

## House of Representatives

## File No. 822

General Assembly

January Session, 2025 (Reprint of File No. 319)

Substitute House Bill No. 7083 As Amended by House Amendment Schedule "A"

Approved by the Legislative Commissioner May 5, 2025

#### AN ACT CONCERNING VARIOUS REVISIONS TO THE CREDIT UNION STATUTES RELATING TO NONMEMBER PAYMENTS, MEMBER BUSINESS LOANS, CHARITABLE CONTRIBUTIONS, EXTENSIONS OF CREDIT, CAPITAL AND NET WORTH.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. Section 36a-435b of the general statutes is repealed and the
- 2 following is substituted in lieu thereof (*Effective July 1, 2025*):
- As used in sections 36a-435a to 36a-472a, inclusive, unless the context
  otherwise requires:
- 5 (1) "Appointed director" means a director emeritus or an advisory 6 director of a Connecticut credit union [,] who is not a member of the 7 governing board of such credit union;
- 8 (2) "Branch" means any office established by a Connecticut credit 9 union, an out-of-state, state-chartered credit union, a federal credit 10 union [,] or an out-of-state, federally-chartered credit union, as the case

may be, at a fixed location, at which shares or deposits are received,
share drafts or checks are paid [,] or money is lent, including an office
operated as a shared service center and not including the main office of
the credit union;

(3) "Capital" means undivided earnings, [regular reserves, other]
special purpose reserves, donated equity [,] and accumulated,
unrealized gains or losses on securities in accordance with generally
accepted accounting principles;

(4) "Certificate of incorporation" means the certificate of
incorporation of a Connecticut credit union and includes in the case of
Connecticut credit unions in existence on July 1, 1975, articles of
association, articles of incorporation and certificates of organization;

(5) "Corporate", when used in conjunction with any institution that is
a Connecticut credit union, federal credit union or out-of-state credit
union, means a corporate credit union, as defined in 12 CFR 704.2, as
from time to time amended;

(6) "Credit manager" means a natural person approved by the
governing board of a Connecticut credit union and employed by such
credit union to supervise its lending activities;

30 (7) "Credit union service organization services" means those services
31 that are authorized for credit union service organizations under state or
32 federal law, and that are closely related to credit union business, are
33 convenient and useful to credit union business, are reasonably related
34 to the operations of a credit union or are financial in nature;

35 (8) "Director" means a member of the governing board of a36 Connecticut credit union;

37 (9) "Federal Credit Union Act" means 12 USC Section 1751 et seq., as
38 from time to time amended;

(10) "Financial institution" means any Connecticut credit union, bank,
 federal credit union, out-of-state bank or out-of-state credit union;
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(11) "Immediate family member" means [any person related by blood,
adoption or marriage to a person within the field of membership of the
Connecticut credit union] <u>a (A) spouse, (B) natural or adoptive parent,</u>
child or sibling, (C) stepparent, stepchild or stepsibling, (D) father-inlaw, mother-in-law, daughter-in-law, son-in-law, brother-in-law or
sister-in-law, (E) grandparent or grandchild, or (F) spouse of a
grandparent or grandchild;

48 (12) "Insider" means a director, appointed director, member of a
 49 board-appointed committee, member of senior management or loan
 50 officer of a Connecticut credit union;

51 (13) "Loan officer" means a natural person who for compensation or 52 gain, or with the expectation of compensation or gain, accepts loan 53 applications or offers or negotiates the terms of personal, business or 54 other loan products. "Loan officer" does not include a natural person

55 <u>engaged solely as a loan processor or underwriter;</u>

[(12)] (14) "Member" means any person who has been admitted to
membership in the Connecticut credit union in accordance with this
chapter;

[(13)] (15) "Member in good standing" means a member who (A) owns at least one membership share in a credit union, (B) is current on all credit obligations to the credit union, and (C) has not caused the credit union a credit or share loss that remains outstanding;

[(14)] (<u>16</u>) "Membership share" means a share equal to the stated par
value of the Connecticut credit union which may not be withdrawn or
transferred except upon termination of membership and which confers
membership and voting rights on the member;

[(15)] (17) "Mobile branch" means any office of a Connecticut credit
union at which credit union business is conducted, which is in fact
moved or transported to one or more predetermined locations in
accordance with a predetermined schedule;

71 [(16)] (18) "Multiple common bond membership" means a field of 72 membership consisting of more than one group of individuals, each of 73 which has, within the group, a common bond of occupation or 74 association;

