



ADMINISTRATIVE RULES OF MONTANA



2.59.2205 PERSUASIVE SHOWING OF REASONABLE PUBLIC NECESSITY AND DEMAND

- (1) In determining whether reasonable public necessity and demand is established, the department must assess the needs of the community as a whole and determine whether the proposed new depository bank will promote the public interest of the community and provide for a safe, sound, and reasonably competitive financial institution.
- (2) In making this determination the following are among the factors which the department may consider:
 - (a) the number of banks already serving the area in which the proposed bank would locate;
 - (b) the size of the area;
 - (c) the population of the area;
 - (d) the wealth of residents of the area;
 - (e) the commercial and industrial development of the area;
 - (f) the socio-economic trends of the area;
 - (g) the adequacy of the services being provided by existing banks compared to the needs of residents and the services to be offered by the proposed bank, including a detailed list of banking services that will be offered to the community to be served by the new bank;
 - (h) the capability of existing banks to handle potential growth of the area;
 - (i) the convenience of the location of existing banks to residents of the area as compared to the convenience of the proposed bank;
 - (j) the size of financial institutions in the area;
 - (k) the history of financial institutions in the area;
 - (l) an indication of the support the proposed bank could reasonably expect to receive from representative segments of the businesses and residents of the area; and
 - (m) the probability of the success of the proposed bank, including the backgrounds and expertise of management.

Authorizing statute(s): 32-1-218, 32-1-240, MCA

Implementing statute(s): 32-1-240, MCA

History: Eff. 12/6/73; AMD, Eff. 4/4/77; AMD, 1994 MAR p. 1146, Eff. 4/29/94; TRANS, from Commerce, 2001 MAR p. 1181; TRANS and AMD, from 2.60.301, 2025 MAR, Notice No. 2025-900, Eff. 9/13/25.