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MEMORANDUM

To: Chairman DeGraaf and members of the House Financial Institutions Committee
From: Matt Sterling, Assistant Revisor of Statutes
Date: March 14, 2013
RE: Senate Bill 129

SB 129 amends K.S.A. 9-804, 9-1111, 9-1135, 9-1402, 9-1804, 9-2107, 9-2108 and 9-2111 concerning the banking code and the assessment and payment of fees.

Section 1 of the bill would explicitly authorize the Bank Commissioner to charge a fee, to be established by rules and regulations adopted by the commissioner, for the issuance of a letter of good standing to a bank or trust company.

Sections 2, 3, 6, and 7 of the bill would require that an applicant pay the actual costs associated with a public hearing as part of an application requiring examination of the application.

Section 4 of the bill would explicitly authorize the Bank Commissioner to charge a fee, to be established by rules and regulations adopted by the commissioner, for an application for the commissioner's approval of a revenue bond.

Section 5 of the bill would require that when a bank or trust company applies to the commissioner for permission to change its place of business within this state that the actual costs associated with any public hearing as a part of such an application be paid by the person requesting the public hearing. Such a hearing can be requested by the applicant or any adversely affected or aggrieved person who provided written comments during the specified comment period, may request a hearing with the state banking board. The section would also explicitly authorize the commissioner to charge a fee, to be established by rules and regulations adopted by the commissioner, for such an application.

Section 8 of the bill would require a Kansas trust company or a Kansas bank applying for approval to establish a trust facility to pay a fee, established by rules and regulations adopted by the commissioner, to be remitted to an account for each application and used to pay the expenses of the commissioner in the examination and investigation of the application. Any unused balance would be transferred to the Bank Commissioner Fee Fund.

*Attachment 1
FIC 3-14-13*