

(3) "STOCK ACQUISITION" MEANS:

(I) AN ACQUISITION OF THE OUTSTANDING VOTING STOCK OF A COMMERCIAL BANK OR BANK HOLDING COMPANY IN THIS STATE, IF THE ACQUISITION WILL AFFECT THE POWER TO DIRECT OR TO CAUSE THE DIRECTION OF THE MANAGEMENT OR POLICY OF ANY BANKING INSTITUTION OR BANK HOLDING COMPANY; OR

(II) AN ACQUISITION OF ANY VOTING STOCK OF A COMMERCIAL BANK, IF THE ACQUISITION WILL GIVE ANY ONE PERSON CONTROL OF 25 PERCENT OR MORE OF THE VOTING STOCK OF THE COMMERCIAL BANK.

(B) GENERAL RULE.

EXCEPT AS PROVIDED IN THIS SECTION, A PERSON MAY NOT MAKE A STOCK ACQUISITION.

(C) PRIOR APPROVAL REQUIRED.

(1) A PERSON WHO INTENDS TO MAKE A STOCK ACQUISITION SHALL APPLY TO THE BANK COMMISSIONER FOR APPROVAL, AT LEAST 60 DAYS BEFORE THE ACQUISITION BECOMES EFFECTIVE.

(2) THE APPLICATION SHALL INCLUDE:

(I) A DESCRIPTION OF THE PROPOSED STOCK ACQUISITION; AND

(II) ALL OTHER INFORMATION THAT IS AVAILABLE TO INFORM THE BANK COMMISSIONER OF THE EFFECT OF THE ACQUISITION ON THE POWER TO DIRECT OR TO CAUSE DIRECTION OF THE MANAGEMENT OR POLICY OF A BANKING INSTITUTION OR BANK HOLDING COMPANY.

(3) IF THERE IS ANY DOUBT AS TO WHETHER THE STOCK ACQUISITION WILL AFFECT THE POWER TO DIRECT OR CAUSE DIRECTION OF THE MANAGEMENT OR POLICY OF A COMMERCIAL BANK OR BANK HOLDING COMPANY, THE DOUBT SHALL BE RESOLVED IN FAVOR OF REPORTING TO THE BANK COMMISSIONER.

(D) DENIAL OF ACQUISITION.

THE BANK COMMISSIONER MAY DENY APPROVAL FOR A STOCK ACQUISITION THAT THE BANK COMMISSIONER DETERMINES TO BE ANTICOMPETITIVE OR TO THREATEN THE SAFETY OR SOUNDNESS OF A BANKING INSTITUTION.

(E) VOTING STOCK INEFFECTIVE.

VOTING STOCK THAT IS ACQUIRED IN VIOLATION OF THIS SECTION MAY NOT BE VOTED FOR 5 YEARS.

REVISOR'S NOTE: This section is new language derived without substantive change from the first

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