.1  
(1987 supp)

any person upon request. Prior to deciding whether to grant approval of the application, the Superintendent shall accept public comment on the application and shall hold a public hearing on the application, according to procedures established by the rules issued by the Superintendent. The Superintendent shall not approve the acquisitions unless it is found that the application satisfies the requirements of section 5, including the \$4,000 application fee, and subsection (b) of this section.

"(b) An applicant under this section shall be required to demonstrate to the Superintendent that:

"(1) The applicant will make loans and extend credit in a target economic development project in the District for an amount equal to or greater than .0625% of the applicant's total assets 3 years following the date of acquisition of a District bank holding company or District bank. In no event shall the amount of loans and extension of credit be less than \$50 million or required to be made more than \$100 million, though an applicant may agree to make loans and extend credit in target economic development projects in excess of \$100 million, and the loans shall not include temporary financing, general obligation bonds issued by the District government, or the purchase of an interest in a pool of mortgage loans, such as mortgage participation certificates issued or guaranteed by the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or the Farmers Home Administration;

"(2) The applicant will establish at least 2 bank

offices in target banking development areas, in addition to any acquired bank offices, within 3 years following the date of acquisition of a District bank or District bank holding company;

"(3) The applicant will cash checks issued by the District and the United States governments at bank offices within target banking development areas, even though the bearer of the check does not maintain an account at the bank. According to normal and prudent banking practices, the bank may verify that the individual who presents the check at the bank office is legally entitled to payment;

"(4) The applicant will sell food coupons pursuant to 7 U.S.C. 2011 et seq.;

"(5) The applicant will employ at least 200 District residents, or a lesser number according to a sliding scale based upon total assets to be developed by the Superintendent, but in no event less than 50, in positions located in the District that were not located in the District prior to approval of the application, within 3 years following the date of acquisition of a District bank holding company or District bank; and

"(6) The applicant will promote international trade and finance within the District.

"(c)(1) With its application, an applicant shall submit an irrevocable and confirmed letter of credit for \$10 million from an acceptable bank, as determined by the Superintendent. The letter of credit shall name the District of Columbia as the beneficiary and shall provide

that the District of Columbia Treasurer shall receive up to \$10 million upon presentation to the issuer by the Superintendent of a decision and order which is reached pursuant to the procedures in subsection (f) of this section and which is a final order because all administrative and judicial appeals of the decision and order are exhausted or untimely. The letter of credit shall be established as of the date when the applicant submits its application to the Superintendent.

"(2) In place of an irrevocable and confirmed letter of credit, the Superintendent may authorize the use of any other financial instrument which would assure payment of fines assessed pursuant to subsection (f) of this section.

"(d) The Superintendent may reduce or extend the time within which a bank holding company shall satisfy any commitment made in connection with an application filed pursuant to this section, if the Superintendent finds that the commitment was contingent upon certain action to be taken by the District and the District does not take the action, or, upon good cause shown, the economic or financial conditions of the bank holding company justifies the action and the Council approves, by resolution, the reduction or extension.

"(e) Any District bank holding company or District bank may choose not to be acquired pursuant to this section by having a resolution to that effect passed by its board of directors and shareholders. The resolution shall be

forwarded to the Superintendent within 60 days after its adoption. No acquisition of a bank or bank holding company which has timely filed such a resolution shall be allowed by the Superintendent unless notice is given to the Superintendent, at the time an application is filed, that the resolution has been withdrawn or reversed by vote of the board of directors and shareholders.

"(f)(1) The Superintendent may, at any time, review the activities of a nonregional bank holding company making an acquisition under this section and of its District bank subsidiaries to determine whether the nonregional bank holding company is fulfilling the commitments set forth in section 7a(b). In all events, at the end of 3 years following the acquisition of a District bank or a District bank holding company under this section, the Superintendent shall review the activities of the nonregional bank holding company making the acquisition, and of its District bank subsidiaries, and shall determine whether the nonregional bank holding company has fulfilled, and is continuing to fulfill, the commitments set forth in section 7a(b). The Superintendent shall complete the review and make the determination no later than 3 years and 3 months after the acquisition of a District bank or bank holding company by the nonregional bank holding company. The Superintendent may require a nonregional bank holding company making an acquisition under this section, and its District bank subsidiaries, to supply the information and to submit the reports the Superintendent considers necessary in order to

make a determination under this subsection.

