

**TITLE 13 – BANKS & BANKING  
CHAPTER 2, ARTICLE 7  
STATEWIDE BRANCH BANKING**

**13-2-701. Definitions.**

(a) As used in this act:

(i) "Branch" means any manned branch bank, branch office, branch agency, additional office, separate office or any branch or separate place of business operated by a bank in this state which offers any or all of the banking services conducted at a parent bank, but excludes a remote electronic terminal as defined in W.S. 13-1-501(a)(v) and loan production offices operated in accordance with W.S. 13-2-709;

(ii) Repealed by Laws 1995, ch. 62, § 2.

(iii) Repealed by Laws 1993, ch. 115, § 3.

(iv) "Parent bank" means a state or national bank which operates a branch in this state;

(v) "This act" means W.S. 13-2-701 through 13-2-708.

*Source: Laws 1991, ch. 135, 1; W.S. 1977, 13-2-601; Laws 1993, ch. 115, 3; Laws 1995, ch. 62, 1, 2; Laws 1999, ch. 41, 1; ch. 42, 2.*

**13-2-702. Authorization; application; fee; activities; examination; criteria.**

(a) With prior approval of the state banking commissioner a bank may establish and operate one (1) or more branches at any location in this state.

(i) Repealed By Laws 1999, ch. 41, § 2.

(ii) Repealed By Laws 1999, ch. 41, § 2.

(b) All applications for establishing and operating a branch shall be filed with the commissioner and be accompanied by a filing fee established by rule by the commissioner but not more than two thousand five hundred dollars (\$2,500.00). The application shall be signed by the chief executive officer of the applicant bank and contain and be accompanied by the following information:

(i) Name and address of the applicant bank;

(ii) Exact location of the proposed branch;

(iii) Certification of publication of notice of the application at least once in a newspaper of general circulation in the county in which the proposed branch will be located;

(iv) Repealed By Laws 1999, ch. 41, § 2.

(v) Certification that the applicant bank is well capitalized, as defined by rule of the commissioner;

(vi) Certification of compliance with the provisions of W.S. 13-3-201 relating to investment limitations in bank premises;

(vii) Certification that the establishment of the branch does not involve a prohibited insider transaction or management interlock;

(viii) Discussion of any planned variances in the applicant bank's lending policy, procedures or services at the proposed branch;

(ix) Other information as the commissioner may require in order to determine if the requirements of this section are met.

(c) The commissioner shall issue a certificate of authority for the branch to the applicant bank within twenty (20) days after receipt of the complete application and fee unless he finds:

(i) Establishment or operation of the proposed branch would pose undue risk to the capital or surplus requirements of the applicant bank;

(ii) The name of the proposed branch does not reasonably identify the branch as a branch of the applicant bank or is likely to unduly confuse the public; or

(iii) Repealed by Laws 1995, ch. 62, § 2.

(iv) The applicant bank has failed to substantially comply with applicable law governing its operation.

(d) The certificate of authority expires one (1) year after its issuance unless the branch has opened and business has begun in good faith.

(e) The application fee provided by subsection (b) of this section shall be deposited by the state banking commissioner with the state treasurer and credited to the financial institutions administration account within the earmarked revenue fund. Expenditures shall be made from the account by warrants drawn by the state auditor, upon vouchers issued and signed by the director or commissioner. Funds from the account shall be expended only to carry out the duties of the commissioner or the state banking board. If the application expenses are less than the amount of the fee, the unexpended amount shall remain within the account in the earmarked revenue fund.

(f) Repealed By Laws 1999, ch. 42, § 3.

(g) Every branch bank in this state shall be licensed by the commissioner before operating, engaging in or conducting a banking business. The license shall be renewed annually, not more

than sixty (60) nor less than thirty (30) days before the anniversary date upon which the initial license is issued.

(h) The commissioner shall fix the amount of the initial license fee and annual renewal fee by rule and regulation. Annual renewal fees may be assessed on a graduated or progressive scale based on deposits, assets, business volume, loans or a combination of these or other factors as determined by the commissioner.

(j) An application for an initial branch license or renewal of a branch license shall be submitted to the commissioner in writing in the form and containing the information required by the commissioner. Each licensed branch of a bank chartered under the laws of this state or of any other state is subject to compliance examinations as the commissioner deems necessary.

(k) The activities and operations of a branch are attributable to the applicant bank for purposes of determining qualification for authority to do business in this state.

(m) An out-of-state bank which has established a Wyoming branch by means of an interstate merger pursuant to article 8 of chapter 2 of this title, may establish and operate one (1) or more branches at any location in this state, subject to the requirements of subsections (g) through (k) of this section.

*Source: Laws 1991, ch. 135, 1; W.S. 1977, 13-2-602; Laws 1993, ch. 115, 1; 1994, ch. 14, 1; 1995, ch. 62, 1, 2; 1997, ch. 75, 2; 1999, ch. 41, 1, 2; ch. 42, 3; 2001, ch. 156, 2.*

### **13-2-703. Amendment to articles of incorporation.**

Before opening a branch under this act, the applicant bank shall deliver an amendment to its articles of incorporation reflecting the branch to the commissioner in the same manner provided in W.S. 13-4-102. W.S. 13-4-102 applies to all amendments to articles of incorporation delivered under this section.

*Source: Laws 1991, ch. 135, 1; W.S. 1977, 13-2-603; Laws 1993, ch. 115, 1; 1999, ch. 41, 1.*