

**Banks and Banking—Place of Business, Change Of.**

A bank is not authorized to change its place of business to a place outside of the county in which its principal place of business is located.

February 9th, 1920.

Hon. H. S. Magraw,  
Superintendent of Banks,  
Helena, Montana.

Dear Sir:

I am in receipt of your letter of recent date asking whether or not, by reason of the provisions of Section 16 C, Chapter 148, Session Laws 1917, a bank may change its place of business from a place in one county to a place in another county. Such section provides that any bank now organized and existing or which may hereafter be organized, may upon approval of the Superintendent of Banks, change its principal place of business from one place to another, *in the same county* within this state. Section 16 D prescribes the procedure for changing the place of business of a bank, and must be construed with Section 16 C, and so construed provision is made for changing its place of business from one place to another place in the same county, and the procedure to be followed for the purpose of effecting such change. However, no provision is made for changing the place of business from a place in one county to a place in another county, and in the absence of any such provision it must be presumed that the legislature intended that a bank doing business at one place in a county might change such place of business to some other place in the same county, but not to a place outside of such county.

It is, therefore, my opinion that a bank cannot change its place of business to a place outside of the county in which its principal place of business is located.

Respectfully,

S. C. FORD,

Attorney General.