



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF BANKING  
HARRISBURG

THE SECRETARY

March 26, 2003

To: All Pennsylvania State-Chartered Banks, Bank and Trust Companies, Savings Banks, Savings Associations, and Trust Companies.

Re: Streamlined Call Report Filing Requirements

On December 9, 2002, Pennsylvania Senate Bill 1258, P.N. 2421, was signed into law as Act 209 of 2002, and substantially amended the Pennsylvania Department of Banking Code of 1933 ("DOB Code").<sup>1</sup> In part, the new law amended Section 403 of the DOB Code ("Section 403")<sup>2</sup> to eliminate duplicative and/or burdensome call report<sup>3</sup> publication and filing requirements.

*General Requirement:* Under the amendments to Section 403, Pennsylvania state-chartered institutions, including Pennsylvania state-chartered banks, bank and trust companies, savings banks, (together "Banks"), Pennsylvania state-chartered trust companies ("Trust Companies"), and Pennsylvania state-chartered savings associations ("Savings Associations") may file their call reports in such form and as of such dates as required by Federal law. Since, at this time, the Department does not have the capability of receiving electronic call report filings, Trust Companies must continue to file their call reports in paper form directly with the Department on the dates prescribed by Federal law for call report filings. However, the Department is exploring technical alternatives that would allow Trust Companies to electronically file call reports in the future.

*Publication Requirement Eliminated:* Banks, Savings Associations, and Trust Companies are no longer required under Section 403 to publish copies or abstract summaries of their call reports in a newspaper of general circulation or a legal newspaper or to obtain and send to the Department related proofs of publication, unless required to do so by Federal law.

*Special Reports May Be Required:* The Department retains the authority under Section 403 to require Banks, Savings Associations, and Trust Companies to deliver Special Reports on their respective condition, or any other particular facts, to the extent that the Department deems such report to be necessary or advisable for the protection of depositors, other creditors, or shareholders of the institution(s).

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<sup>1</sup> 71 P.S. § 733-1 *et seq.*

<sup>2</sup> 71 P.S. § 733-403.

<sup>3</sup> The term "call report" includes the Consolidated Reports of Condition and Income and Thrift Financial Report.

*Electronic Delivery Authorized:* Section 403 authorizes Banks, Savings Associations, and Trust Companies to deliver call reports electronically or by other technologically advanced means. At present, the Department's position is that Banks and Savings Associations may comply with Section 403 by delivering the call reports to the responsible Federal banking regulatory agency in such manner as that Federal agency may authorize, including by electronic filing over the Internet. The Department will continue to access call reports from the relevant Federal banking regulatory agency database made available to State banking regulatory agencies, until such time as the Department may otherwise advise the Banks and Savings Associations.

Until such time as electronic means of filing call reports are available to Trust Companies, Trust Companies must continue to file their call reports in paper form directly with the Department.

*Verification and Attestation:* Banks, Savings Associations, and Trust Companies may verify and attest to the information contained in call reports, as required under Section 403, by completing and signing the verification and attestation portion of the call reports. A separate attestation form is no longer required to satisfy the requirements of Section 403. Banks and Savings Associations shall continue to maintain their original call reports, including the verification and attestation portion, at their respective offices for review by Department examiners. Trust Companies will be required to verify and attest the call report as part of the Trust Companies' paper filing with the Department.

If you have any questions regarding this matter, please contact Department Administrator James Acri for inquiries related to Savings Associations and Trust Companies at 717-787-7333 or Corporate Applications Manager Joe Moretz at 717-783-2253 for inquiries related to Banks.

Sincerely,

A handwritten signature in black ink, appearing to read "A. William Schenck III". The signature is written in a cursive style with a horizontal line at the end.

A. William Schenck III  
Acting Secretary of Banking