

Marijuana banking: Conflict of laws, banks in the middle



**A NATIONAL CONFERENCE
AUGUST 9-10 DENVER, CO**



Your logo here

A national conference on banking marijuana, hemp

Thursday and Friday, Aug. 9-10 (10 a.m. – 7 p.m.), (7:30 a.m. – noon)

Same-day flights to and from the conference are possible!

Register: www.coloradobankers.org

Event/sponsorship contact: Mike Bintner – mike@coloradobankers.org

This program will address **both**:

- Banks opting to serve marijuana customers, and
- Banks wanting to keep marijuana business out of the bank

Focus of Program: This program is designed to provide critical information to bankers interested in serving the burgeoning marijuana industry **or** in avoiding banking it – or public officials and others who want to understand the issue. The Colorado Bankers Association, with significant issue experience since before the January 1, 2014, inception of recreational marijuana, led in organizing this program – open to bank and specified other participants throughout the U.S. This event takes no position on legalization or use of marijuana. It addresses banking issues raised by the conflict of laws when states authorize medical or recreational use of it or hemp and federal law still prohibits it.

The conference **is not intended** to provide guidance to MRBs in finding banking services, nor is the program appropriate for MRBs or vendors who advocate measures to evade federal law. **Therefore, registrants must attest they meet the qualifications to attend the event.**

Participation limited to banks and associated parties only.



Why you should attend

- A limited number of seats are available.
- The conference allows candid discussions, since it is focused exclusively on banking. **Marijuana Related Businesses (MRBs) are prohibited.**
- The sessions serve various kinds of banks:
- Those opting to serve marijuana customers, and
- Banks wanting to keep marijuana business out of the bank, as well as Banks wanting to serve the hemp industry.
- The conference is comprehensive – covering:
- Essential information about marijuana in the U.S.
- Profile of the marijuana industry, products, employees, finances, myths...
- U.S. perspective by Department of Justice and FinCEN officials.
- Views by Members of Congress advocating changes in federal law regarding marijuana banking.
- Guidance of bank regulatory agencies: FDIC, Federal Reserve, OCC and state regulators.
- Outlook of bank legal counsel and review of considerations for banks wanting to serve the marijuana businesses **and** those attempting to avoid serving such businesses.
- Advice from bankers currently serving MRBs.
- Guidance from bankers trying to avoid banking MRBs.
- Public image and reputation risk considerations.
- Q&A and discussion sessions.
- Other relevant content including insurance, hemp, alternative banking solutions that don't work and much more.



Permitted Participants: This program **is intended** to assist those in banking including: CEO, Board of Directors, legal counsel, chief lender, lenders (consumer, commercial, mortgage), head teller, COO, CFO, compliance, risk officer, marketing, PR/communications, public deposits and others. The program also is relevant to bankers associations and consultants, advisors and vendors to commercial banks. Interested public officials and/or their staff are welcome. **CBA reserves the right to deny or cancel nonqualifying registrations.**

The program is intended for various positions in FDIC insured banks: CEO, Board of Directors, legal counsel, chief lender, lenders (consumer, commercial, mortgage), head teller, COO, CFO, compliance, risk officer, marketing, PR/communications, public deposits and others. The program also is relevant to bankers associations, public officials and their staff, and consultants, advisors and vendors to commercial banks.

Day 1: Industry, laws regulation....

Welcome	<p>Need for clarity</p> <p>Challenges for state regulation and taxation</p> <p>CO efforts re: Congress, regulators</p> <p>Only resolution is Congressional action</p>
Marijuana Political Status	<p>Brief history – Status of:</p> <ul style="list-style-type: none"> Permissive states Sales and taxes <p>Changes in public attitude</p> <p>Other proposals don't work</p> <p>Need for Congressional action</p>
Marijuana Industry Makeup	<p>Products in the marketplace</p> <p>Grow and retail issues</p> <p>Work force</p> <p>Myths and Truths</p>
Federal Agencies' Perspective	<p>Speakers invited from DoJ, FinCEN and state attorneys general</p> <p>Directives/guidance to agencies</p> <p>SARS</p> <p>Enforcement</p> <p>Expected changes</p>
Lunch Buffet	<p>Opportunity to network with attendees, sponsors and vendors</p>
Banking's Regulatory Environment and Considerations	<p>Speakers invited from Federal Reserve, FDIC and Comptroller of Currency</p> <p>Agency guidance, exam documents re banks'</p> <ul style="list-style-type: none"> Policies and procedures Operations Employee training SARS compliance Documentation – topics, forms Practical issues with MRBs <p>Scope of review for bank regulators and examiners</p> <ul style="list-style-type: none"> Institutions that bank it Institutions that don't want to bank it

Day 1: Industry, laws regulation....

