2020 Regular Session

ACT No. 183

HOUSE BILL NO. 284

BY REPRESENTATIVE DAVIS

1	AN ACT
2	To amend and reenact R.S. 6:2(2), 452, and 532(6) and to enact R.S. 6:453 and 454, relative
3	to financial institutions; to provide for loan production offices; to provide for deposit
4	production offices; to provide definitions; to require written notification; to provide
5	for objections; to provide for powers of the commissioner; to provide for rules and
6	regulations; to provide for permissible activity; to provide for compliance; to provide
7	for combined offices; to provide for electronic financial terminals; and to provide for
8	related matters.
9	Be it enacted by the Legislature of Louisiana:
10	Section 1. R.S. 6:2(2), 452, and 532(6) are hereby amended and reenacted and R.S.
11	6:453 and 454 are hereby enacted to read as follows:
12	§2. General definitions
13	As used in this law:
14	* * *
15	(2) "Branch" or "branch office" means any manned office of a bank,
16	including a branch of an out-of-state bank, other than an automated teller machine,
17	electronic fund transfer terminal, point of sale terminal, or similar device or terminal.
18	The term "branch" or "branch office" shall not include a loan production office or
19	deposit production office or any combination thereof.
20	* * *

HB NO. 284 ENROLLED

1 Loan production offices; power of commissioner to adopt rules and 2 regulations 3 A.(1) Any Louisiana state-chartered bank, savings bank, or savings and loan 4 association, or a wholly owned operating subsidiary of such bank, savings bank, or 5 savings and loan association, may open one or more loan production offices. Prior 6 to opening a loan production office, the financial institution shall give written notice 7 to the commissioner. Upon receiving the written notice, the commissioner has 8 forty-five days to object. If the commissioner does not raise a timely objection, the 9 financial institution may proceed with opening the loan production office. If the 10 commissioner raises an objection, the commissioner shall, upon request, notify the 11 financial institution in writing as to the nature of the objection. 12 (2) "Loan production office" means a physically manned location, other than 13 the main office or branch office of a bank, savings bank, or savings and loan 14 association, with the authority to conduct the solicitation and origination of 15 applications for loans. 16 B. The commissioner shall authorize permissible activities of a loan 17 production office by rule or regulation. The commissioner shall have the right, and 18 is empowered to promulgate any rules, regulations, applications, filing procedures, 19 instructions, and fees that he deems necessary for the creation of loan production 20 offices in the state. 21 C. Notwithstanding Subsections A and B of this Section, or any other law, 22 rule, or regulation to the contrary, any state-chartered bank, savings bank, or savings 23 and loan association may seek to conduct any activity at a loan production office that 24 is a permissible activity for a loan production office of a national bank by complying 25 with R.S. 6:242(C). 26 §453. Deposit production offices; power of commissioner to adopt rules and 27 regulations 28 A.(1) Any Louisiana state-chartered bank, savings bank, or savings and loan 29 association, or a wholly owned operating subsidiary of such bank, savings bank, or

savings and loan association, may open one or more deposit production offices. Prior

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HB NO. 284 ENROLLED

notice to the commissioner. Upon receiving the written notice, the commissioner has forty-five days to object. If the commissioner does not raise a timely objection, the financial institution may proceed with opening the deposit production office. If the commissioner raises an objection, the commissioner shall, upon request, notify the financial institution in writing as to the nature of his objection.

(2) "Deposit production office" means a physically manned location, other than the main office or branch office of a bank, savings bank, or savings and loan association, with the authority to solicit deposits, provide information about deposit products, and assist persons in completing application forms and related documents to open deposit accounts.

B. The commissioner shall authorize permissible activities of a deposit production office by rule or regulation. The commissioner shall have the right, and is empowered to promulgate any rules, regulations, filing procedures, instructions, and fees that he deems necessary for the creation of deposit production offices in the state.

C. Notwithstanding Subsections A and B of this Section, or any other law, rule, or regulation to the contrary, any state-chartered bank, savings bank, or savings and loan association may seek to conduct any activity at a deposit production office that is a permissible activity for a deposit production office of a national bank by complying with R.S. 6:242(C).

§454. Combination of loan production office; deposit production office; and electronic financial terminal

Any Louisiana state-chartered bank, savings bank, or savings and loan association may operate, at the same location, a loan production office, a deposit production office, and an electronic financial terminal, or any combination of these facilities, and it shall not be considered a branch. Prior to opening a combined loan production office, deposit production office, and electronic financial terminal, the financial institution shall give written notice to the commissioner. Prior to opening a combined loan production office and deposit production office, a financial

1 institution may satisfy the notice requirements of R.S. 6:452 and 453 by giving one 2 combined written notice to the commissioner. Upon receiving the written notice, the commissioner has forty-five days to object. If the commissioner does not raise a 3 4 timely objection, the financial institution may proceed with opening the combined 5 office. If the commissioner raises an objection, the commissioner shall, upon 6 request, notify the financial institution in writing as to the nature of the objection. 7 8 §532. Definitions 9 As used in this Part, unless the context otherwise requires, the term: 10 11 (6) "Branch" and "branch office" means any manned office of a bank but 12 shall not include a trust production office, an automated teller machine, electronic 13 funds transfer terminal, point of sale terminal, or similar electronic device or 14 terminal, but shall not include a loan or trust production office. The term "branch" 15 or "branch office" shall not include a loan production office or deposit production 16 office or any combination thereof. 17 SPEAKER OF THE HOUSE OF REPRESENTATIVES PRESIDENT OF THE SENATE GOVERNOR OF THE STATE OF LOUISIANA

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HB NO. 284

APPROVED: _____