

HB1053\_L.004

## HOUSE COMMITTEE OF REFERENCE REPORT

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 Chairman of Committee

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 Date
Committee on Business Affairs and Labor.

After consideration on the merits, the Committee recommends the following:

HB09-1053 be amended as follows:

1 Amend printed bill, page 2, after line 8, insert the following:

2 "SECTION 3. Part 8 of article 103 of title 11, Colorado Revised  
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
4 read:

5 **11-103-810. Pre-approved shelf charter.** THE BOARD MAY  
6 PRE-APPROVE A SHELF CHARTER FOR A NEW BANK TO QUALIFIED  
7 INDIVIDUALS, CONTINGENT UPON THE NEW BANK COMPLETING ALL  
8 SPECIFIED REQUIREMENTS AND PURCHASING THE ASSETS AND ASSUMING  
9 THE LIABILITIES OF A BANK IN RECEIVERSHIP AS THE FEDERAL DEPOSIT  
10 INSURANCE CORPORATION MAY DETERMINE, IF THE PROPOSED BANK HAS  
11 ITS PRINCIPAL PLACE OF BUSINESS IN COLORADO AND HAS ASSETS AND  
12 LIABILITIES HELD IN RECEIVERSHIP BY THE FEDERAL DEPOSIT INSURANCE  
13 CORPORATION. THE SHELF CHARTER MAY BE PRE-APPROVED AND  
14 SUMMARILY ISSUED WITHOUT PUBLICATION OF A NOTICE, WITHOUT THE  
15 HOLDING OF A PUBLIC HEARING, AND WITHOUT COMPLYING WITH ALL OF  
16 THE OTHER PROVISIONS AND PROCEDURES SPECIFIED IN THIS CODE. UPON  
17 FEDERAL DEPOSIT INSURANCE CORPORATION APPROVAL OF THE PURCHASE  
18 AND ASSUMPTION BY THE NEW BANK, THE FINAL CHARTER APPROVAL MAY  
19 BE GRANTED, TOGETHER WITH FINAL APPROVAL OF DEPOSIT INSURANCE BY  
20 THE FEDERAL DEPOSIT INSURANCE CORPORATION. IF THE BID IS NOT  
21 ACCEPTED BY THE FEDERAL DEPOSIT INSURANCE CORPORATION, THE  
22 CHARTER REMAINS ON THE SHELF FOR UP TO EIGHTEEN MONTHS. DURING  
23 THAT TIME, THE CHARTER MAY BE USED FOR OTHER BIDS."

24 Renumber succeeding sections accordingly.

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