§ 222. Definitions. In this article, the following definitions shall apply:

1. The term "out-of-state bank" means an out-of-state state bank, an out-of-state national bank, or an out-of-state federal savings association.

2. The term "out-of-state state bank" means a state bank, as such term is defined in section 3(a)(2) of the Federal Deposit Insurance Act (12 U.S.C. 1813(a)(2)), or an out-of-state state-chartered trust company, but such term shall not include a banking organization.

3. The term "out-of-state national bank" means a national banking association the main office of which is located outside this state.

4. The term "out-of-state federal savings association" means any federal savings association or federal savings bank which is chartered under Section 5 of the Home Owners Loan Act (12 U.S.C. 1464) the home office of which is located outside this state.

5. The term "out-of-state trust company" means either a nationally chartered trust company or an out-of-state state-chartered trust company that has the power to exercise fiduciary powers, but is not insured by the Federal Deposit Insurance Corporation.

6. The term "New York bank" means a bank, trust company savings bank, or savings and loan association as such terms are defined in subdivisions one, two, four and eight of section two of this chapter.

7. The term "state" means any state of the United States (other than this state), the District of Columbia, any territory of the United States, Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, the United States Virgin Islands, and the Northern Mariana Islands.

8. The term "home state" means with respect to an out-of-state state bank or out-of-state state-chartered trust company, the state under the

laws of which such out-of-state state bank or out-of-state state-chartered trust company is incorporated or otherwise organized, and with respect to an out-of-state national bank or trust company, the state in which such out-of-state national bank's or trust company's main office is located.

9. The term "acquisition transaction" means any merger, consolidation or purchase of assets and assumption of liabilities of all or part of a banking institution.

10. The term "like-type banking organization" means, with respect to an out-of-state bank, a banking organization with the type of charter that most nearly corresponds to the charter of such out-of-state bank, as determined by the superintendent.

11. The term "appropriate state supervisor" means the home state supervisor with supervisory and regulatory jurisdiction over an out-of-state state bank or out-of-state state-chartered trust company in its home state.

12. The term "banking institution" means any bank, trust company, savings bank, savings and loan association, or branch of a foreign banking corporation the deposits of which are insured by the federal deposit insurance corporation, which is incorporated, chartered, organized or licensed under the laws of this state or any other state of the United States, or under the laws of the United States.

13. The term "branch" means any office of a banking institution at which deposits are received, checks paid or money lent. Except for purposes of subdivision three of section two hundred twenty-four of this article, the term shall not include an automated teller machine or other electronic facility. For purposes of this article, the term "branch" shall also refer to the principal or main office of a banking institution.

14. The term "trust office" means an office of a banking institution other than a branch at which such institution may conduct one or more

fiduciary activities permitted for a trust company.