

**RULES  
OF THE  
TENNESSEE DEPARTMENT OF FINANCIAL INSTITUTIONS**

**CHAPTER 0180-21  
RULES PERTAINING TO THE ASSESSMENT OF THE ANNUAL BANKING FEE**

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0180-21-.01. Annual Banking Fee

**0180-21-.01. ANNUAL BANKING FEES.**

- (1) The annual budget for the Department of Financial Institutions shall be divided among the state banks through an assessment, which shall be known as the “banking fee”, based on the banks’ assets. The Department’s budget is accounted for on a fiscal year basis, July 1 through June 30. Any bank that is a state bank on the first day of a fiscal year shall pay the full banking fee for that fiscal year, and the bank’s fee shall not be prorated for any reason. The maximum banking fee assessment shall not exceed the annualized fee which a state bank would pay if it were a national bank of equivalent asset size. The Commissioner may, on an annual basis, establish the maximum banking fee assessment at a smaller percentage than a national bank of equivalent asset size would be assessed if the assessment factor for all state banks will be no higher than it was for the previous year. In making that determination, the Commissioner shall consider the Department’s budget needs. Annually thereafter, the maximum banking fee assessment will remain at the same percentage until either the Commissioner further reduces the maximum assessment on the same basis as set forth above, or determines that a higher percentage is necessary to meet the Department’s budget. In no event shall the Commissioner increase the maximum banking fee to a level higher than a national bank of equivalent size would pay.
- (2) Unless banks are notified otherwise by the Department, the Department shall send each bank, or its successor, notice of the bank’s banking fee in December of the fiscal year in which the fee is being collected. Each bank’s assessment will be calculated based on assets as reported in the bank’s Report of Condition and Income as of June 30 (commonly known as the June 30 call report) for the June 30 preceding the notice of assessment. If for any reason a bank that was a state bank on July 1 does not file a June 30 call report, then the Commissioner shall determine that bank’s assets for purposes of making the assessment from other sources of information.

**Authority:** T.C.A. §§ 45-1-107 and 45-1-118. **Administrative History:** Original rule filed January 29, 1993; effective April 30, 1993. Amendment filed February 27, 1998; effective June 26, 1998.