

1981 Senate Bill 374

Date published: **May 6, 1982**

CHAPTER 338 , Laws of 1981

AN ACT to create 221.04 (1) (n) of the statutes, relating to authorization to relocate a bank's principal office and to continue to operate the former principal office as a branch under certain circumstances.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 221.04 (1) (n) of the statutes is created to read:

221.04 (1) (n) 1. Upon amendment of the articles of association under s. 221.12 and obtaining, prior to the date which is 2 years after the effective date of this paragraph (1981), approval of the commissioner and the banking review board, to relocate the principal office of the bank to another place in the municipality in which the principal office is located on the date of the amendment, and to continue to operate the former principal office, or an office located within 1,500 feet of the boundary of the parcel of real estate occupied by the former principal office measured on a straight line connecting the 2 nearest points on the respective parcels of real estate, as a branch, notwithstanding par. (f), if all the services provided by the principal office are also provided by the branch, the branch is operated for at least 5 years after the date of relocation and the commissioner and the banking review board find that:

a. At least 25% by area of the real property within 2 miles of the former principal office is either a blighted area, as defined in s. 66.431 (4) (e), or an area in need of rehabilitation or conservation work within the meaning of s. 66.435 (3);

b. The location under this paragraph is necessary because the applicant has experienced, over at least the past 5 years, deposit growth, retention of earnings or a return on invested capital which is substantially below the average for all commercial banks in this state; and

c. The principal office was not relocated for the 5 years immediately before approval of a branch under this paragraph.

2. This paragraph applies only to the relocation of a principal office which is located in a 1st, 2nd or 3rd class city.

3. Not more than 4 branch offices nor more than one branch for any principal office may be approved under this paragraph.

3m. A branch office approved under this paragraph may not cease operations unless it has operated for at least 5 years and the commissioner and the banking review board have approved cessation. The commissioner may approve cessation only after holding a public hearing in the area served by the branch or principal office and considering all of the following:

a. The availability of other financial institutions to residents of the area.

b. Any potential adverse effects cessation would have on the residents of the area.

c. The extent to which the branch or principal office has met the needs of residents of the area for credit and deposit services, including the results of any evaluation under 12 USC 2903.

d. The financial condition of the principal office or the branch and its principal office.

4. Any finding by the comptroller of currency which permits a national bank to operate a branch at a location which the commissioner finds does not meet the requirements of subs. 1 to 3 renders this paragraph void.

SECTION 2. Cross-reference changes. In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections 221.04 (1)(f)	Old Cross-References pars. (i), (j) and (m)	New Cross-References pars. (i), (j), (m) and (n)
