

HOUSE BILL No. 2110

By Committee on Financial Institutions and Pensions

1-19

1 AN ACT concerning financial institutions; relating to trust companies;
2 establishment of nonresident entities; requirements; amending K.S.A.
3 2016 Supp. 9-2111 and repealing the existing section.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2016 Supp. 9-2111 is hereby amended to read as
7 follows: 9-2111. (a) Except as provided in K.S.A. 9-2107, and
8 amendments thereto, no trust company, trust department of a bank,
9 corporation or other business entity, the home office of which is located
10 outside the state of Kansas, shall establish or operate a trust facility within
11 the state of Kansas, unless the laws of the state where the home office of
12 the nonresident trust company, trust department of a bank, corporation or
13 other business entity is located ~~reciprocally~~ authorize a Kansas chartered
14 trust company, trust department of a bank, corporation or other business
15 entity to establish or operate a trust facility within that state.

16 (b) Before any nonresident trust company, trust department of a bank,
17 corporation or other business entity establishes a trust facility in Kansas, a
18 copy of the application submitted to the home state, and proof that the
19 home state ~~has reciprocity with Kansas~~, *authorizes a Kansas chartered*
20 *trust company, trust department of a bank, corporation or other business*
21 *entity to establish or operate a trust facility within that state*, must be filed
22 by the applicant with the commissioner.

23 (c) No Kansas trust company shall establish an out-of-state trust
24 facility until an application has been filed with the commissioner and
25 approval has been received. An application filed pursuant to this section
26 shall be subject to the provisions in K.S.A. 9-2108, and amendments
27 thereto.

28 (d) No Kansas bank with a trust department shall establish an out-of-
29 state trust facility until an application has been filed with the commissioner
30 and approval has been received. An application filed pursuant to this
31 section shall be subject to the provisions in K.S.A. 9-1111, and
32 amendments thereto.

33 (e) As used in this section, "trust facility" means any office, agency,
34 desk or other place of business at which trust business is conducted.

35 (f) Any Kansas trust company or Kansas bank making application to
36 the commissioner pursuant to subsection (c) or (d) shall pay to the

1 commissioner a fee to be established pursuant to K.S.A. 2016 Supp. 9-
2 1726, and amendments thereto, to defray the expenses of the
3 commissioner in the examination and investigation of the application. The
4 commissioner shall remit all moneys received under this section to the
5 state treasurer in accordance with the provisions of K.S.A. 75-4215, and
6 amendments thereto. Upon receipt of each such remittance, the state
7 treasurer shall deposit the entire amount in the state treasury to the credit
8 of the bank investigation fund. The moneys in the bank investigation fund
9 shall be used to pay the expenses of the commissioner in the examination
10 and investigation of such applications and any unused balance shall be
11 transferred to the bank commissioner fee fund.

12 Sec. 2. K.S.A. 2016 Supp. 9-2111 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the statute book.