

1988—Par. (3)(B). Pub. L. 100-650, § 2, substituted “25 percent” for “50 per centum” in two places.

Par. (4). Pub. L. 100-650, § 3, substituted “(including an advisory or honorary director, except in the case of a depository institution with total assets of less than \$100,000,000)” for “(including an advisory or honorary director)”.

Par. (6). Pub. L. 100-650, § 5(b)(1), added par. (6).

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective upon the expiration of 120 days after Nov. 10, 1978, see section 2101 of Pub. L. 95-630, set out as a note under section 375b of this title.

##### SHORT TITLE OF 1988 AMENDMENT

Pub. L. 100-650, § 1, Nov. 10, 1988, 102 Stat. 3819, provided that: “This Act [amending sections 3201, 3204, and 3205 of this title] may be referred to as the ‘Management Interlocks Revision Act of 1988.’”

##### SHORT TITLE

Pub. L. 95-630, title II, § 201, Nov. 10, 1978, 92 Stat. 3672, provided that: “This title [enacting this chapter and amending sections 1464, 1730, and 1818 of this title] may be cited as the ‘Depository Institution Management Interlocks Act.’”

### § 3202. Dual service of management official as management official of unaffiliated institution or holding company in same area, town, or village prohibited

A management official of a depository institution or a depository holding company may not serve as a management official of any other depository institution or depository holding company not affiliated therewith if an office of one of the institutions or any depository institution that is an affiliate of such institutions is located within either—

(1) the same primary metropolitan statistical area, the same metropolitan statistical area, or the same consolidated metropolitan statistical area that is not comprised of designated primary metropolitan statistical areas as defined by the Office of Management and Budget, except in the case of depository institutions with less than \$50,000,000 in assets in which case the provision of paragraph (2) shall apply, as that in which an office of the other institution or any depository institution that is an affiliate of such other institution is located, or

(2) the same city, town, or village as that in which an office of the other institution or any depository institution that is an affiliate of such other institution is located, or in any city, town, or village contiguous or adjacent thereto.

(Pub. L. 95-630, title II, § 203, Nov. 10, 1978, 92 Stat. 3673; Pub. L. 98-181, title I [title VII, § 701(c)], Nov. 30, 1983, 97 Stat. 1267; Pub. L. 109-351, title VI, § 610, Oct. 13, 2006, 120 Stat. 1984.)

#### Editorial Notes

##### AMENDMENTS

2006—Par. (1). Pub. L. 109-351 substituted “\$50,000,000” for “\$20,000,000”.

1983—Par. (1). Pub. L. 98-181 substituted “primary metropolitan statistical area, the same metropolitan

statistical area, or the same consolidated metropolitan statistical area that is not comprised of designated primary metropolitan statistical areas” for “standard metropolitan statistical area”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective upon the expiration of 120 days after Nov. 10, 1978, see section 2101 of Pub. L. 95-630, set out as a note under section 375b of this title.

### § 3203. Dual service of management official of \$2,500,000,000 institution or holding company as management official of unaffiliated \$1,500,000,000 institution or holding company prohibited

If a depository institution or a depository holding company has total assets exceeding \$2,500,000,000, a management official of such institution or any affiliate thereof may not serve as a management official of any other non-affiliated depository institution or depository holding company having total assets exceeding \$1,500,000,000 or as a management official of any affiliate of such other institution. In order to allow for inflation or market changes, the appropriate Federal depository institutions regulatory agencies may, by regulation, adjust, as necessary, the amount of total assets required for depository institutions or depository holding companies under this section.

(Pub. L. 95-630, title II, § 204, Nov. 10, 1978, 92 Stat. 3673; Pub. L. 104-208, div. A, title II, § 2210(a), Sept. 30, 1996, 110 Stat. 3009-409.)

#### Editorial Notes

##### AMENDMENTS

1996—Pub. L. 104-208 substituted “\$2,500,000,000” for “\$1,000,000,000” and “\$1,500,000,000” for “\$500,000,000” and inserted at end “In order to allow for inflation or market changes, the appropriate Federal depository institutions regulatory agencies may, by regulation, adjust, as necessary, the amount of total assets required for depository institutions or depository holding companies under this section.”

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective upon the expiration of 120 days after Nov. 10, 1978, see section 2101 of Pub. L. 95-630, set out as a note under section 375b of this title.

### § 3204. Exceptions

The prohibitions contained in sections 3202 and 3203 of this title shall not apply in the case of any one or more of the following or subsidiary thereof:

(1) A depository institution or depository holding company which has been placed formally in liquidation, or which is in the hands of a receiver, conservator, or other official exercising a similar function.

(2) A corporation operating under section 25 or 25(a)<sup>1</sup> of the Federal Reserve Act [12 U.S.C. 601 et seq., 611 et seq.].

(3) A credit union being served by a management official of another credit union.

<sup>1</sup> See References in Text note below.