

## **NOTICE TO APPLICANTS**

### **Establishing a Branch**

The [Application to Establish a Branch](#) has been designed to elicit the **minimum information required** by the Texas Department of Banking (the "Department") for the purpose of determining whether a particular application should be granted. The original and duplicate copy of the application form and all attachments should be delivered to: Banking Commissioner, Texas Department of Banking, 2601 North Lamar Boulevard, Austin, Texas 78705-4294. Inquiries concerning the preparation and filing of this or any other corporate application with the Department should be directed to the [Corporate Activities Division](#) at 512/475-1322.

Once the application and accompanying documents are received by the Department they will be reviewed. The applicant will be notified if additional information is required to complete the review of the proposed transaction. The application will be officially accepted for filing only when it is determined that sufficient information has been filed to adequately review the proposed transaction. Therefore, full and complete answers will facilitate processing of the application.

#### **Fees**

A check payable to the Texas Department of Banking is required as a filing fee for each application pursuant to 7 TAC §15.2. ***It is not refundable.***

#### **Public Notice**

The applicant shall publish a notice in a newspaper of general circulation in the county where the state bank's branch will be located. The published notice must comply with 7 TAC §15.5.

#### **Public Disclosure of Information**

All information submitted to the Department is presumed to be public information, unless it is deemed confidential under the *Texas Open Records Act*. Any document in the application for which you request confidential treatment must be segregated and reference the *Texas Open Records Act* exception supporting the request. Final determination as to the confidentiality of any information will rest with the Banking Commissioner.

#### **Application Specific Requirements**

1. Complete the following worksheets to determine if expedited treatment is available.
  - a. [Worksheet to Determine Eligibility for Expedited Filings.](#)
  - b. [Worksheet for Expedited Filings.](#)
2. *Expedited Treatment* - If you determine that your bank is an eligible bank and that the proposed transaction qualifies for expedited treatment, please forward:

- The completed worksheets together with a cover letter which states the basis upon which you believe that the bank is eligible for and is requesting expedited treatment for the proposed transaction. The cover letter must be signed by an officer authorized by the Board of Directors to file the application;
  - A brief description of the proposed transaction;
  - Complete sections I, II, III and IV of the Branch Application form ([Application to Establish a Branch\\*](#)) and sign; and,
  - A check made payable to the Texas Department of Banking in the amount of the expedited filing fee. See 7 TAC §15.2.
3. *Non Expedited Treatment* - If you determine that your bank is not an eligible bank or that the proposed transaction does not qualify for expedited treatment, please forward:
- The completed and signed Branch Application form ([Application to Establish a Branch\\*](#)); and,
  - A check made payable to the Texas Department of Banking in the amount of the filing fee. See 7 TAC §15.2.

\* **Uniform Interstate Branch Application/Notice form:** The Department will accept the completed [Uniform Interstate Branch Application/Notice](#) form provided that our [Application Signature Form](#) is included.

**Note** — 7 TAC §15.42 governs the application for establishment of a branch facility pursuant to Texas Finance Code §32.203 which indicates in part, that an applicant must submit an application on a form prescribed by the banking commissioner. The prescribed form(s) is deemed the document which controls the application process. Therefore, unless specifically directed otherwise, the applicant only needs to complete the items within the application.