



Ohio Revised Code Section 1121.29 Assessments.

Effective: September 29, 2017

Legislation: House Bill 49 - 132nd General Assembly

(A)(1) Each bank, savings and loan association, and savings bank subject to inspection and examination by the superintendent of financial institutions and transacting business on the thirty-first day of December, or their successors in interest, shall pay to the treasurer of state assessments as provided in this section. The superintendent shall make each assessment based on the total assets as shown on the books of the bank, savings and loan association, or savings bank as of the thirty-first day of December of the previous year. The superintendent shall collect the assessment on an annual or periodic basis, as provided by the superintendent. All assessments shall be paid within fourteen days after receiving an invoice for payment of the assessment.

(2) After determining the budget of the division of financial institutions for examination and regulation of banks, savings and loan associations, and savings banks, but prior to establishing the schedule of assessments under this division necessary to fund that budget, the superintendent shall consider any necessary cash reserves and any amounts collected but not yet expended or encumbered by the superintendent in the previous fiscal year's budget and remaining in the banks fund pursuant to division (C) of section 1121.30 of the Revised Code.

(3) The superintendent shall establish the actual schedule of assessments on an annual basis, present the schedule to the banking commission for confirmation, and forward copies of the current year's schedule to banks, savings and loan associations, and savings banks doing business under authority granted by the superintendent, or their successors in interest.

If during the period between the banking commission's confirmation of the schedule of assessments and the completion of the fiscal year in which those assessments will be collected, the banking commission determines additional money is required to adequately fund the operations of the division of financial institutions for that fiscal year, the banking commission may, by the affirmative vote of two-thirds of its members, increase the schedule of assessments for that fiscal year. The superintendent shall promptly notify each bank, savings and loan association, and savings bank of the increased assessment, and each bank, savings and loan association, and savings bank shall pay



the increased assessment as made and invoiced by the superintendent.

(4) A bank, savings and loan association, or savings bank authorized by the superintendent to commence business in the period between assessments shall pay the actual reasonable costs of the division's examinations and visitations. The bank, savings and loan association, or savings bank shall pay the costs within fourteen days after receiving an invoice for payment.

(B)(1) Whenever in the judgment of the superintendent the condition or conduct of a bank renders it necessary to make additional examinations and follow-up visitations within the examination cycle beyond the minimum required by division (A) of section 1121.10 of the Revised Code, the superintendent shall charge the bank for the additional examinations and follow-up visitations as provided in division (C) of this section. The bank shall pay the fee charged within fourteen days after receiving an invoice for payment.

(2) The superintendent shall charge a bank for any examination of the bank's operations as a trust company and data processing facility in accordance with division (C) of this section whether that examination is the only examination of the bank in the examination cycle or in addition to other examinations of the bank's operations.

(C) The superintendent shall periodically establish a schedule of fees to be paid for examinations, applications, certifications, and notices considered necessary by the superintendent.

(D)(1) The superintendent may waive any fees provided for in division (C) of this section to protect the interests of depositors and for other fair and reasonable purposes as determined by the superintendent.

(2) The fees established by the superintendent pursuant to division (C) of this section for processing applications and notices and conducting and processing examinations shall be reasonable considering the direct and indirect costs to the division, as determined by the superintendent, of processing the applications and for conducting and processing the examinations.

(E) The superintendent may determine and charge reasonable fees for furnishing and certifying copies of documents filed with the division and for any expenses incurred by the division in the



publication or serving of required notices.

(F) Assessments and examination and application fees charged and collected pursuant to this section are not refundable. Any fee charged pursuant to this section shall be paid within fourteen days after receiving an invoice for payment of the fee.

(G) The superintendent shall pay all assessments and fees charged pursuant to this section and all forfeitures required to be paid to the superintendent into the state treasury to the credit of the banks fund.