

CHAPTER 13-02-19 TRUST COMPANIES

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13-02-19-01. Application.

An original and ten copies of the application to organize a trust company must be filed with the board. In lieu of an original application, the board will accept a copy of the application submitted to the federal deposit insurance corporation. The application must clearly indicate the types of trust services to be performed. The application must specify the location as to where the trust company is proposed to be located. The applicant must provide any additional information determined by the commissioner or board to be necessary.

History: Effective November 1, 1994.

General Authority: NDCC 6-01-04

Law Implemented: NDCC 6-05-01

13-02-19-02. Criteria for approval.

The applicant must demonstrate that the proposed trust committee and officers have experience commensurate with the trust powers being requested. Upon granting trust powers, the board may require the applicant to commit to a training program of trust schools and seminars acceptable to the board. The board may also direct the applicant to enter into a training agreement with another trust company or bank.

History: Effective November 1, 1994.

General Authority: NDCC 6-01-04

Law Implemented: NDCC 6-05-01

13-02-19-03. Equity capital.

The minimum equity capital for organization of a trust company is five hundred thousand dollars. The board may require additional equity capital whenever the proposed location of the trust company, the amount of fiduciary assets projected for the trust company, the amount of direct investments by the trust company, or other relevant financial projections so indicate. The minimum equity capital level set by the board will be such as necessary to ensure that the applicant is adapted to the filling of the need to establish trust services.

History: Effective November 1, 1994.

General Authority: NDCC 6-01-04

Law Implemented: NDCC 6-05-01

13-02-19-04. Publication and hearing.

A notice of hearing on an application must be issued at least forty-five days prior to the hearing on an application. The notice of hearing must be published by the secretary of the board for two successive weeks in the official newspaper of the county where the proposed trust company is to be located. The notice of hearing must also be sent by certified mail by the secretary of the board to all banks and trust companies located within the trade area of the trust company.

History: Effective November 1, 1994.

General Authority: NDCC 6-01-04

Law Implemented: NDCC 6-05-01