

government and its existing public institutions, and shall take effect immediately.

Passed the House March 7, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 27, 1979.

Filed in Office of Secretary of State March 27, 1979.

---

## CHAPTER 137

[House Bill No. 365]

### SATELLITE BANKING FACILITIES—CREDIT UNIONS

AN ACT Relating to satellite facilities of certain financial institutions; amending section 1, chapter 166, Laws of 1974 ex. sess and RCW 30.43.010; amending section 3, chapter 166, Laws of 1974 ex. sess. and RCW 30.43.030; amending section 4, chapter 166, Laws of 1974 ex. sess. and RCW 30.43.040; amending section 5, chapter 166, Laws of 1974 ex. sess. and RCW 30.43.050; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 1, chapter 166, Laws of 1974 ex. sess and RCW 30.43.010 are each amended to read as follows:

As used in this chapter the term "financial institution" means any bank or trust company established in this state pursuant to Title 12, United States Code, chapter 2, or Title 30 RCW, any mutual savings bank established in this state pursuant to Title 32 RCW, ~~((and))~~ any savings and loan association established in this state pursuant to Title 12, United States Code, chapter 12, or Title 33 RCW, and any credit union established in this state pursuant to Title 12, United States Code, chapter 14 or chapters 31.12 and 31.13 RCW.

As used in this chapter, the term "supervisor" means, if applicable to banks, trust companies, or mutual savings banks, the supervisor of banking and, if applicable to savings and loan associations and credit unions, the supervisor of savings and loan associations, or the National Credit Union Administration in the case of federally chartered credit unions. As used in this chapter, the term "satellite facility" means an unmanned facility at which transactions, including, but not being limited to account transfers, payments, and instructions for deposits and withdrawals may be conducted and which is not a part of a branch or main office of the financial institution: **PROVIDED**, That such a facility shall not be construed to be the establishment of a branch: **PROVIDED FURTHER**, That in considering any application for authority to open a new branch or to establish a new financial institution, the supervisor shall disregard the existence of facilities established pursuant to this chapter in determining whether there is reasonable promise of adequate support for the new branch or proposed new financial institution.

Sec. 2. Section 3, chapter 166, Laws of 1974 ex. sess. and RCW 30.43-.030 are each amended to read as follows:

As a condition to the operation of or the use of any satellite facility in this state, a commercial bank which desires to operate or have its customers able to utilize a satellite facility must agree that such satellite facility will be available for use by customers of any other commercial bank or commercial banks upon the request of said bank or banks to share its use and the agreement of said bank or banks to share all costs in connection with its installation and operation. The owner of the satellite facility, whether a commercial bank or another person (but not a mutual savings bank or savings and loan association or credit union), shall make the satellite facility available for other commercial banks' use on a nondiscriminatory basis, conditioned upon payment of a reasonable proportion of all costs in connection with the satellite facility.

A commercial bank may share a facility with one or more mutual savings banks (~~(or with)~~), one or more savings and loan associations or one or more credit unions.

Sec. 3. Section 4, chapter 166, Laws of 1974 ex. sess. and RCW 30.43-.040 are each amended to read as follows:

Notwithstanding the provisions of RCW 30.43.030, any savings and loan association or (~~any~~) mutual savings bank or credit union may agree to share the use of any satellite facility it owns, operates, or uses or which is owned by any entity owned by one or more savings and loan associations or mutual savings banks or credit unions, with any one or more financial institutions, and sharing with one or more commercial banks shall not require sharing with, or making the facility available for use by the customers of, any other commercial bank.

Sec. 4. Section 5, chapter 166, Laws of 1974 ex. sess. and RCW 30.43-.050 are each amended to read as follows:

If, but for this chapter, any action by any one or more commercial banks, mutual savings banks, (~~or~~) savings and loan associations, or credit unions would be in violation of any of the laws of this state or the United States commonly referred to as the antitrust laws, then this chapter shall be construed so as to permit or require only such action as shall not be in violation of such laws.

NEW SECTION. Sec. 5. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House February 22, 1979.

Passed the Senate March 2, 1979.

Approved by the Governor March 27, 1979.

Filed in Office of Secretary of State March 27, 1979.