"(2) Upon the determination of the Superintendent that a bank holding company has failed to comply with any commitment made in connection with an application filed pursuant to this section, the Superintendent shall order the company to take steps to comply with the commitment within a specified reasonable period of time. The Superintendent may extend this specified reasonable period of time.

"(3) If, 30 days after the date specified for compliance by an order issued pursuant to this subsection, including any extension, the Superintendent believes that the bank holding company has not complied with the order, the Superintendent shall hold a hearing pursuant to section 109 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 stat. 1208; D.C. Code, sec. 1-1509), to determine whether the bank holding company has failed to comply with the order. The hearing shall be subject to judicial review by the District of Columbia Court of Appeals pursuant to section 110 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 stat. 1208; D.C. Code, sec. 1-1510).

"(4) If, after the hearing and final order issued upon the completion of all appeals, the Superintendent concludes that the bank holding company has not complied with the Superintendent's order within the specified period to time, including any extension, the bank holding company has not undertaken a good faith effort to comply with the Superintendent's order, and the applicant has not

substantially completed its commitment pursuant to this section, the Superintendent shall either:

"(A) Order the bank holding company to divest itself of control of all District banks and bank holding companies within a reasonable period of time. If, the Superintendent orders a bank holding company to divest itself of control of all District banks and bank holding companies pursuant to this paragraph, the divestiture shall, in all events, be completed within 1 year after the date on which the Superintendent's order becomes final and not pending further judicial review; or

"(B) Fine the bank holding company \$10,000,000 and present the decision and order, including a showing that all administrative and judicial appeals of that decision and order are exhausted or untimely, to the issuer of the \$10,000,000 letter of credit or other financial assurance required in section 7a(c), and shall call upon the issuer to honor the letter of credit or other financial assurance for the full amount of \$10,000,000.

"(5) If, after the hearing and final order issued upon the completion of all appeals, the Superintendent concludes that the bank holding company has not complied with the Superintendent's order within the specified period of time, including any extension, the bank holding company has not undertaken a good faith effort to comply with the Superintendent's order, and the bank holding company has substantially completed its commitment pursuant to this section, the Superintendent may fine the bank holding

company up to \$10,000,000, and, if the Superintendent does fine the bank holding company, the Superintendent shall present the decision and order, including a showing that all administrative and judicial appeals of that decision and order are exhausted or untimely, to the issuer of the \$10,000,000 letter of credit or other financial assurance required in section 7a(c), and shall call upon the issuer to honor the letter of credit or other financial assurance for payments equal to the amount of the fines assessed pursuant to this paragraph.

"(6) If, after the hearing and final order issued upon the completion of all appeals, the Superintendent concludes that the bank holding company has not complied with the Superintendent's order within the specified period of time, including any extension, the bank holding company has undertaken a good faith effort to comply with the Superintendent's order, and the bank holding company has not substantially completed its commitment pursuant to this section, the Superintendent may fine the bank holding company up to \$10,000,000, and, if the Superintendent does fine the bank holding company, the Superintendent shall present the decision and order, including a showing that all administrative and judicial appeals of that decision and order are exhausted or untimely, to the issuer of the \$10,000,000 letter of credit or other financial assurance required in section 7a(c), and shall call upon the issuer to honor the letter of credit or other financial assurance for payment equal to the amount of the fines assessed pursuant



to this paragraph.

"(7) If, after the hearing and final order issued upon the completion of all appeals, the Superintendent concludes that the bank holding company has not complied with the Superintendent's order within the specified period of time, including any extension, the bank holding company has undertaken a good faith effort to comply with the Superintendent's order and the bank holding company has substantially completed its commitment pursuant to this section, the Superintendent may fine the bank holding company up to \$5,000,000, and, if the Superintendent does fine the bank holding company, the Superintendent shall present the decision and order, including a showing that all administrative and judicial appeals of that decision and order are exhausted or untimely to the issuer of the \$10,000,000 letter of credit or other financial assurance required in section 7a(c), and shall call upon the issuer to honor the letter of credit or other financial assurance for payment equal to the amount of the fines assessed pursuant to this paragraph, but the payment shall not be greater than \$5,000,000.

"(8) The Superintendent shall exercise the Superintendent's authority under subsection (f)(3), (4), (5), and (6) of this section within 4 years of the date of the acquisition of a District bank holding company or District bank, plus any extensions and any period during which a hearing and its appeals, if any, are pending pursuant to subsection (f) of this section.

