



COLORADO

**Department of
Regulatory Agencies**

Division of Banking

August 15, 2024

**STATE BANKING BOARD
3 CCR 701-6 TC17
PERTAINING TO TITLE 11, ARTICLE 109, SECTION 104
COLORADO REVISED STATUTES**

STATEMENT OF BASIS, PURPOSE AND SPECIFIC STATUTORY AUTHORITY

Statutory Basis

The statutory basis for Banking Board Rule 3 CCR 701-6 TC17 is found in Section 11-109-104 of the Colorado Revised Statutes.

Purpose of this Rulemaking

The purpose of this rule is to require trust companies to hold \$250,000 in eligible securities for the Division of Banking (Division) to use, in the event of liquidation of the company, to cover Division expenses.

The purpose of this rulemaking is to amend Rule 3 CCR 701-6 TC17.

The Division finds that the proposed amendments this rule are necessary as follows:

- Clarify the Rule requirement is only applicable to non-depository trust companies as depository trust companies are insured by the FDIC and the FDIC serves as the receiver/liquidator in the case of closure.
- Update the definition of “Eligible Securities” by removing the reference to “Liquid Capital” and replacing it with updated verbiage.
- Make minor, grammatical corrections.

Rulemaking Authority

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| 11-101-102. | Declaration of policy. |
| 11-102-104. | Powers and duties of the banking board. |
| 11-109-103. | Applicability of powers of banking board and bank commissioner to trust companies. |
| 11-109-104. | Powers - banking board - commissioner. |

