

Topic: Bank Filings
 Question by: Marissa N. Soto-Ortiz
 Jurisdiction: Massachusetts
 Date: October 7, 2014

Jurisdiction	Question(s)
	I am wondering how many other filing offices out there also review and accept for filing any documents for banks.
Manitoba	
Corporations Canada	
Alabama	
Alaska	
Arizona	In Arizona, state banks file with the Corporation Commission like any other corporation, but must have a letter of approval from the Department of Financial Institutions for use of a financial term within the entity name. After the initial formation, other documents can be filed (unless it's a name change) without approval of the DFI.
Arkansas	
California	
Colorado	
Connecticut	
Delaware	
District of Columbia	In District of Columbia Corporation Division does not get any filings for banks. DC Department of Insurance, Securities and Banking has some limited jurisdiction over banks operating in DC. Federally chartered banks are supervised by one of the following federal agencies -Federal Reserve, Office of the Comptroller of the Currency and FDIC.
Florida	Florida files the articles, amendment and mergers for state chartered banks only. The documents are usually submitted by the Florida Division of Banking.
Georgia	Georgia does except filings for banks and credit unions.

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Hawaii	Hawaii financial institutions also file their articles, amendments and mergers with our office. The name of the Hawaii financial institution requires approval from the Financial Institution Commissioner, prior to registration.
Idaho	
Illinois	
Indiana	<p>In Indiana state chartered banks file with the Department of Financial Institutions. The DFI then delivers “filed and approved” articles to the SOS for filing. Bank filings are always a problem. I really do not understand why they get filed with the SOS other than for “notice” purposes. We cannot check the name for availability; we do not review the filing for requirements, etc b/c DFI has determined that the requirements have been met. I would love to get rid of them!</p> <p>I am wondering if anyone would be interested in discussing this as an IACA topic. We could discuss banks specifically and other “troublesome” filings and legislative fixes.</p>
Iowa	
Kansas	
Kentucky	
Louisiana	<p>Years ago banks were filed in this office. Today, they are filed with the state Office of Financial Institutions.</p>
Maine	They file them with the SOS office in Maine as well. These filings always have issues.....there is much confusion over the two separate statutes (banking vs corporations).
Maryland	
Massachusetts	
Michigan	In Michigan we do not review and accept filings for banks.
Minnesota	
Mississippi	
Missouri	

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Montana	<p>For Montana, it's spelled out pretty clearly in Montana Code:</p> <p>32-1-301. Organization and incorporation -- articles of incorporation. (1) A person desiring to organize a banking corporation shall make and file articles of incorporation with the department and, upon approval by the department, may file the articles with the secretary of state as provided in Title 35, chapter 1.</p> <p>They first get approval from the Banking Commission, then if they desire to incorporate may file their articles with the Secretary of State.</p> <p>We also do not file banks organized under National Authority.</p>
Nebraska	
Nevada	Nevada is basically the same as Utah. State chartered banks file with the Financial Institutions Division.
New Hampshire	
New Jersey	
New Mexico	
New York	
North Carolina	
North Dakota	North Dakota Secretary of State does review and file the documents related to bank charters. Those documents must bear the approval of the State Banking Commissioner before they can be filed by our office.
Ohio	Ohio is similar to Massachusetts. State chartered banks file with this office. Federally chartered banks also have the ability to file a "Notice of Transaction of Business."
Oklahoma	
Oregon	
Pennsylvania	
Rhode Island	Rhode Island is similar to Massachusetts. All filings for State-Chartered Banks require the prior approval of the Banking Commissioner. The filings are presented in triplicate, one copy is retained for our records, one is returned to the Commissioner and the third is the filer's evidence. Any applicable filing fees are set forth in the Banking Title.
South Carolina	
South Dakota	

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Tennessee	In Tennessee, State Chartered Banks file formation and amendment documents with the Tennessee Secretary of State after they have been reviewed and approved by the Tenn. Department of Financial Institutions.
Texas	
Utah	In Utah they do not necessarily need to file with Division of Corporations but some do. We accept the filing if presented. Nationally chartered banks never do file with us.
Vermont	
Virginia	These corporate instruments are filed in our office and we review them for compliance with Virginia corporate law. In the case of mergers, however, our Code also requires approval by the Commission's Bureau of Financial Institutions.
Washington	In Washington State our Department of Financial Institutions will review and approve bank registration. When necessary, DFI will file the entity with our office on the Banks behalf.
West Virginia	
Wisconsin	
Wyoming	

Additional comments:

Full text of email:

Dear All:

In Massachusetts several of the state chartered banking institutions have a requirement to file their articles of organization, articles of amendments and mergers with not only the Commissioner of Banks but this office as well.

I am wondering how many other filing offices out there also review and accept for filing any documents for banks.

Thank you for your time on this matter,

Marissa

Marissa N. Soto-Ortiz

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The Office of the Secretary of The Commonwealth