"(9) The Superintendent shall submit a written report of any actions that the Superintendent takes pursuant to this subsection to the Council and to the Federal Reserve Board."

(f) Section 8(b) is amended to read as follows:

"(b) Each bank holding company making the submission to the Superintendent required by section 5 or 7a shall include in that submission a statement identifying a registered agent and registered office for the bank holding company. The registered agent shall be an agent of the bank holding company upon whom process of law against the company may be served. All notices or demands required or permitted by law may be served upon the registered agent. The registered agent and office may be the same as that used by the District bank holding company or District bank sought to be acquired or established. The appointment of a registered agent for purposes of this section must meet the requirements imposed on a foreign corporation's appointment of a registered agent and office by section 106 of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 222; D.C. Code, sec. 29-399.7). If the bank holding company fails to properly appoint or maintain a registered agent and office in the District, the Mayor shall be an agent of the bank holding company upon whom any process of law, notice, or demand against the bank holding company may be served. All matters served upon the Mayor pursuant to this section shall be handled in the same manner as matters served upon the Mayor on behalf of foreign

D.C. Code,  
26-807  
(1987 supp

corporations pursuant to section 108(b) and (d) of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 223; D.C. Code, sec. 29-399.9(b) & (d)). The appointment of a registered agent pursuant to this section may not be revoked or modified, except that a new registered agent may be substituted, so long as any liability for the fines imposed by this act remains outstanding against the bank holding company. Upon satisfaction of any liability, the appointment may be revoked or otherwise modified, unless the bank holding company is otherwise required by law to maintain the registered agent and office."

(g) A new section 8a is added to read as follows:

"Sec. 8a. Insurance.

"(a) Any bank or trust company established or created pursuant to this act shall be required to be insured with the Federal Deposit Insurance Corporation pursuant to 12 U.S.C. 1811 et seq.

"(b) Any savings and loan association established or created pursuant to this act shall be required to be insured with the Federal Savings and Loan Insurance Corporation pursuant to 12 U.S.C. 1724 et seq."

(h) A new section 8b is added to read as follows:

"Sec. 8b. Penalties.

"(a) Any company violating any provision of this act or any rule issued pursuant to it shall be subject to a penalty of not more than \$100 per day for each day the violation continues unless a different penalty is specified in this

New,  
D.C. Code  
26-807.1  
(1987 sup)

New,  
D.C. Code  
26-807.2  
(1987 sup)

act for the violation, in which case the specified penalty shall apply. Any penalty imposed shall be recovered in a civil action in the name of the District of Columbia.

"(b) Any company willfully violating this act or any rule or regulation issued pursuant to this act, shall be subject to a penalty of not more than \$1,000 a day for each day the violation continues unless a different penalty is specified in this act for the violation, in which case the specified penalty shall apply.

"(c) The Superintendent shall report violations to the Corporation Counsel who may institute a civil action therefore on behalf of the District of Columbia.

"(d) Any applicant that fails to comply with requirements concerning filing with the Superintendent and the Council prior to filing with the Federal Reserve Board shall be fined \$500 per day for each day the violation continues, but in no event shall the fine imposed by this subsection exceed \$5,000, except that no fine or penalty under this subsection shall be assessed for failure to comply with this section if the application concerns an acquisition under circumstances constituting an emergency, pursuant to 12 U.S.C. 1842(b), or where the applicant believes, in good faith, that the application concerns such an acquisition, so long as the applicant, as soon as practicable before or after filing with the Federal Reserve Board, files a copy of the application and any notice of approval or disapproval by the Federal Reserve Board with the Superintendent."

(i) Section 9 is repealed.

(j) A new section 10a is inserted to read as follows:

"Sec. 10a. Applicability; amendments.

"(a) Except as expressly provided, the following laws shall not apply to national banks organized pursuant to 12 U.S.C. 21-95, members of Federal Home Loan Banks as defined in 12 U.S.C. 1422-24, and Federal Credit Unions as defined in 12 U.S.C. 1752, but shall apply to all banks, savings companies, trust companies, related holding companies, or other banking institutions in the District of Columbia:

"(1) Sections 55, 56, 641, 687 through 700, and 713 through 748 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1289; D.C. Code, secs. 26-101, -102, -401 through -436, and -501 through -517);

