

(I) CONSIDER SPECIFIC STEPS THAT WILL BE TAKEN TO MEET THE CREDIT NEEDS OF SMALL BUSINESSES AND INDIVIDUALS IN THE COMMUNITY TO BE SERVED, INCLUDING LOW AND MODERATE INCOME RESIDENTS CONSISTENT WITH SAFE AND SOUND OPERATION OF THE INSTITUTION; AND

(II) ASSESS THE RECORD, IF ANY, OF THE APPLICANT IN MEETING THE CREDIT NEEDS OF THE COMMUNITIES SERVED IN THE PAST, INCLUDING SMALL BUSINESSES IN THE COMMUNITY SERVED AND LOW AND MODERATE INCOME RESIDENTS, CONSISTENT WITH THE SAFE AND SOUND OPERATION OF THE INSTITUTION.

(B) (1) AN OUT-OF-STATE BANK HOLDING COMPANY HAVING A MARYLAND BANK SUBSIDIARY OR MARYLAND BANK HOLDING COMPANY SUBSIDIARY THAT WAS NOT ACQUIRED BY IT IN ACCORDANCE WITH § 5-1004(B)(2) OF THIS SUBTITLE IS AUTHORIZED TO ACQUIRE ANOTHER MARYLAND BANK OR MARYLAND BANK HOLDING COMPANY UPON APPROVAL BY THE COMMISSIONER.

(2) THE COMMISSIONER MAY NOT GRANT APPROVAL OF AN ACQUISITION UNDER THIS SUBSECTION UNLESS THE COMMISSIONER SHALL FIND THAT THE OUT-OF-STATE BANK HOLDING COMPANY SEEKS TO ACQUIRE:

(I) A DE NOVO MARYLAND BANK THAT:

1. HAS OR WILL HAVE ON THE DATE BANKING BUSINESS IS COMMENCED IN THIS STATE A MINIMUM CAPITAL STOCK AND PAID-IN SURPLUS OF \$10,000,000 AND WILL HAVE WITHIN 1 YEAR OF THE DATE BANKING BUSINESS IS COMMENCED IN THIS STATE A MINIMUM CAPITAL STOCK AND PAID-IN SURPLUS OF \$25,000,000;

2. EMPLOYS ON THE DATE ITS BANKING BUSINESS IS COMMENCED IN THIS STATE OR WILL EMPLOY WITHIN 1 YEAR OF THAT DATE NOT LESS THAN 100 PERSONS IN THIS STATE; AND

3. IS SOUGHT TO BE ACQUIRED BY AN OUT-OF-STATE BANK HOLDING COMPANY HAVING ITS PRINCIPAL PLACE OF BUSINESS IN A JURISDICTION PERMITTING MARYLAND BANK HOLDING COMPANIES TO ACQUIRE A NEWLY ORGANIZED BANK LOCATED IN THAT JURISDICTION THAT HAS NOT COMMENCED ANY PART OF ITS BANKING BUSINESS; AND

4. HAS NOT BEEN CHARTERED PRIOR TO JULY 1, 1989;

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

(III) 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

(IV) 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.