

TRANSFERRED ALL OR SUBSTANTIALLY ALL OF THE TRUST DEPARTMENT OR TRUST OPERATIONS OF THE MARYLAND BANK WITH TRUST POWERS PURSUANT TO SUBSECTION (A)(2)(III)5 OR SUBSECTION (B)(2)(V) OF THIS SECTION; OR

2. ANY OTHER MARYLAND BANK WHICH IS CONTROLLED DIRECTLY OR INDIRECTLY BY THE SAME OUT-OF-STATE BANK HOLDING COMPANY AND WHICH WAS A TRUST INSTITUTION DESCRIBED IN § 2(C)(2)(D) OF THE FEDERAL BANK HOLDING COMPANY ACT OF 1956, AS AMENDED, 12 U.S.C. § 1841(C)(2)(D), HAVING OFFICES LOCATED ONLY IN THIS STATE, TO WHICH WAS TRANSFERRED ALL OR SUBSTANTIALLY ALL OF THE TRUST DEPARTMENT OR TRUST OPERATIONS OF THE MARYLAND BANK WITH TRUST POWERS AS LONG AS THE OTHER MARYLAND BANK:

A. OFFERS TO THE GENERAL PUBLIC ONLY TRUST OR FIDUCIARY SERVICES;

B. DOES NOT ACCEPT FROM THE GENERAL PUBLIC EITHER DEMAND DEPOSITS, TIME DEPOSITS, OR DEPOSITS THAT THE DEPOSITOR MAY WITHDRAW BY CHECK OR SIMILAR MEANS FOR PAYMENT TO THIRD PARTIES OR OTHERS; AND

C. DOES NOT ENGAGE IN THE BUSINESS OF MAKING COMMERCIAL OR CONSUMER LOANS TO THE GENERAL PUBLIC.

(II) THE MARYLAND BANKS BANK TO WHICH WAS TRANSFERRED ALL OR SUBSTANTIALLY ALL OF THE TRUST DEPARTMENT OR TRUST OPERATIONS DESCRIBED IN SUBPARAGRAPH (I) 2 OF THIS PARAGRAPH SHALL NOT BE DEEMED A DE NOVO MARYLAND BANKS BANK.

5-1004.

~~(b) (3) (I) IF A MARYLAND BANK ACQUIRED BY AN OUT OF STATE BANK HOLDING COMPANY PURSUANT TO § 5-1003 (A)(2)(III)5 OR (B)(2)(V) OF THIS SUBTITLE CEASES TO MEET THE CRITERIA WITH RESPECT TO ITS OPERATIONS SET FORTH IN § 5-1003(A)(2)(III)5 OR (B)(2)(V), THE OUT OF STATE BANK HOLDING COMPANY SHALL, WITHIN 1 YEAR, DIVEST ITSELF OF THAT MARYLAND BANK.~~

~~(II) IF A MARYLAND BANK FOR WHICH THE PERIOD OF EXISTENCE AND CONTINUOUS OPERATION OF ANY MARYLAND BANK WITH TRUST POWERS WAS RELIED UPON FOR ACQUISITION BY AN OUT OF STATE BANK HOLDING COMPANY PURSUANT TO THE AUTHORITY IN § 5-1003(E)(3)(I) OF THIS SUBTITLE OF OPERATIONS SET FORTH IN THAT SECTION, THE OUT OF STATE BANK HOLDING COMPANY SHALL, WITHIN 1 YEAR, DIVEST ITSELF OF THAT MARYLAND BANK.~~