

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2240

Introduced by

Senators Klein, Dever

Representatives Belter, Boe, Wald

1 A BILL for an Act to create and enact a new section to chapter 6-08.4 of the North Dakota
2 Century Code, relating to the powers of an industrial bank; and to declare an emergency.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 6-08.4 of the North Dakota Century Code is
5 created and enacted as follows:

6 **Powers of industrial bank.** An industrial bank may not accept deposits or make loans
7 at a commercial location unless the industrial bank is owned by a financial holding company as
8 defined in 12 U.S.C. 1841(p). For purposes of this section, "commercial location" means a
9 location owned, operated, leased, or otherwise controlled by an entity that derives fifteen
10 percent or more of its annual gross revenues, on a consolidated basis, including all affiliates of
11 the entity, from engaging, on an ongoing basis, in activities that are not financial in nature or
12 incidental to a financial activity during at least three of the prior four calendar quarters, as
13 determined by the department of financial institutions.

14 **SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure.