

FILED

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OFFICE WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE
Regular Session, 2005

ENROLLED

SENATE BILL NO. 278

(By Senators Minard, Jenkins and Love)

PASSED April 8, 2005

In Effect ninety days from Passage

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Senate Bill No. 278

(BY SENATORS MINARD, JENKINS AND LOVE)

[Passed April 8, 2005; in effect ninety days from passage.]

AN ACT to amend and reenact §31A-4-10 of the Code of West Virginia, 1931, as amended, relating to lists of stockholders of banking institutions and bank holding companies; defining bank holding company for the purpose of said section; and requiring certain bank holding companies to submit annually lists of stockholders.

Be it enacted by the Legislature of West Virginia:

That §31A-4-10 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 4. BANKING INSTITUTIONS AND SERVICES GENERALLY.

§31A-4-10. List of stockholders.

1 For the purposes of this section, “bank holding com-
2 pany” means any company which has control over any
3 West Virginia state chartered bank, including financial
4 holding companies as defined by the Bank Holding
5 Company Act, 12 U. S. C. §1841(p).

6 "Control" shall be construed consistently with section
7 2(a) of the Bank Holding Company Act, 12 U. S. C.
8 §1841(a).

9 In addition to the requirements of chapter thirty-one-d
10 of this code, the President, or other Executive Officer of
11 every state banking institution and every bank holding
12 company with a controlling interest in a state banking
13 institution shall cause to be kept at all times a full and
14 correct list of the names and post office addresses of the
15 stockholders of the banking institution or bank holding
16 company who directly or indirectly own, control or hold
17 with power to vote five percent or more of the outstanding
18 shares of that institution, and the number of shares owned
19 by each, in the office where its business is transacted. This
20 list shall be open to inspection by all of the stockholders of
21 the banking institution or bank holding company, and the
22 officers authorized by law to assess taxes, during business
23 hours of each day, except Sundays and holidays. A copy
24 of this list shall be made on the first Monday in July of
25 each year and verified by the oath of the President or other
26 executive officer and immediately transmitted by mail to
27 the Commissioner of Banking at his or her office. A bank
28 holding company may comply with the reporting require-
29 ment of this section by simultaneously filing with the
30 Commissioner a copy of the annual report it files with its
31 federal reserve bank.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Sandy White
.....
Chairman Senate Committee

Walter Brown
.....
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

Dassel Edwards
.....
Clerk of the Senate

Bayne M. Boy
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

[Signature]
.....
Speaker House of Delegates

The within *is approved* this the *21st*
Day of *April*, 2005.

[Signature]
.....
Governor

PRESENTED TO THE
GOVERNOR

APR 15 2005

Time 3:50 pm