

D. HAS NOT BEEN CHARTERED PRIOR TO JULY 1, 1989.

2. A MARYLAND BANK THAT HAS BEEN IN EXISTENCE AND CONTINUOUSLY OPERATED FOR MORE THAN -2- 4 YEARS;

3. A MARYLAND BANK HOLDING COMPANY IN WHICH ALL MARYLAND BANK SUBSIDIARIES HAVE BEEN IN EXISTENCE AND CONTINUOUSLY OPERATED FOR MORE THAN -2- 4 YEARS; OR

4. AN OUT-OF-STATE BANK HOLDING COMPANY IN WHICH ALL MARYLAND BANK SUBSIDIARIES HAVE BEEN IN EXISTENCE AND CONTINUOUSLY OPERATED FOR MORE THAN -2- 4 YEARS; AND

(IV) THE ACQUISITION IS SUBJECT TO ANY ADDITIONAL CONDITIONS, RESTRICTIONS, REQUIREMENTS OR OTHER LIMITATIONS THAT APPLY TO THE ACQUISITION BY A MARYLAND BANK HOLDING COMPANY OF A BANK OR BANK HOLDING COMPANY IN THE JURISDICTION WHERE THE OUT-OF-STATE BANK HOLDING COMPANY HAS ITS PRINCIPAL PLACE OF BUSINESS BUT DO NOT APPLY TO ACQUISITIONS BY BANK HOLDING COMPANIES ALL OF WHOSE BANK SUBSIDIARIES ARE LOCATED IN THAT JURISDICTION.

(3) FOR PURPOSES OF ITEM (II) OF THIS PARAGRAPH, A MARYLAND BANK SHALL BE CONSIDERED TO BE A MARYLAND BANK HOLDING COMPANY.

(4) IN DECIDING WHETHER TO APPROVE AN ACQUISITION UNDER SUBSECTION (A) OF THIS SECTION, THE COMMISSIONER SHALL CONSIDER:

(I) THE FINANCIAL AND MANAGERIAL RESOURCES OF THE OUT-OF-STATE BANK HOLDING COMPANY;

(II) THE FUTURE PROSPECTS OF THE MARYLAND BANK, MARYLAND BANK HOLDING COMPANY, OR MARYLAND SUBSIDIARY OF AN OUT-OF-STATE BANK HOLDING COMPANY THAT WILL BE ACQUIRED;

(III) THE FINANCIAL HISTORY AND FUTURE PROSPECTS OF THE OUT-OF-STATE BANK HOLDING COMPANY; AND

(IV) WHETHER THE ACQUISITION MAY RESULT IN AN UNDUE CONCENTRATION OF RESOURCES OR SUBSTANTIAL REDUCTION OF COMPETITION IN THIS STATE--; AND

(V) INITIAL CAPITAL INVESTMENTS, LOAN POLICY, INVESTMENT POLICY, DIVIDEND POLICY, AND THE GENERAL PLAN OF BUSINESS, INCLUDING THE AMOUNT AND COST OF CONSUMER AND BUSINESS SERVICES TO BE OFFERED.

(5) WHEN CONSIDERING LOAN POLICY AND THE GENERAL PLAN OF BUSINESS UNDER PARAGRAPH (4) (V) OF THIS SUBSECTION, THE COMMISSIONER SHALL: