

This rule was filed as 12 NMAC 16.1.2.

**TITLE 12 TRADE, COMMERCE AND BANKING**  
**CHAPTER 16 BANKING**  
**PART 3 FORMULA FOR DETERMINING THE NET WORTH OF BANK MAIN OFFICES AND BRANCHES**

**12.16.3.1 ISSUING AGENCY:** Financial Institutions Division of the Regulation and Licensing Department. P.O. Box 25101, Santa Fe, New Mexico 87504.  
[02-28-98; Recompiled 10/15/01]

**12.16.3.2 SCOPE:** Depositors of public money subject to the referenced statutory authority.  
[02-28-98; Recompiled 10/15/01]

**12.16.3.3 STATUTORY AUTHORITY:** Sections 6-10-36C and 22-8-40D NMSA 1978.  
[02-28-98; Recompiled 10/15/01]

**12.16.3.4 DURATION:** Five years beginning on the effective date.  
[02-28-98; Recompiled 10/15/01]

**12.16.3.5 EFFECTIVE DATE:** February 28, 1998, unless a later date is cited at the end of a section or paragraph.  
[02-28-98; Recompiled 10/15/01]  
[Compiler's note: The words *or paragraph*, above, are no longer applicable. Later dates are now cited only at the end of sections, in the history notes appearing in brackets.]

**12.16.3.6 OBJECTIVE:** The objective of this sub-part [now part] is to provide a formula for determining the net worth of bank main offices and branches for the purpose of the distribution of public money as required by the above referenced statutory authority. The formula is necessary, because bank main offices and branches do not have a "net worth" separate and apart from the net worth of the bank as a whole. The formula provides a means of allocating portions of the bank's net worth to its individual facilities.  
[02-28-98; Recompiled 10/15/01]

**12.16.3.7 DEFINITIONS:**

- A. "Deposits in a manned branch" means deposits accepted by that branch, exclusive of deposits accepted at other manned branches or the main office facility.
- B. "Deposits in main office" means deposits accepted by the main office facility of the bank, exclusive of deposits accepted at manned branch facilities of the bank.
- C. "Total equity capital" means that amount reported by the bank in schedule RC of the federal financial institutions examination council ("FFIEC") report of condition with the same date as the date of the deposit data.
- D. "Total deposits" means that amount reported by the bank in schedule RC of the FFIEC report of condition with the same date as the date of the deposit data.  
[02-28-98; Recompiled 10/15/01]

**12.16.3.8 FORMULA FOR DETERMINING THE NET WORTH OF BANK MAIN OFFICES AND BRANCHES:**

- A. The net worth of a main office of a bank and/or its manned branches within the geographical boundaries of a governmental unit or local school district is the total equity capital of the bank multiplied by the percentage that deposits of the main office and/or its manned branches within the geographical boundaries of the governmental unit are of the total deposits of the bank.
- B. The formula is as follows: Total equity capital times the sum of deposits in the main office and/or all manned branches of the same bank within the boundary divided by total deposits equals net worth of main office and/or manned branches within the boundary.

C. Branch deposit data used shall be the most current available. Bank deposits by county within the state and for each bank and banking office are surveyed by the federal deposit insurance corporation each year as of June 30 and published in book six of the data book. Additional geographic distributions are published in the national data book. The most current of these publications may be used. The required information is available on the internet at [www.fdic.gov](http://www.fdic.gov). The national data book may be obtained from: FDIC Public Information Center, 801 17th Street, NW, Room 100, Washington, DC 20434-0001.  
[02-28-98; Recompiled 10/15/01]

**HISTORY OF 12.16.3 NMAC:**

Pre-NMAC Regulatory Filing History: The material in this part was derived from that previously filed with the State Records Center and Archives under:

Regulation 81-2, Promulgation of Formula for Determining Net Worth of Banks and Savings and Loan Associations for Purpose of Distribution of Public Money filed 12/31/81.

Regulation 83-4, Promulgation of Formula for Determining Net Worth of Banks For Purpose of Distribution of Public Money filed 6/14/83.

History of Repealed Material: [RESERVED]