

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3052**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JUNE 21, 2004

The Assembly Financial Institutions and Insurance Committee reports favorably and with committee amendments, Assembly Bill No. 3052.

As amended by the committee, this bill provides for an exception to the current requirement that only a banking institution or bank holding company is permitted to use the words "bank" or "banker" or "banking" or "trust" or "savings" or any of them, as part of its name, or in any representations describing its powers, services or functions. The bill provides that the Commissioner of Banking and Insurance may waive this provision so long as the commissioner, upon application, determines the following: (1) the applicant has used the requested name in at least one other state for at least six years and use of that name has not resulted in a pattern of confusion to consumers in that or any other state; (2) there is no risk of confusion to consumers in this State; (3) the services provided by an applicant for a waiver are not financial services; and (4) the applicant only does business with other commercial entities and not with consumers.

The bill also provides that upon receipt of an application for a waiver, the commissioner shall provide notice of that application to the New Jersey Bankers Association, the New Jersey League of Community Bankers, and any successor trade associations and allows 30 days for the trade associations or any member thereof to provide written comments supporting or opposing the application to the commissioner.

Finally, technical amendments were made by the committee to have the provisions of the bill reflect provisions previously enacted into law in 2000.

COMMITTEE AMENDMENTS

The committee made technical amendments to the bill to reflect provisions previously enacted into law in 2000.