

(B) THE BRANCH FEE SHALL NOT APPLY TO A BRANCH THAT IS ACQUIRED BY A BANKING INSTITUTION THROUGH A MERGER OR CONSOLIDATION WITH, OR TRANSFER TO THE BANKING INSTITUTION OF ALL OR SUBSTANTIALLY ALL OF THE ASSETS OF, A BANK OR AN INSURED DEPOSITORY INSTITUTION.

5-1006.

IN DECIDING WHETHER TO APPROVE A BRANCH OF A BANKING INSTITUTION, THE COMMISSIONER SHALL CONSIDER:

(1) IF THE BRANCH IS TO BE ESTABLISHED IN THIS STATE, WHETHER THE ESTABLISHMENT OF THE BRANCH WILL PROMOTE THE PUBLIC CONVENIENCE;

(2) WHETHER THE APPLICANT HAS SUFFICIENT CAPITAL TO SUPPORT THE BRANCH; AND

(3) WHETHER THE APPLICANT IS GENERALLY OPERATING IN COMPLIANCE WITH THE PROVISIONS OF THIS ARTICLE.

5-1007.

(A) THE COMMISSIONER SHALL DECIDE WHETHER TO APPROVE THE ESTABLISHMENT OF A BRANCH OF A BANKING INSTITUTION WITHIN 30 DAYS OF RECEIPT OF THE NOTICE SPECIFIED IN § 5-1005 OF THIS SUBTITLE.

(B) A BRANCH SHALL BE DEEMED APPROVED IF THE COMMISSIONER TAKES NO ACTION ON THE NOTICE WITHIN THE TIME LIMIT SPECIFIED IN THIS SECTION.

5-1005, 5-1008.

(A) A BANKING INSTITUTION THAT ESTABLISHES A BRANCH IN ANOTHER STATE MAY EXERCISE AT THAT BRANCH ALL POWERS AND RIGHTS PERMITTED TO BANKS IN THAT STATE UNLESS THE BANK COMMISSIONER DETERMINES THAT THE EXERCISE OF A POWER OR RIGHT WOULD THREATEN THE SAFETY AND SOUNDNESS OF THE ~~OTHER-STATE BANK~~ BANKING INSTITUTION.

(B) AN OTHER-STATE BANK THAT ESTABLISHES A BRANCH IN THIS STATE MAY EXERCISE AT THE BRANCH ALL POWERS AND RIGHTS PERMITTED TO BANKING INSTITUTIONS IN THIS STATE NOTWITHSTANDING ANY OTHER LAW OF THIS STATE TO THE CONTRARY, UNLESS THAT BANK'S HOME STATE REGULATOR DETERMINES THAT THE EXERCISE OF A POWER OR RIGHT WOULD THREATEN THE SAFETY AND SOUNDNESS OF THE OTHER-STATE BANK.

(C) ANY PERSON AUTHORIZED BY A LAW OF THIS STATE TO ENGAGE IN BUSINESS WITH BANKS LOCATED IN THIS STATE, INCLUDING THE MAKING OF DEPOSITS, IS AUTHORIZED TO ENGAGE IN THE SAME BUSINESS WITH AN OTHER-STATE BANK AT THAT OTHER-STATE BANK'S BRANCH IN THIS STATE.