

One Hundred Fifth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the seventh day of January, one thousand nine hundred and ninety-seven*

An Act

To amend Federal law to clarify the applicability of host State laws to any branch in such State of an out-of-State bank, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Riegle-Neal Amendments Act of 1997”.

SEC. 2. INTERSTATE BRANCHING.

(a) ACTIVITIES OF BRANCHES OF OUT-OF-STATE BANKS.—Subsection 24(j) of the Federal Deposit Insurance Act (12 U.S.C. 1831a(j)) is amended to read as follows:

“(j) ACTIVITIES OF BRANCHES OF OUT-OF-STATE BANKS.—

“(1) APPLICATION OF HOST STATE LAW.—The laws of a host State, including laws regarding community reinvestment, consumer protection, fair lending, and establishment of intrastate branches, shall apply to any branch in the host State of an out-of-State State bank to the same extent as such State laws apply to a branch in the host State of an out-of-State national bank. To the extent host State law is inapplicable to a branch of an out-of-State State bank in such host State pursuant to the preceding sentence, home State law shall apply to such branch.

“(2) ACTIVITIES OF BRANCHES.—An insured State bank that establishes a branch in a host State may conduct any activity at such branch that is permissible under the laws of the home State of such bank, to the extent such activity is permissible either for a bank chartered by the host State (subject to the restrictions in this section) or for a branch in the host State of an out-of-State national bank.

“(3) SAVINGS PROVISION.—No provision of this subsection shall be construed as affecting the applicability of—

“(A) any State law of any home State under subsection (b), (c), or (d) of section 44; or

“(B) Federal law to State banks and State bank branches in the home State or the host State.

“(4) DEFINITIONS.—The terms ‘host State’, ‘home State’, and ‘out-of-State bank’ have the same meanings as in section 44(f).”.

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(b) LAW APPLICABLE TO INTERSTATE BRANCHING OPERATIONS.—Section 5155(f)(1) of the Revised Statutes (12 U.S.C. 36(f)(1)) is amended by adding at the end the following:

“(C) REVIEW AND REPORT ON ACTIONS BY COMPTROLLER.—The Comptroller of the Currency shall conduct an annual review of the actions it has taken with regard to the applicability of State law to national banks (or their branches) during the preceding year, and shall include in its annual report required under section 333 of the Revised Statutes (12 U.S.C. 14) the results of the review and the reasons for each such action. The first such review and report after the date of enactment of this subparagraph shall encompass all such actions taken on or after January 1, 1992.”.

SEC. 3. RIGHT OF STATE TO OPT OUT

Nothing in this Act alters the right of States under section 525 of Public Law 96–221.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*