

**286.3-915 Bank combinations -- Operation of a combined bank as a branch of the surviving bank -- Transfer of combined bank's main office and branches -- Definitions.**

- (1) Notwithstanding any other provision of Subtitle 1, 2, or 3 of KRS Chapter 286:
  - (a) An individual or bank holding company that controls two (2) or more banks in this state may, from time to time:
    1. Combine any or all of the banks into and with any one (1) of the commonly controlled banks in this state, and thereafter, the surviving bank shall continue to operate its principal office in this state and may operate the other authorized offices of the banks so combined as branches of the surviving bank; or
    2. Transfer all of the branches in a county of one (1) of the commonly controlled banks to any other of the commonly controlled banks in this state, and thereafter, the bank to which the branches are transferred may operate the branches as branches of the bank;
  - (b)
    1. Any combination authorized by this subsection shall not require the approval of the commissioner.
    2. On or before thirty (30) days prior to the combination, the proposed surviving or transferee bank shall notify the commissioner of the combination.
    3. On the effective date of the combination, the charter of any combined bank organized under the laws of this state shall be surrendered; and
  - (c) For purposes of this subsection:
    1. The term "combine" or "combination" includes a merger or the acquisition of all or substantially all of the assets of a bank already controlled by an individual or bank holding company;
    2. An individual or bank holding company "controls" a bank if that individual or company, directly or indirectly, owns, controls, or has the power to vote at least eighty percent (80%) of the issued and outstanding voting securities of the bank;
    3. "Combined bank" means any bank participating in a combination authorized by this section other than the surviving bank;
    4. "Surviving bank" means a bank into which a combined bank has been combined;
    5. "Bank" includes a national bank and federal savings bank; and
    6. "Individual" and "bank holding company" have the same meanings as in KRS 286.3-900.
- (2) (a) The commissioner shall approve the following, if he or she determines that the public convenience and necessity will be served by the merger, consolidation, or sale:
  1. The merger or consolidation of state banks having their principal offices in the same county and the operation by the merged or consolidated corporation of the banks; or

2. The sale of any state bank to, and the purchase thereof by, any other state bank with its principal office in the same county and the operation of the bank by the purchasing bank as a branch.
- (b) The bank that does not survive the merger or consolidation shall surrender its charter.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 152, sec. 32, effective July 15, 2024. -- Amended 2010 Ky. Acts ch. 24, sec. 653, effective July 15, 2010; and ch 28, sec. 18, effective July 15, 2010. -- Amended 2000 Ky. Acts ch. 135, sec. 4, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 196, sec. 21, effective July 15, 1998. -- Amended 1996 Ky. Acts ch. 254, sec. 38, effective July 15, 1996; and ch. 338, sec. 20, effective July 15, 1996. -- Created 1990 Ky. Acts ch. 181, sec. 1, effective July 13, 1990.

**Formerly codified as** KRS 287.915.

**Legislative Research Commission Note** (7/12/2006). In accordance with 2006 Ky. Acts ch. 247, secs. 38 and 39, this statute has been renumbered as a section of the Kentucky Financial Services Code, KRS Chapter 286, and KRS references within this statute have been adjusted to conform with the 2006 renumbering of that code.