

PARTNER IN OR HAVE CONTRIBUTED MORE THAN 25 PERCENT OF THE CAPITAL OF ANOTHER COMPANY; OR

(III) FOR A PERSON TO BE A TRUSTEE OF A TRUST.

(2) A PERSON SHALL BE DEEMED TO HAVE CONTROL OVER A SAVINGS AND LOAN ASSOCIATION OR ANY OTHER COMPANY IF THE DIVISION DIRECTOR DETERMINES, AFTER REASONABLE NOTICE AND OPPORTUNITY FOR HEARING, THAT SUCH THE PERSON DIRECTLY OR INDIRECTLY EXERCISES A CONTROLLING INFLUENCE OVER THE MANAGEMENT OR POLICIES OF SUCH THE SAVINGS AND LOAN ASSOCIATION OR OTHER COMPANY.

(D) (1) "DEPOSIT" MEANS ANY DEMAND, NEGOTIABLE ORDER OF WITHDRAWAL, TIME, CERTIFICATE, OR SAVINGS DEPOSIT OR SAVINGS SHARE ACCOUNT MADE BY AN INDIVIDUAL, CORPORATION, PARTNERSHIP, STATE OR FEDERAL GOVERNMENTAL UNIT, OR ANY OTHER ORGANIZATION, WITHOUT REGARD TO THE LOCATION OF THE DEPOSITOR, EXCEPT:

(I) A DEPOSIT BY A SAVINGS AND LOAN ASSOCIATION; OR

(II) A DEPOSIT BY A FOREIGN GOVERNMENT OR FOREIGN OFFICIAL INSTITUTION.

(2) THE AMOUNT OF DEPOSITS SHALL BE DETERMINED BY REFERENCE TO REGULATORY REPORTS MADE BY OR TO STATE OR FEDERAL REGULATORY AUTHORITIES.

(E) (1) "DEPOSIT-TAKING OFFICE" MEANS ANY SAVINGS AND LOAN ASSOCIATION, BRANCH OF A SAVINGS AND LOAN ASSOCIATION, OR ANY OTHER FIXED LOCATION WHERE A SAVINGS AND LOAN ASSOCIATION ACCEPTS DEPOSITS.

(2) "DEPOSIT-TAKING OFFICE" DOES NOT INCLUDE:

(I) AN UNMANNED AUTOMATIC TELLER MACHINE, POINT OF SALE TERMINAL, OR OTHER SIMILAR UNMANNED ELECTRONIC BANKING FACILITY AT WHICH DEPOSITS MAY BE ACCEPTED;

(II) A FIXED LOCATION ESTABLISHED FOR THE PURPOSES OF LOAN PRODUCTION OR REPRESENTATION;

(III) ANY OTHER FIXED LOCATION WHERE DEPOSITS ARE NOT ACCEPTED; OR

(IV) A FIXED LOCATION OUTSIDE THE UNITED STATES.

(F) "INTERSTATE ASSOCIATION" MEANS AN OUT-OF-STATE ASSOCIATION:

(1) THAT IS NOT CHARTERED UNDER THE LAWS OF THE UNITED STATES; AND