



**MONTANA  
ADMINISTRATIVE  
REGISTER**



**DEPARTMENT OF ADMINISTRATION**

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**NOTICE OF ADOPTION**

**MAR NOTICE NO. 2025-900.2**

**Summary**

The department has adopted, amended, transferred, and repealed the following banking rules.

**Previous Notice(s) and Hearing Information**

On July 25, 2025, the Department of Administration published MAR Notice No. 2025-900.1 proposing changes to the agency's banking rules in the 2025 Montana Administrative Register, Issue Number 14. No hearing was held.

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**Final Rulemaking Action – Effective September 13, 2025**

**ADOPT AS PROPOSED**

The agency has adopted the following rules as proposed:

**NEW RULE 1 (2.59.144) REPORT OF SERVICE AND TECHNOLOGY PROVIDERS**

**NEW RULE 2 (2.59.2201) DEFINITIONS**

**NEW RULE 3 (2.59.2203) APPLICATION CONTENTS**

**NEW RULE 5 (2.59.2207) FINGERPRINTING**

**NEW RULE 6 (2.59.2304) DEPARTMENT TO REVIEW APPLICATION**

**NEW RULE 7 (2.59.2305) AUTHORITY TO REQUIRE ADDITIONAL INVESTIGATORY  
INFORMATION - FINGERPRINTING**

**NEW RULE 8 (2.59.2307) GROUNDS FOR DENYING APPLICATION**

**NEW RULE 9 (2.59.2308) ADDITIONAL REQUIREMENTS AFTER APPROVAL OF APPLICATION**

**NEW RULE 10 (2.59.2401) DEFINITIONS**

**NEW RULE 11 (2.59.2402) CAPITAL ADEQUACY OF A NONDEPOSITORY TRUST COMPANY BANK**

**ADOPT WITH CHANGES**

The agency has adopted the following rule with the following changes from the original proposal, stricken matter interlined, new matter underlined:

**NEW RULE 4 (~~2.59.2206~~ 2.59.2210) INSTITUTION NAME**

(1) through (4) remain as proposed.

**AMEND AS PROPOSED**

The agency has amended the following rules as proposed:

**2.59.106 INVESTMENT IN CORPORATE STOCK**

**2.59.111 RETENTION OF BANK RECORDS**

**2.59.113 INVESTMENTS BY BANKS TO PROMOTE THE PUBLIC WELFARE**

**2.59.115 ADOPTION OF EXAMINATION PROCEDURE**

**2.59.116 DEFINITIONS**

**2.59.125 DEFINITIONS APPLICABLE TO DERIVATIVE TRANSACTIONS AND SECURITIES FINANCING TRANSACTIONS**

**2.59.129 CREDIT EXPOSURE ARISING FROM DERIVATIVES AND SECURITIES FINANCING TRANSACTIONS**

**2.59.130 CHANGE IN CONTROL**

**2.59.134 CONVERSION OF A NATIONAL BANK TO A STATE BANK**

**2.59.135 FORM TO REPORT DIRECTORS AND OFFICERS**

**2.59.902 DEFINITIONS**

**2.59.903 LOAN PRODUCTION OFFICE**

**2.59.904 BRANCH BANKS**

**2.59.906 BANKS ORGANIZED OUTSIDE OF MONTANA BRANCHING INTO MONTANA**

**2.59.907 CLOSING OR RELOCATING A BRANCH BANK**

**2.59.1101 APPLICATION PROCEDURE FOR APPROVAL TO ESTABLISH A NEW BRANCH BANK**

**2.59.1102 REVIEW PROCEDURE FOR APPLICATIONS FOR APPROVAL TO ESTABLISH A NEW BRANCH BANK**

#### **TRANSFER AND AMEND AS PROPOSED**

The agency has transferred and amended the following rules as proposed:

**2.60.203 (2.59.2202) APPLICATION PROCEDURE FOR A CERTIFICATE OF AUTHORIZATION FOR A STATE-CHARTERED BANK**

**2.60.301 (2.59.2205) PERSUASIVE SHOWING OF REASONABLE PUBLIC NECESSITY AND DEMAND**

**2.60.303 (2.59.2206) CAPITAL ADEQUACY OF A PROPOSED NEW DEPOSITORY BANK**

**2.60.304 (2.59.2209) FDIC INSURANCE REQUIRED**

**2.60.305 (2.59.2204) PRO FORMA STATEMENT**

**2.60.501 (2.59.2208) A STATE BANK ORGANIZED FOR THE PURPOSE OF ASSUMING DEPOSIT LIABILITY OF ANY CLOSED BANK**

**2.60.901 (2.59.2302) A STATE BANK ORGANIZED FOR THE PURPOSE OF BEING A SHELL BANK**

**2.60.902 (2.59.2303) APPLICATION PROCEDURES**

**2.60.904 (2.59.2306) DECISION OF THE DEPARTMENT; INCORPORATION**

**2.60.905 (2.59.2309) POWERS OF A SHELL BANK BEFORE MERGER**

**2.60.906 (2.59.2310) PROOF OF MERGER: REVOCATION OF CERTIFICATE OF AUTHORIZATION**

#### **REPEAL**

The agency has repealed the following rules as proposed:

**2.59.908 TEMPORARY EMERGENCY CLOSURE OF BRANCH**

**2.59.909 EMERGENCY CLOSURE OF BRANCH**

**2.59.1901 EXAMINATION FEES**

**2.60.101 ORGANIZATION OF BOARD**

**2.60.201 PROCEDURAL RULES**

**2.60.202 INVESTIGATION RESPONSIBILITY**

**2.60.204 PROCEDURAL RULES FOR DISCOVERY AND HEARING**

**2.60.302 MANAGEMENT OF PROPOSED BANK**

**2.60.903 APPLICATION TO FORM AN INTERIM BANK**

**2.60.907 FEES**

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### **Statement of Reasons**

No comments were received. The department, however, discovered a clerical error in the proposal notice resulting in duplicate destination rule numbers. NEW RULE 4, originally proposed to be adopted as ARM 2.59.2206, has been adopted as ARM 2.59.2210.

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### **Contact**

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### **Rule Reviewer**

Don Harris, Chief Legal Counsel

### **Approval**

Misty Ann Giles