



30 quarterly report of condition for the depository institution for the calendar year immediately  
31 proceeding the date on which the annual fee is due under Section 7-1-402; and

32 (b) at the following rates:

33 (i) on the first \$5,000,000 of these assets, the greater of:

34 (A) 65 cents per \$1,000; or

35 (B) \$500;

36 (ii) on the next \$10,000,000 of these assets, ~~[36]~~ 35 cents per \$1,000;

37 (iii) on the next \$35,000,000 of these assets, ~~[17]~~ 15 cents per \$1,000;

38 (iv) on the next \$50,000,000 of these assets, ~~[14]~~ 12 cents per \$1,000;

39 (v) on the next \$200,000,000 of these assets, ~~[11]~~ 10 cents per \$1,000;

40 (vi) on the next \$300,000,000 of these assets, ~~[7]~~ 6 cents per \$1,000; and

41 (vii) on all amounts over \$600,000,000 of these assets, ~~[2.625]~~ 2 cents per \$1,000.

42 (2) A financial institution with a trust department shall pay a fee determined in  
43 accordance with Subsection (7) for each examination of the trust department by a state  
44 examiner.

45 (3) Notwithstanding Subsection (1), a credit union in its first year of operation shall  
46 pay a basic fee of \$25 instead of the fee required under Subsection (1).

47 (4) A trust company that is not a depository institution or a subsidiary of a depository  
48 institution holding company shall pay:

49 (a) an annual fee of \$500; and

50 (b) an additional fee determined in accordance with Subsection (7) for each  
51 examination by a state examiner.

52 (5) Any person or institution under the jurisdiction of the department that does not pay  
53 a fee under Subsections (1) through (4) shall pay:

54 (a) an annual fee of \$200; and

55 (b) an additional fee determined in accordance with Subsection (7) for each  
56 examination by a state examiner.

57 (6) A person filing an application or request under Section 7-1-503, 7-1-702, 7-1-703,

58 7-1-704, 7-1-713, 7-5-3, or 7-18a-202 shall pay:

59 (a) (i) a filing fee of \$500 if on the day on which the application or request is filed the  
60 person:

61 (A) is a person with authority to transact business as:

62 (I) a depository institution;

63 (II) a trust company; or

64 (III) any other person described in Section 7-1-501 as being subject to the jurisdiction  
65 of the department; and

66 (B) has total assets in an amount less than \$5,000,000; or

67 (ii) a filing fee of \$2,500 for any person not described in Subsection (6)(a)(i); and

68 (b) all reasonable expenses incurred in processing the application.

69 (7) (a) Per diem assessments for an examination shall be calculated at the rate of \$55  
70 per hour:

71 (i) for each examiner; and

72 (ii) per hour worked.

73 (b) For an examination of a branch or office of a financial institution located outside of  
74 this state, in addition to the per diem assessment under this Subsection (7), the institution shall  
75 pay all reasonable travel, lodging, and other expenses incurred by each examiner while  
76 conducting the examination.

77 (8) In addition to a fee under Subsection (5), a person registering under Section  
78 7-23-201 or 7-24-201 shall pay an original registration fee of \$300.

79 Section 2. Section 7-1-403 is amended to read:

80 **7-1-403. Funds and balances paid to treasurer -- Separate account -- Use of**  
81 **funds.**

82 ~~[Unexpended]~~ (1) The commissioner shall deposit unexpended balances and [all funds]  
83 money accruing to the department ~~[shall be deposited by the commissioner]~~ with the state  
84 treasurer monthly ~~[and]~~. The unexpended balances and money accruing to the department  
85 constitute a separate account within the General Fund. No part of the account may revert to the

86 General Fund except an amount as required by law to be transferred for general government  
87 and administrative costs.

88       (2) With the approval of the director of the Division of Finance, the commissioner may  
89 withdraw [~~sums~~] money from the account to pay costs and expenses of administration incurred  
90 in proceedings under [~~Title 7, Chapters 1, 2, and 19~~] Chapter 1, General Provisions, Chapter 2,  
91 Possession of Depository Institution by Commissioner, and Chapter 19, Acquisition of Failing  
92 Depository Institutions or Holding Companies, or to use in connection with the rehabilitation,  
93 reorganization, or liquidation of an institution under the jurisdiction of the department.

94       (3) The commissioner, after consultation with the Board of Financial Institutions and  
95 with the approval of the director of the Division of Finance, may withdraw money from the  
96 account to promote, protect, and encourage the dual banking system and state-chartered  
97 institutions.