"(2) Sections 1 through 11 and 14 of An Act To regulate the business of loaning money on security of any kind by persons, firms, and corporations other than national banks, building and loan associations, and real estate brokers in the District of Columbia, approved February 4, 1913 (37 Stat. 657; D.C. Code, sec. 26-701 et seq.);

"(3) An Act Regulating corporations doing a banking business in the District of Columbia, approved April 26, 1922 (42 Stat. 500; D.C. Code, sec. 26-103);

"(4) Sections 1 and 2 of An Act Relating to the payment or delivery by banks or other persons or institutions in the District of Columbia of deposits of money and property held in the names of two or more persons,

Repeal,  
D.C. Code  
26-808  
(1987 supp)

New,  
D.C. Code  
26-809.1

Note,  
D.C. Code  
26-101, -201  
-301, -401  
-601, -701  
(1987 supp)

and for other purposes, approved May 15, 1928 (45 Stat. 533; D.C. Code, secs. 26-201 & -202);

"(5) Sections 4, 6, 7, and 8 of An Act To further regulate banking, banks, trust companies, and building and loan associations in the District of Columbia, and for other purposes, approved March 4, 1933 (47 Stat. 1564; D.C. Code, secs. 26-104, -104, -108, & -109);

"(6) Section 337 of the Banking Act of 1935, approved August 23, 1935 (49 Stat. 720; D.C. Code, secs. 26-105 & -106);

"(7) Sections 2, 4, and 5 of An Act Relating to banking, banks, and trust companies in the District of Columbia, and for other purposes, approved April 5, 1939 (53 Stat. 566; D.C. Code, secs. 26-110, -203, & -204);

"(8) The Uniform Common-Trust Fund Act, approved October 27, 1949 (63 Stat. 938; D.C. Code, sec. 26-301 et seq.);

"(9) Section 4 of An Act To provide that certain functions of the Comptroller of the Currency which relate to building associations organized in, or doing business in, the District of Columbia shall hereafter be performed by the Home Loan Bank Board, and for other purposes, approved September 15, 1951 (65 Stat. 324; D.C. Code, sec. 26-505);  
and

"(10) Sections 1 through 4 of An Act To repeal the District of Columbia Credit Unions Act, to convert credit unions incorporated under the provisions of the Act to Federal credit unions, and for other purposes, approved

August 1, 1964 (78 Stat. 377; D.C. Code, sec. 26-601 et seq.).

"(b) The Superintendent shall not have the power to regulate the authority or activities of a bank holding company or bank in a manner which, directly or indirectly, cause it to operate its national banking subsidiary in a manner which violates federal requirements."

(k) A new section 10b is inserted to read as follows:

"Sec. 10b. Conforming amendments.

"(a) An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1302; D.C. Code, title 26, chapters 1, 4, & 5), is amended as follows:

"(1) The second paragraph of section 641 (D.C. Code, sec. 26-403) is amended by inserting after the phrase 'under the provisions of this act' the phrase ', but before the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985'.

D.C. Code  
26-403  
(1987 su

"(2) Section 691 (D.C. Code, sec. 26-504) is amended by inserting following the sentence ending with the phrase 'March 4, 1909, need not be incorporated.' 2 sentences to read as follows:

D.C. Code  
26-504  
(1987 su

'After the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985, the preceding language in this section shall not apply to entities formed under this act. Thereafter the Superintendent of Banking and Financial Institutions shall supervise these entities.'"

"(3) Section 691a (D.C. Code, sec. 26-506) is amended as follows:

D.C. Code  
26-506  
(1987 str)

"(A) The lead-in language (D.C. Code, sec. 26-506(a)) is amended by striking the phrase 'Federal Home Loan Bank Board' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

"(B) Subsection (a) (D.C. Code, sec. 26-506(a)(1)) is amended by striking the phrases 'Treasurer of the United States', 'Treasury of the United States', and 'Federal Home Loan Bank Board' wherever they appear and inserting the phrases 'District of Columbia Treasurer', 'Office of the Treasurer', and 'Superintendent of Banking and Financial Institutions', respectively, in their places.

"(C) Subsection (b) (D.C. Code, sec. 26-506(a)(2)) is amended by striking the phrase 'Federal Home Loan Bank Board' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

"(D) Subsection (c) (D.C. Code, sec. 26-506(a)(3)) is amended by striking the phrase 'Federal Home Loan Bank Board' wherever it appears and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

"(E) Subsections (e) through (h) (D.C. Code, sec. 26-506(b)-(e)) is amended by striking the phrase 'Federal Home Loan Bank Board' wherever it appears and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.



