



# House of Representatives

General Assembly

**File No. 54**

February Session, 2002

House Bill No. 5074

*House of Representatives, March 18, 2002*

The Committee on Banks reported through REP. DOYLE of the 28th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## **AN ACT CONCERNING ASSESSMENTS AND REPORTS FILED WITH THE COMMISSIONER OF BANKING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (a) of section 36a-16 of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective July 1, 2002*):

4 (a) (1) Each Connecticut bank shall file with the commissioner such  
5 reports of condition and income as are required to be filed with the  
6 appropriate federal banking agency on the dates that such reports are  
7 required to be filed with such agency. [Such] Each mutual Connecticut  
8 bank shall publish such reports for the [periods] period ending [June  
9 thirtieth and] December thirty-first of each year [shall be published] in  
10 a newspaper published in the county where the main office of such  
11 mutual Connecticut bank is located in such form as the commissioner  
12 may prescribe within ten days of the date of such report, and such  
13 proof of publication shall be furnished as the commissioner may

14 require.

15 Sec. 2. Subsection (a) of section 36a-65 of the general statutes is  
16 repealed and the following is substituted in lieu thereof (*Effective July*  
17 *1, 2002*):

18 (a) The commissioner shall annually, on or after July first for the  
19 fiscal year commencing on said July first, collect pro rata based on  
20 asset size from each Connecticut bank and each Connecticut credit  
21 union an amount sufficient in the commissioner's judgment to meet  
22 the expenses of the Department of Banking, including a reasonable  
23 reserve for contingencies. Such assessments and expenses shall not  
24 exceed the budget estimates submitted in accordance with section 36a-  
25 13. Such assessments may be made more frequently than annually at  
26 the discretion of the commissioner. Such assessments for any fiscal  
27 year shall be reduced pro rata by the amount of any surplus from the  
28 assessments of prior fiscal years, which surplus shall be maintained in  
29 accordance with subdivision (4) of subsection (c) of this section. The  
30 commissioner may reduce any such assessment collected from a  
31 Connecticut bank up to the amount of any assessment for the same  
32 fiscal year collected from such bank by another state in which such  
33 bank has established a branch, limited branch or mobile branch. Such  
34 assessments for any fiscal year shall be a liability of such banks and  
35 credit unions as of the assessment date. Except as provided in this  
36 subsection, such assessments shall not be prorated for any reason.

37 Sec. 3. Subsection (b) of section 36a-65 of the general statutes is  
38 repealed and the following is substituted in lieu thereof (*Effective July*  
39 *1, 2002*):

40 (b) The fee for trust department examinations [is one hundred fifty  
41 dollars a day for the examiner in charge, including time for report  
42 writing, and one hundred dollars a day for each assisting examiner.  
43 Any daily charge based on less than a three and one-half hour day will  
44 be computed on the basis of one-half per day charge and any time in  
45 excess of three and one-half hours will be on the basis of a full day. The  
46 minimum rate for the examination of a trust department is one

47 hundred fifty dollars] shall be the actual cost of examination, as such  
48 cost is determined by the commissioner.

This act shall take effect as follows:	
Section 1	<i>July 1, 2002</i>
Sec. 2	<i>July 1, 2002</i>
Sec. 3	<i>July 1, 2002</i>

**BA**      *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:**

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
BF - Revenue Gain	Banking Dept.	26,000	26,000	26,000

Note: BF=Banking Fund

**Municipal Impact:** None

**Explanation**

There will be a revenue gain of \$26,000 annually for the Banking Fund. The \$150 fee for a trust examination is eliminated. The department will be able to assess the banks for the actual cost of trust examinations. The cost of a trust examination is about \$3,400. The department examines approximately 8 trust departments annually at a total cost of \$27,200. They receive \$1,200 for examining these departments now.

**OLR Bill Analysis**

HB 5074

***AN ACT CONCERNING ASSESSMENTS AND REPORTS FILED WITH THE COMMISSIONER OF BANKING*****SUMMARY:**

This bill requires only mutual Connecticut banks to publish annual reports of their condition and income in a newspaper in the county in which their main office is located. Current law requires all Connecticut banks to publish these reports twice each year. As under current law, all Connecticut banks must still file these reports with the banking commissioner.

The bill also allows the commissioner to decrease the amount he collects from a Connecticut bank as an assessment for the banking department's expenses up to the amount charged the bank by another state where the bank has a branch. It also simplifies the trust department examination fee structure by charging the amount that the commissioner determines to be the examination's actual cost. Current law imposes a minimum charge of \$150, and rates of \$150 per day for an examiner in charge and \$100 per day for an assisting examiner.

EFFECTIVE DATE: July 1, 2002

**COMMITTEE ACTION**

Banks Committee

Joint Favorable Report

Yea 17 Nay 0