

(6) Evidence of proper action by the board of directors of any constituent national banking association.

(d) (1) Except as otherwise provided by law, any person who knowingly submits false information to the [Bank] Commissioner while complying with subsection (c) of this section is guilty of a misdemeanor.

(2) A person who violates this section is subject to a fine of not more than \$1,000, or imprisonment for not more than 5 years, or both.

3-704.

(a) (1) Except as provided in subsection (b) of this section, the [Bank] Commissioner shall publish a notice of the filing of the agreement.

(2) The notice shall be published in the Maryland Register as provided in the State Documents Law.

(b) Subject to confirmation by the Secretary of LABOR, Licensing, and Regulation, the [Bank] Commissioner may approve an agreement without the notice required by this section if:

(1) The agreement and proposed transaction meet the requirements of § 3-706 of this subtitle;

(2) The financial condition or stability of one of the constituent banks is such that a delay of the proposed transaction will cause an economic hardship to it; and

(3) Approval of the agreement is in the public interest.

3-705.

Within 6 months after the papers specified in § 3-703(c) of this subtitle have been filed with the [Bank] Commissioner, the [Bank] Commissioner, after receiving the advice of the Banking Board, shall approve or disapprove the agreement.

3-706.

(a) The [Bank] Commissioner shall approve the agreement if:

(1) The successor meets the requirements of State law for the formation of a new commercial bank;

(2) The agreement provides an adequate capital structure, including surplus, for the successor in relation to its deposit liabilities and other activities;

(3) The agreement is fair; and

(4) The proposed transaction is not against the public interest.

(b) If the successor will not exercise trust powers, the [Bank] Commissioner may not approve the agreement until the [Bank] Commissioner is satisfied that successor fiduciaries have been provided adequately for all fiduciary positions held by the constituent banks.