

## 1 SENATE BILL NO. 104

2 INTRODUCED BY BECK, DEVANEY

3 BY REQUEST OF THE DEPARTMENT OF COMMERCE

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF COMMERCE TO EXAMINE  
6 THE BOOKS AND AFFAIRS OF BANK HOLDING COMPANIES; AND AMENDING SECTION 32-1-220, MCA."

7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9

10 **Section 1.** Section 32-1-220, MCA, is amended to read:11 **"32-1-220. Examination of holding companies and affiliated entities.** The division ~~shall request~~  
12 ~~assistance from and cooperate with the federal reserve system in the examination~~ may examine the books  
13 and affairs of bank holding companies under the Bank Holding Company Act of 1956 in order to resolve  
14 issues relating to the safety and soundness of banks under the jurisdiction of the division."

15

-END-

APPROVED BY COM ON  
STATE ADMINISTRATION

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7 32-1-220, MCA."8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:10  
11 **Section 1.** Section 32-1-220, MCA, is amended to read:12 "**32-1-220. Examination of ACCESS TO holding companies and affiliated entities.** The division shall  
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14 REVIEW the books and affairs of ~~A bank holding companies~~ COMPANY OPERATING under the Bank Holding  
15 Company Act of 1956 ~~in order to resolve issues relating to the safety and soundness of banks under the~~  
16 ~~jurisdiction of the division~~ DURING THE COURSE OF A REGULARLY SCHEDULED SAFETY AND  
17 SOUNDNESS EXAMINATION WHENEVER SERIOUS REGULATORY CONCERNS ARISE THAT COULD  
18 JEOPARDIZE THE SAFETY AND SOUNDNESS OF THE PARTICULAR SUBSIDIARY BEING EXAMINED. THE  
19 PURPOSE OF THE AUTHORITY GRANTED IN THIS SECTION IS TO RESOLVE SERIOUS REGULATORY  
20 CONCERNS THAT ARISE DURING THE EXAMINATION FROM BANK HOLDING COMPANY TRANSACTIONS  
21 WITH THE SUBSIDIARY BEING EXAMINED. THE AUTHORITY GRANTED IN THIS SECTION DOES NOT  
22 AUTHORIZE A REVIEW OF THE HOLDING COMPANY AS A STANDARD PROCEDURE WHEN THE DIVISION  
23 HAS NO SERIOUS REGULATORY CONCERNS OVER TRANSACTIONS WITH THE SUBSIDIARY BEING  
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