



## ADMINISTRATIVE RULES OF MONTANA

### **2.59.1102 REVIEW PROCEDURE FOR APPLICATIONS FOR APPROVAL TO ESTABLISH A NEW BRANCH BANK**

- (1) The department must process applications for new branch banks in the order in which they are received. If an application is incomplete, the department will notify the applicant by e-mail. An application will not be considered to have been received until it is in a complete form. An application is complete when all information required by the application form has been submitted and received. The department may request additional information from an applicant even if the application is considered complete.
- (2) Factors that will be considered when determining whether to approve an application to establish a new branch bank include, but are not limited to, the following:
  - (a) the financial history and condition of the applicant;
  - (b) the capital levels and capital structure of the applicant;
  - (c) the quality, financial and banking experience and depth of management of the applicant and the proposed branch bank;
  - (d) the convenience and needs of the community to be served at the proposed location of the new branch bank as evidenced by a brief statement provided by the applicant;
  - (e) earnings prospects of the applicant after establishing the new branch bank; and
  - (f) any other factors that could adversely affect the safety and soundness of the applicant or the viability of the new branch bank.
- (3) The department must approve or deny the application within 45 days of:
  - (a) the date of the last publication of the notice of intent to establish a new branch bank; or
  - (b) the date on which a complete application is received, whichever is later.
- (4) The 45-day deadline may be extended by the department when review of the complete application raises questions or concerns that require additional information from the applicant or any other entity or person. The applicant or other entity or person shall have 60 days to provide the requested information to the department. Following the receipt of all requested additional information and a complete application, the department may extend its review by a one-time 14-calendar day period.
- (5) When the department approves an application to establish a new branch bank, it will provide written notification to the applicant and the appropriate federal regulatory agency(s). The notification will include any conditions subject to the approval. Summary notification of the decision will be mailed to all persons or entities that have submitted written comment to the application.

- (6) When the department denies an application to establish a new branch bank it will provide written notification to the applicant, the appropriate federal regulator(s), and all persons or entities that have submitted written comment to the application. The written notification to the applicant will include the reasons for the denial.
- (7) If an administrative hearing is requested under MAPA on the denial of an application, the time for the filing of a request for a hearing must occur within 14 calendar days following the department's decision.

**Authorizing statute(s):** 32-1-218, 32-1-372, MCA

**Implementing statute(s):** 32-1-218, 32-1-372, MCA

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**History:** NEW, 1997 MAR p. 1454, Eff. 8/19/97; TRANS, 1998 MAR p. 2480, Eff. 9/11/98; TRANS, from Commerce, 2001 MAR p. 1178; AMD, 2016 MAR p. 2326, Eff. 12/10/16; AMD, 2020 MAR p. 1698, Eff. 9/12/20; AMD, 2025 MAR, Notice No. 2025-900, Eff. 9/13/25.