"(F) Subsection (i) (D.C. Code, sec.

26-506(f)) is amended by striking the phrases 'in the name of the United States' and 'Treasury of the United States' and inserting the phrases 'in the name of the District of Columbia' and 'Office of the Treasurer', respectively, in their places.

"(4) The first paragraph of section 713 (D.C. Code, sec. 26-101) is amended by inserting before the sentence beginning with the phrase 'All savings banks, or savings companies,' the phrase 'Except as provided in the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985,'.

D.C. Code  
26-101  
(1987 supp

"(5) Section 714(c) (D.C. Code, sec. 26-102(c)) is amended by adding a new paragraph (3) to read as follows:

D.C. Code  
26-102  
(1987 supp

"(3) that after the effective date of the District of Columbia Regional Interstate Bank Act of 1985 Amendments Act of 1985 this subsection shall not apply to banks which are not national banks.'

"(6) Section 719 (D.C. Code, sec. 26-407) is amended by striking the phrases 'Comptroller of the Currency' and 'Comptroller' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in their places.

D.C. Code,  
26-407  
(1987 supp

"(7) Section 720 (D.C. Code, sec. 26-408) is amended to read as follows:

D.C. Code,  
26-408  
(1987 supp

"Sec. 720. All companies organized under this act, or which shall, under the provisions of this act, become entitled to transact the business of a trust company, shall

report to the Superintendent of Banking and Financial Institutions pursuant to the District of Columbia Regional Interstate Banking Act of 1985, effective November 23, 1985, effective November 23, 1985 (D.C. Law 6-63; to be codified at D.C. Code, sec. 26-801 et seq.), as amended by the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985.'

"(8) Section 721 (D.C. Code, sec. 26-409) is amended by striking the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

D.C. Code,  
26-409  
(1987 supp.)

"(9) Section 725 (D.C. Code, sec. 26-413) is amended by striking the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

D.C. Code,  
26-413  
(1987 supp.)

"(10) Section 727 (D.C. Code, sec. 26-415) is amended by inserting after the phrase 'named in this act' the phrase 'and granted before the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985'.

D.C. Code,  
26-415  
(1987 supp.)

"(11) Section 728 (D.C. Code, sec. 26-416) is amended by striking the phrases 'Comptroller of the Currency' and 'Comptroller' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in their places.

D.C. Code,  
26-416  
(1987 supp.)

"(12) Section 730 (D.C. Code, sec. 26-418) is amended by striking the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and

D.C. Code,  
26-418  
(1987 supp.)

Financial Institutions' in its place.

"(13) Section 731 (D.C. Code, sec. 26-419) is amended by striking the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place. D.C. Code, 26-419 (1987 supp)

"(14) Section 735 (D.C. Code, sec. 26-423) is amended by striking the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place. D.C. Code, 26-423 (1987 supp)

"(15) The second paragraph of section 743 (D.C. Code, sec. 26-431(b)) is amended by striking wherever it appears the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place. D.C. Code, 26-431 (1987 supp)

"(b) An Act Regulating corporations doing a banking business in the District of Columbia, approved March 4, 1933 (47 Stat. 1564; D.C. Code, sec. 26-103), is amended as follows: D.C. Code, 26-103 (1987 supp)

"(1) Subsection (b) (D.C. Code, sec. 26-103(b)) is amended by striking the phrase 'Comptroller of the Currency' and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

"(2) Subsection (c) (D.C. Code, sec. 26-103(c)) is amended by striking the phrase 'Federal Home Loan Bank Board' wherever it appears and inserting the phrase 'Superintendent of Banking and Financial Institutions' in its place.

"(3) Subsection (d) (D.C. Code, sec. 26-103(d))

is amended by inserting before the phrase 'Any solvent financial institution' the phrase 'Except as provided in the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985,'.

"(c) An Act to further regulate banking, banks, trust companies, and building and loan associations in the District of Columbia, and for other purposes, approved March 4, 1933 (47 Stat. 1564; D.C. Code, title 26, chapter 1) is amended as follows:

"(1) Section 4(c) (D.C. Code, sec. 26-104(b)) is amended by adding at the end a phrase to read as follows: D.C. Code, 26-104 (1987 supp.)

"'Provided, further, that the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985 shall apply to banks which are not national banks.'.

