



COLORADO

Department of
Regulatory Agencies

Division of Banking

1560 Broadway, Suite 975
Denver, CO 80202

December 21, 2017

**BEFORE THE
COLORADO STATE BANKING BOARD**

**IN THE MATTER OF

RULE AMENDMENT**

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NOTICE OF PROPOSED RULEMAKING

I. Notice of hearing

PLEASE BE ADVISED THAT, as required by Section 24-4-103, C.R.S., of the State Administrative Procedures Act, the Colorado State Banking Board (Banking Board) hereby gives notice of proposed rulemaking. A hearing is scheduled for February 15, 2018, commencing at 10:00 a.m., at 1560 Broadway, Suite 975, Denver, Colorado, Division of Banking (Division) Conference Room, which facility is accessible in compliance with the Americans with Disabilities Act (ADA) guidelines.

II. Purpose of the proposed rulemaking

The purpose of the hearing is to hear comments concerning the proposed amendment of Banking Board Rule CB101.53, Loan Production Office. The proposed amendment would clarify that all Loan Production Offices, regardless of location, must abide by the rules and regulations stated.

III. Statutory authority for proposed rulemaking

The proposed amendment of the rules is being held under the authority given the Banking Board by the Colorado Banking Code in accordance with Section 11-102-104(1), C.R.S., which states "the banking board is the policy-making and rule-making authority for the division of banking and has the power to: (a) make, modify, reverse, and vacate rules for the proper enforcement and administration of this code..."

IV. Opportunity to testify and submit written comments

Any interested person(s) has the right to submit written comments or data, view, or argument. Written information should be filed with the Division no later than February 5, 2018. To submit written comments, please contact Natriece Bryant, Consumer Education and Public Outreach Coordinator, at natriece.bryant@state.co.us. In addition, any interested person(s) has the right to make an oral presentation at the Hearing, unless the Banking Board deems any oral presentation unnecessary.

SUBMITTED ON BEHALF OF THE
COLORADO STATE BANKING BOARD

Kenneth G. Boldt

Kenneth G. Boldt
Acting State Bank Commissioner





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Department of
Regulatory Agencies

Division of Banking

1560 Broadway, Suite 975
Denver, CO 80202

December 22, 2017

**STATE BANKING BOARD
RULE CB101.53
PERTAINING TO TITLE 11, ARTICLE 105, SECTION 101
COLORADO REVISED STATUTES**

STATEMENT OF BASIS, PURPOSE AND SPECIFIC AUTHORITY

Statutory Basis

The statutory basis for Banking Board Rule CB101.53 (CB101.53) is found in Section 11-105-101(1) of the Colorado Revised Statutes (C.R.S.). The purpose of this rule is to clarify Loan Production Office (LPO) establishment and practices pursuant to current law.

Purpose of this Rulemaking

The Division has conducted legislative language clean up over the last year regarding Colorado Rules and Regulations 3 CCR 701-1 or commercial banks. There are two proposed amendments to CB 101.53.

The proposed amendment to CB101.53(A)(1) will remove the terms "in Colorado" in the definition of a Loan Production Office (LPO) to represent that all LPOs, regardless of location, will abide by the rules and regulations stated, and will reflect as such:

A Loan Production Office (LPO) is any location ~~in Colorado~~ that is not a branch and where the only activities conducted are the solicitation and origination of loans by employees or agents of a bank or a subsidiary. Loan approvals must be made at the main office or branch location of a bank or its subsidiary.

The proposed amendment to CB101.53(B) will add the terms "that intends to open a LPO" to clarify applicability and will reflect as such:

A Colorado state bank that intends to open a LPO or a state bank chartered in another jurisdiction that intends to open a LPO in Colorado, or operate a LPO under a name which differs in any way from the name approved by the Banking Board, shall file an application on the appropriate form provided by the Division of Banking (Division).

Rulemaking Authority

Section 11-101-102 C.R.S., Declaration of policy.

Section 11-102-104 C.R.S., Powers and duties of the banking board.

Section 11-105-101 C.R.S., Branch banks and practices prohibited.

