

Sixty-second
Legislative Assembly
of North Dakota

SENATE BILL NO. 2104

Introduced by

Industry, Business and Labor Committee

(At the request of the State Treasurer)

1 A BILL for an Act to amend and reenact section 6-01-17 of the North Dakota Century Code,
2 relating to a yearly assessment of banks and interstate branches; to provide an effective date;
3 and to declare an emergency.

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

5 **SECTION 1. AMENDMENT.** Section 6-01-17 of the North Dakota Century Code is amended
6 and reenacted as follows:

7 **6-01-17. Yearly assessment of banks and interstate branches.**

8 Every state banking association and banking institution under the jurisdiction and control of
9 the commissioner and the commissioner's deputy examiners by this title, including the Bank of
10 North Dakota and every branch of an out-of-state state bank, shall pay a yearly assessment.
11 This assessment is to be determined by the state banking board as necessary to fund that
12 portion of the department's budget relating to the regulation of state-chartered banks and
13 branches of out-of-state state banks, including the authority to enter into cooperative fee
14 sharing agreements and assessment of associated travel costs with other state bank
15 supervisors. Assessment fees may not be computed on the combined assets of the bank and its
16 trust department for those banks and branches exercising trust powers. Fees for the
17 examination of the trust department must be computed in accordance with section 6-05-28. The
18 assessment must be paid to the ~~state treasurer~~department of financial institutions within thirty
19 days of each June thirtieth. Institutions and branches that have not been examined by the
20 commissioner or the state banking board for three years prior to any assessment date shall not
21 be required to pay the assessment. ~~The state treasurer shall report such payments of fees to~~
22 ~~the commissioner, and if~~ any such corporation or institution or branch is delinquent more than
23 twenty days in making such payment, the board may make an order suspending the functions
24 of such delinquent corporation, institution, or branch until payment of the amount due. The

1 commissioner may assess a penalty of five dollars for each day that the assessment fee is
2 delinquent. All fees and penalties under this section must be ~~paid to~~deposited with the state
3 treasurer and deposited in the financial institutions regulatory fund.

4 **SECTION 2. EFFECTIVE DATE.** This Act becomes effective June 1, 2011.

5 **SECTION 3. EMERGENCY.** This Act is declared to be an emergency measure.