

March 18, 2009

**S 669. BANKING COMMISSION APPEALS.** Filed 3/18/09. *TO CLARIFY THE BANKING COMMISSION APPELLATE PROCEDURES.*

Amends GS 53-92(d) to require that, upon appeal from an order entered by the Commissioner of Banks (Commissioner) following an administrative hearing, the notice of appeal to the Banking Commission (Commission) must state the grounds for the appeal and set forth in numbered order the assignments of error for review by the Commission. Failure to state the grounds of the appeal and assignments of error, as well as failure to comply with the briefing schedule set by the Commission, constitutes grounds to dismiss the appeal. Deletes the requirement that any party petitioning the Superior Court of Wake County for judicial review must provide written notice to the Commissioner and, instead, provides that a copy be served on the Commissioner pursuant to GS 150B-46. Provides that the standard of review of a petition for judicial review of a final order of the Commission is provided in GS 150B-51(b). Makes clarifying changes.

Makes clarifying and conforming changes to GS 53-188 (review of regulations, order or act of Commission or Commissioner related to the North Carolina Consumer Finance Act), GS 53-208.27(b) (Commission rules related to the Money Transmitters Act), GS 53-215 (Appeal of Commissioner's decision related to the North Carolina Reciprocal Interstate Banking Act), GS 53-224.30 (Appeal of Commissioner's decision related to Interstate Branch Banking), GS 53-231 (Appeal of Commissioner's decision related to the Bank Holding Company Act of 1984), GS 53-232.17 (Appeal of the Commissioner's decision related to the North Carolina International Banking Act), GS 53-252 (Appeal of the Commissioner's decision related to the Refund Anticipation Loan Act), GS 53-272 (Appeals related to reverse mortgages), GS 53-289 (Commission may review rules, orders, or acts by the Commissioner related to check-cashing businesses), and GS 53-412 (Commissioner hearings; appeals related to trust companies and interstate trust business).

**Intro. by Soles.**

GS 53

June 8, 2009

**SL 2009-57 (S 669). BANKING COMMISSION APPEALS. AN ACT TO CLARIFY THE BANKING COMMISSION APPELLATE PROCEDURES.** Summarized in *Daily Bulletin* 3/18/09. Enacted June 5, 2009. Effective June 5, 2009.