

## TRUST COMPANY CHARTER APPLICATION\*

### *The following information must be addressed in each Charter Application:*

1. Provide full details of the capital structure of the proposed trust company including number and types of authorized shares, par value, total capital stock account, surplus, and any other components of capital. Also, state the initial amount of any reserves to be established. Section 182.008 of the Texas Finance Code requires a minimum of \$2,000,000 in restricted capital.
2. Detail all organizational expenses.
3. State the position and names of the principal shareholders, directors and executive officers of the proposed trust company.
4. Provide brief resumes of past business and trust or related experience of the principal shareholders, directors, and executive officers of the proposed trust company.
5. Provide a summary of the facts in support of the applicant's contention that the conditions for incorporation set forth in Section 182.003(b) of the Texas Finance Code are satisfied.
6. Provide the proposed Certificate of Formation and Bylaws.
7. Provide the proposed Business Plan which conforms to [Supervisory Memo 1009](#). If the trust company plans to accept trust fund deposits pursuant to Sections 182.001(e) and 184.301, such plans must be fully described in the Business Plan. Review 7 TAC §21.31 and §21.32 if the acceptance of deposits is contemplated.
8. Provide pro forma financial statements, in CALL report format, for the trust company on opening day and year-end for the first three (3) years of operations. Refer to the [pro forma financial statement](#) template under the forms and publications section of the Department's website.
9. Complete and attach current [Biographical Information](#) and [Financial Statements](#) for the principal shareholders, directors and executive officers of the proposed trust company. The Interagency Biographical and Financial Report may be submitted provided that the [Department Signature Form](#) is also included, signed, and notarized. If a joint financial statement is being submitted, both parties should sign the form and complete the certification.
10. Provide the [Verified Statement of Subscribers Form](#) for each shareholder.
11. Complete and attach [Confirmation Inquiry Forms](#) if the person completing the form will use funds under their direct or indirect control to acquire stock. This form is not required if available funds can be evidenced through copies of bank or brokerage statements.
12. Complete and attach [Authority to Release Information Forms](#) for **each** director, executive officer, and principal shareholder.

13. Provide a copy of any related application submitted to a governmental authority, as applicable.

\*If the proposed trust company will not conduct business with the public and plans to request exemption, review 7 TAC §21.24. All exemption requests must be detailed and submitted with the application.

We, the Board of Directors of the proposed trust company, do solemnly swear that the statements and representations made herein are true and correct to the best of our knowledge and belief, that the personal data and financial statements submitted with this application are true and correct and that this application is made in good faith, with the purpose and intent that the affairs and business of the proposed trust company shall be honestly conducted upon good and sound business principles.

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STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County, of said State, personally appeared:

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known to me to be the persons whose names are subscribed on the foregoing document and being by me first duly sworn, declared that the statements contained in this application are true and correct.

(SEAL)

\_\_\_\_\_  
(Notary Public)