

INSTRUCTIONS FOR FILING AN APPLICATION TO INCREASE OR DECREASE CAPITAL STOCK

Refer to the laws, regulations, policies and procedures contained in Title 6 O.S. Section 405 and Banking Board Rule 85:10-3-10.

1. Submit the “Capital Stock Increase/Decrease Certificate” and answer all questions completely in the spaces provided or by attaching additional pages as necessary. Please use 8½” x 11” paper. If the answer is “no”, “none”, or “not applicable”, so state.
2. Submit one a copy of the proposed amended certificate of incorporation.
3. Submit two certified copies of the resolution adopted by a majority of the stockholders and approved by the board of directors, which appears in the minutes of their meetings.

***NOTE:** If the request is for an increase in capital stock, the stockholder resolution must state whether the new stock will be fully paid either in cash or by transfer from undivided profits or authorized but unissued stock. If the increase is to be paid in cash, the resolution shall declare whether the offering will be a private offering or a public offering.*

If the offering is a public offering, then the applicant must prepare an offering circular pursuant to the requirements of Banking Board Rule 85:10-13-2

4. Submit one signed copy of the stockholders' minutes containing the resolution for changing the number and par value of shares.
5. Submit one signed copy of the board minutes containing the resolution for changing the number and par value of shares.
6. There is no fee for this application.
7. Within 30 days of receiving the properly executed documents, the Commissioner will notify the applicant of his decision. If approved, the applicant must file the documents with the Oklahoma Secretary of State and then submit certified copies of such filed documents to this office and to the applicant’s primary federal regulator.

Incomplete applications will not be accepted for filing and will be returned to the applicant.