

Notice Number 2024-82

Rule Number Ban 100

<p>1. Agency Name & Address:</p> <p>Banking Department 53 Regional Drive, Suite 200 Concord, NH 03301</p>	<p>2. RSA Authority: <u>RSA 541-A:16, I(a)</u></p> <p>3. Federal Authority: <u>n/a</u></p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <u>X</u></p>
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5. Short Title: **Organizational Rules**

6. (a) Summary of what the rule says and of any proposed amendments including whether the rule implements a state statute for the first time:

The Banking Department (Department) is proposing to readopt with amendment the Ban 100 rules, which are organizational rules that provide definitions applicable to all of the Department’s rules, and describe the Department and how to obtain its information. The proposed amendments are largely technical in nature and provide updated information. The proposed amendments also remove references to the public deposit investment pool (PDIP), which is no longer overseen by the Department following repeal of RSA 383:22 by 2023, 36:3, effective 07/16/23. The proposed amendments do not otherwise result in any material changes to the Department’s existing organization or the procedures for obtaining its information.

The Ban 100 rules were last updated in 2013 and do not expire.

6. (b) Brief description of the groups affected:

The Ban 100 rules affect all financial services entities required to be licensed, chartered, or otherwise supervised by the Department. This includes state banks, credit unions, trust companies, family trust companies, and consumer credit businesses required to be licensed by the Department. The Ban 100 rules are also relevant to the general public with respect to how the Department is organized and how to obtain its information.

6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended to implement:

Rule	Specific State Statute the Rule Implements
Ban 101.01	RSA 541-A:16, I(a)
Ban 101.02	RSA 541-A:16, I(a); RSA 383:9, II
Ban 102.02	RSA 541-A:16, I(a); RSA 383:1
Ban 102.03	RSA 541-A:16, I(a)
Ban 103.01	RSA 541-A:16, I(a); RSA 383:1; and RSA 383:9
Ban 103.02	RSA 541-A:16, I(a); RSA 383:7-a; and RSA 383:9
Ban 103.03	RSA 541-A:16, I(a); RSA 383:7-a; and RSA 383:9
Ban 103.04	RSA 541-A:16, I(a); RSA 383:7-a; RSA 383:9
Ban 103.05	RSA 541-A:16, I(a); RSA 383:7-a; RSA 383:9
Ban 103.06	RSA 541-A:16, I(a); RSA 383:7-a; RSA 383:9
Ban 103.07	RSA 541-A:16, I(a); RSA 383:7-a; RSA 383:9
Ban 104.01	RSA 541-A:16, I(a)
Ban 104.02	RSA 541-A:16, I(a)

Rule	Specific State Statute the Rule Implements
Ban 104.03	RSA 541-A:16, I(a)
Ban 104.04	RSA 541-A:16, I(a)

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name: **Christina Martin** Title: **Director of Operations**
Mailing Address: **53 Regional Drive, Suite 200** Phone #: **603-271-3561**
Concord, NH 03301 Fax#: **n/a**
E-mail: **christina.p.martin@banking.nh.gov**

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **Wednesday, June 12, 2024**

Fax **E-mail at legal@banking.nh.gov** Other format (specify):

9. Public hearing scheduled for:

Date and Time: **Wednesday, June 5, 2024 at 2:00 PM**
Physical Location: **Banking Department, 53 Regional Drive, Suite 200, Concord, NH 03301**
Electronic Access (if applicable): **Not applicable**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant):

FIS # 24:077, dated 04/19/2024

1. **Comparison of the costs of the proposed rule(s) to the existing rule(s):**
There is no difference in cost when comparing the proposed rules to the existing rules.
2. **Cite the Federal mandate. Identify the impact on state funds:**
No federal mandate, no impact on state funds.
3. **Cost and benefits of the proposed rule(s):**
 - A. **To State general or State special funds:**
None.
 - B. **To State citizens and political subdivisions:**
None.

C. To independently owned businesses:

None.

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution:

The proposed rules do not violate Part I, Article 28-a of the NH Constitution. The proposed rules do not mandate or assign any new, expanded, or modified programs or responsibilities to any political subdivision. The proposed rules therefore do not necessitate additional local expenditures by any political subdivision of the state based upon new, expanded, or modified programs or responsibilities.