Banking's Legal Environment and Considerations	<p>Speakers from banking law firms</p> <p>No regulatory guidance for banks</p> <p>What is/isn't legal?</p> <p>President Trump and DoJ</p> <p> FinCEN and DoJ memos, SARs</p> <p>Court cases</p> <p>Reporting requirements – FinCEN, BSA, AML...</p> <p>Enforcement and penalties</p> <p>D&O liability</p> <p>Anticipated developments</p>
BSA/AML Compliance	<p>Speakers include bank compliance officers</p> <p>Requirements</p> <p>Policies and procedures</p> <p>Tolerance thresholds</p> <p>Best practices</p> <p> Operations</p> <p> Employee training</p> <p> Joint accounts</p> <p> Loans – Existing and new</p> <p> 3rd party relationships</p> <p> Practical issues with MRBs</p>
Insurance considerations	<p>Bond and D&O – What is covered and what isn't</p> <p>Employee lawsuits</p> <p>Collateral coverage</p> <p>Protection from prosecution – bank and employees</p> <p>Liability to third parties</p>
Hemp Industry Considerations	<p>Hemp v MJ</p> <p> Common crop</p> <p> Definitions</p> <p> Danger of hemp being classified as marijuana, implications</p> <p> Scope of hemp industry</p> <p> Regulation</p> <p> Repercussions</p> <p> Outlook for hemp industry</p>
Congressional Update	<p>U.S. Senator/Representative</p> <p>Bills and approaches</p> <p>Obstacles and outlook</p>
Reception	<p>Beer, wine and light food</p> <p>Media may be present</p>
Dinner on Your Own	<p>Opportunity to network with attendees, sponsors and vendors</p>

Day 2: Banker-to-banker tips

Breakfast Buffet	
Considerations for Banking a MRB	<ul style="list-style-type: none"> Bank operations affected Bank compliance <ul style="list-style-type: none"> Policies and procedures Employee training SARS Bank documentation – topics, forms Concentration risks Cash management Practical issues with MRBs Loans (MJ, MJ RE, eqpt collateral) Hemp considerations Reporting requirements <ul style="list-style-type: none"> Requirements – FinCEN, BSA, AML... Software, audits Reporting relief needed Cashflow and breakeven Officer/director liability
How to Avoid Banking a MRB	<ul style="list-style-type: none"> Monitoring and identifying accounts Closing accounts inadvertently opened Joint accounts Existing loans 3rd party relationships Reporting requirements <ul style="list-style-type: none"> Software, audits Officer/director liability
Hot Topics	<ul style="list-style-type: none"> State owned bank Reputation risk <ul style="list-style-type: none"> Community criticism for banking or not banking MJ Unexpected developments Media relations/options Employment (employment law and employee lawsuits)
Closing Comments	Remaining questions and next steps
Lunch on Own – 11:45 a.m.	Opportunity to network with attendees, sponsors and vendors

Conference Logistics

Location: Grand Hyatt Downtown Denver



1750 Welton Street

303-295-1234

www.denver.grand.hyatt.com

Overnight Parking: \$46

Daily Parking: Up to 4 hours--\$23 4-8 hours--\$28

Room block information: <https://book.passkey.com/go/COBA18>

Transportation



Commuter rail service between Denver International Airport and downtown Denver's Union Station leaves both locations every 15 minutes for the 38-minute trip. Cabs, Uber and other ground transit are available. The hotel is 12 blocks East and 2 blocks north from Union Station.

Extend your stay



This program is designed to allow participants to extend their stays and vacation in Colorado! Information on Denver or Colorado activities is available at denver.org or colorado.com.

Who we are

The Colorado Bankers Association represents more than 95 percent of the \$146 billion in assets within the 140 banks operating in Colorado. On behalf of the 21,944 men and women who work within a regulated, traditional Colorado bank, CBA works with government to continually improve the banking industry and focuses on improvements that increase benefits for customers, value for shareholders, and a stronger business climate for our local economies. CBA focuses on creating a stronger economy and helping Coloradans realize dreams by building better banks.

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