

12-701.

A FINANCIAL INSTITUTION MAY APPLY TO THE BANK COMMISSIONER TO BE SUPERVISED AND EXAMINED BY THE BANK COMMISSIONER TO THE SAME EXTENT THAT A BANKING INSTITUTION IS SUPERVISED AND EXAMINED UNDER TITLE 5, SUBTITLE 2 OF THIS ARTICLE, OTHER THAN § 5-203, IF:

(1) THE FINANCIAL INSTITUTION IS A NONSTOCK CORPORATION UNDER TITLE 5, SUBTITLE 2 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE WHICH IS RECOGNIZED BY THE INTERNAL REVENUE SERVICE AS EXEMPT FROM TAX UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1954, AS AMENDED;

(2) A MAJORITY AND ALL CONTROLLING MEMBERS OF THE FINANCIAL INSTITUTION ARE PERSONS DESIGNATED AND APPROVED BY ANY BANKING INSTITUTIONS OR NATIONAL BANKING ASSOCIATIONS; AND

(3) THE FINANCIAL INSTITUTION IS ENGAGED SOLELY IN THE EXTENSION OF CREDIT, MAKING OF LOANS AND ARRANGING OF FINANCING FOR SOCIALLY OR ECONOMICALLY DISADVANTAGED BUSINESSES FOR THE PURPOSE OF:

(I) ENCOURAGING AND SUPPORTING THE BUSINESS AND COMMERCIAL DEVELOPMENT OF SUCH BUSINESSES; AND

(II) PARTICIPATING IN AND SUPPORTING SPECIAL STATE, FEDERAL, LOCAL OR PRIVATE INDUSTRY PROGRAMS INTENDED TO MAKE AVAILABLE, OFFER, ENCOURAGE, GUARANTEE, OR OTHERWISE FACILITATE LOAN AND OTHER FINANCING PROGRAMS FOR SOCIALLY OR ECONOMICALLY DISADVANTAGED BUSINESSES.

12-702.

TO QUALIFY FOR SUPERVISION AND EXAMINATION, THE APPLICANT SHALL SATISFY THE BANK COMMISSIONER THAT THE APPLICANT:

(1) IS TRUSTWORTHY AND REPUTABLE;

(2) HAS A GOOD BUSINESS REPUTATION; AND

(3) HAS SUFFICIENT BUSINESS EXPERIENCE, MORAL CHARACTER, FINANCIAL RESPONSIBILITY, AND GENUINE FITNESS TO:

(I) COMMAND THE CONFIDENCE OF THE PUBLIC; AND

(II) WARRANT THE BELIEF THAT THE BUSINESS WILL BE OPERATED LAWFULLY, HONESTLY, FAIRLY AND EFFICIENTLY.

12-703.

(A) (1) TO APPLY FOR SUPERVISION AND EXAMINATION UNDER THIS SUBTITLE, AN APPLICANT SHALL SIGN AND SUBMIT TO THE BANK