

§ 53C-8-2. Assessments and fees.

Banks shall pay the following assessments and fees into the OCOB within 10 days after receipt of an invoice:

- (1) Annual assessments. – Each bank shall pay a cumulative assessment based on its total assets as shown on its report of condition made to the Commissioner as of December 31 each year or the date most nearly approximating the same, not to exceed the amount determined by applying the following schedule:
 - a. On the first fifty million dollars (\$50,000,000) of assets, or fraction thereof, ten thousand dollars (\$10,000).
 - b. On assets greater than fifty million dollars (\$50,000,000) but not more than two hundred fifty million dollars (\$250,000,000), fourteen dollars (\$14.00) per hundred thousand dollars (\$100,000), or fraction thereof.
 - c. On assets greater than two hundred fifty million dollars (\$250,000,000), but not more than five hundred million dollars (\$500,000,000), eleven dollars (\$11.00) per hundred thousand dollars (\$100,000), or fraction thereof.
 - d. On assets greater than five hundred million dollars (\$500,000,000), but not more than one billion dollars (\$1,000,000,000), seven dollars (\$7.00) per hundred thousand dollars (\$100,000), or fraction thereof.
 - e. On assets greater than one billion dollars (\$1,000,000,000), but not more than ten billion dollars (\$10,000,000,000), four dollars (\$4.00) per hundred thousand dollars (\$100,000), or fraction thereof.
 - f. On assets greater than ten billion dollars (\$10,000,000,000), two dollars (\$2.00) per hundred thousand dollars (\$100,000), or fraction thereof.
- (2) Assessments on trust assets. – Each bank shall pay an assessment on trust assets held by it in the amount of one dollar (\$1.00) per hundred thousand dollars (\$100,000) of trust assets, or fraction thereof, except that banks are not required to pay assessments on real estate held as trust assets.
- (3) Special assessments. – If the Commissioner determines that the financial condition or manner of operation of a bank warrants further examination or an increased level of supervision, or in the event of a combination or conversion, the Commissioner may charge, and the institutions shall pay, an assessment equal to the reasonable cost of further examination, increased level of supervision, or supervision with regard to the combination or conversion. The Commissioner's determination of the cost of further examination shall be, in the absence of manifest error, dispositive of the issue of reasonableness.
- (4) In the first half of each calendar year, the Commission shall review the estimated cost of maintaining each division of the OCOB for the next fiscal year. If the estimated assessments provided for under this Chapter for any division shall exceed the estimated cost of maintaining that division for the next fiscal year, then the Commission may reduce by a uniform percentage any assessments provided for in this Chapter for that division. If the estimated assessments provided for in this Chapter for any division shall be less than the estimated cost of maintaining that division for the next fiscal year, then the Commission may increase by a uniform percentage any assessments provided for in this Chapter for that division to an amount that

will increase the amount of assessments to be collected to an amount at least equal to the estimated cost of maintaining that division of the OCOB for the next fiscal year. (2012-56, s. 4.)