"(2) Section 6 (D.C. Code, sec. 26-107) is amended by inserting following the phrase 'is approved by the Comptroller of the Currency' a new paragraph (3) to read as follows: D.C. Code, 26-107 (1987 supp.)

"(3) the business is carried on under the supervision of the Superintendent of Banking and Financial Institutions and the name or title is approved by the Superintendent of Banking and Financial Institutions.'.

"(3) Section 8 (D.C. Code, sec. 26-109) is amended by adding at the end a phrase to read as follows: D.C. Code, 26-109 (1987 supp.)

"'Provided, that the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985 shall apply to banks which are not national banks.'.

"(d) Section 5 of An Act Relating to banking, banks, D.C. Code, 26-110 (1987 supp.)

and trust companies in the District of Columbia, and for other purposes, approved April 5, 1939 (53 Stat. 567; D.C. Code, sec. 26-110), is amended by adding at the end the phrase 'or the Superintendent of Banking and Financial Institutions, whichever is appropriate.'

"(e) Section 4 of An Act To provide that certain functions of the Comptroller of the Currency which relate to building associations organized in, or doing business in, the District of Columbia shall hereafter be performed by the Home Loan Bank Board, and for other purposes, approved September 15, 1951 (65 Stat. 324; D.C. Code, sec. 26-505), is amended by adding at the end a sentence to read as follows:

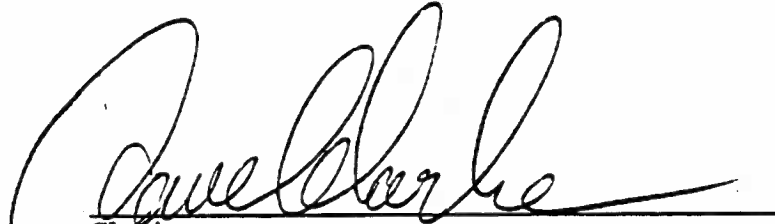
D.C. Code,  
26-505  
(1987 supp

"'After the effective date of the District of Columbia Regional Interstate Banking Act of 1985 Amendments Act of 1985, the powers, duties, and functions referred to in this section shall reside in the Superintendent of Banking and Financial Institutions.'"

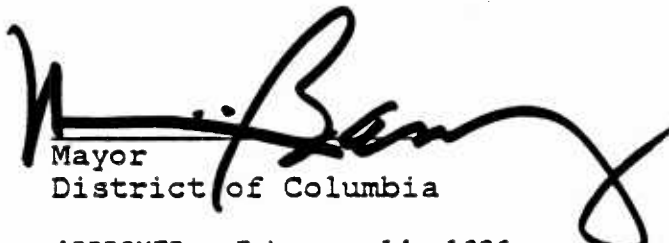
Sec. 3. Effective Date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act,

approved December 29, 1973, (87 Stat. 813; D.C. Code, sec.  
1-233 (c)(1)).



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: February 14, 1986



# COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Six - Second Session

## RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B 6-276

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 1-14-86

VOICE VOTE: Unanimous

Recorded vote on request

Absent: Schwartz

ROLL CALL VOTE: - RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X - Indicates Vote      A.B. - Absent      N.V. - Present, not voting

CERTIFICATION RECORD

*Russell Smith*  
Secretary to the Council

2/3/86  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 1-28-86

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: - RESULT \_\_\_\_\_

( 12 / 1 / 0 / 0 )

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE	X				RAY	X				SPAULDING	X			
CRAWFORD	X				ROLARK	X				WILSON		X		
JARVIS	X				SCHWARTZ	X				WINTER	X			
KANE	X				SHACKLETON	X								
MASON	X				SMITH, JR.	X								

X - Indicates Vote      A.B. - Absent      N.V. - Present, not voting

CERTIFICATION RECORD

*Russell Smith*  
Secretary to the Council

2/3/86  
Date

Item on Consent Calendar

ACTION & DATE: \_\_\_\_\_

VOICE VOTE: \_\_\_\_\_

Recorded vote on request

Absent: \_\_\_\_\_

ROLL CALL VOTE: - RESULT \_\_\_\_\_

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					RAY					SPAULDING				
CRAWFORD					ROLARK					WILSON				
JARVIS					SCHWARTZ					WINTER				
KANE					SHACKLETON									
MASON					SMITH, JR.									

X - Indicates Vote      A.B. - Absent      N.V. - Present, not voting

CERTIFICATION RECORD