75 [(17)] (<u>19)</u> "Officer" means the chairperson, vice chairperson, 76 secretary and treasurer of the governing board of a Connecticut credit 77 union;

78 [(18)] (20) "Senior management" means the president or chief 79 executive officer, vice president or vice chief executive officer, chief 80 financial officer, credit manager, and any person occupying a similar 81 status or performing a similar function;

82 [(19)] (21) "Share" means the basic unit of moneys held by a member 83 of a Connecticut credit union in share accounts at a Connecticut credit 84 union on which a dividend may be paid;

85 [(20)] (22) "Shared service center" means a branch that is (A) established by any combination of two or more [(A)] (i) Connecticut 86 87 credit unions, [(B)] (ii) out-of-state, state-chartered credit unions, [(C)] 88 (iii) federal credit unions, or [(D)] (iv) out-of-state, federally-chartered 89 credit unions, [that is] and (B) operated in such a manner as to provide 90 a credit union member the same credit union services that the credit 91 union member could lawfully obtain at the main office of the 92 [member's] member's credit union; and

93 [(21)] (23) "Single common bond membership" means a field of 94 membership consisting of one group that has a common bond of 95 occupation or association.

96 Sec. 2. Subsection (a) of section 36a-456b of the general statutes is 97 repealed and the following is substituted in lieu thereof (*Effective July 1*, 98 2025):

99 (a) As used in this section:

#### (1) "Tax and loan account" means an account, the balance of which is 100 sHB7083 / File No. 822

subject to the right of immediate withdrawal, established for receipt of
payments of federal taxes and certain United States obligations. Such
accounts are not shares, as defined in [subdivision (17) of] section 36a435b, as amended by this act; and

(2) "Note account" means a note, subject to the right of immediate call,
evidencing funds held by depositories electing the note option under
applicable United States Treasury Department regulations. Note
accounts are not shares, as defined in [subdivision (17) of] section 36a435b, as amended by this act.

Sec. 3. Subsection (e) of section 36a-456a of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective July 1*,
2025):

113 (e) (1) A Connecticut credit union may receive payments from a 114 nonmember who is [(1)] (A) an individual, into a share account held 115 jointly with a member of the Connecticut credit union, which share 116 account is subject to the provisions of section 36a-290; [(2)] (B) the 117 United States, this state or any municipality or other political 118 subdivision thereof; [(3)] (C) a federally-recognized Native American 119 tribal government located in this state; or [(4)] (D) another Connecticut 120 credit union, federal credit union or out-of-state credit union.

121 (2) Notwithstanding the provisions of subdivision (1) of this 122 subsection, a Connecticut credit union that is designated by the United States Department of the Treasury as a community development 123 financial institution under 12 CFR Part 1805, as amended from time to 124 125 time, may receive payments from any nonmember, provided the aggregate amount of payments received from all nonmembers shall not 126 127 at any time exceed: (A) For a Connecticut credit union with total assets 128 of less than two hundred fifty million dollars, the greater of six million 129 two hundred fifty thousand dollars or five per cent of the total value of 130 all shares of such Connecticut credit union; (B) for a Connecticut credit 131 union with total assets of two hundred fifty million dollars or more but less than five hundred million dollars, the greater of nine million five 132

133 hundred thousand dollars or two and one-half per cent of the total value 134 of all shares of such Connecticut credit union; (C) for a Connecticut credit union with total assets of five hundred million dollars or more 135 136 but less than one billion dollars, the greater of fifteen million dollars or two per cent of the total value of all shares of such Connecticut credit 137 union; and (D) for a Connecticut credit union with total assets of one 138 139 billion dollars or more, the greater of twenty-five million dollars or one 140 and one-half per cent of the total value of all shares of such Connecticut 141 credit union. For purposes of this subdivision, the receipt by a 142 Connecticut credit union of a public deposit under sections 36a-330 to 143 36a-338, inclusive, shall not be treated as the receipt by such Connecticut 144 credit union of a payment from a nonmember.

Sec. 4. Subparagraph (A) of subdivision (2) of section 36a-455a of the
general statutes is repealed and the following is substituted in lieu
thereof (*Effective July 1, 2025*):

148 (2) (A) Issue shares to its members and receive payments on shares from its members and from [those] nonmembers [specified in] in 149 150 accordance with the provisions of subsection (e) of section 36a-456a, as 151 amended by this act, subject to the provisions of sections 36a-290 to 36a-152 297, inclusive, 36a-330 to 36a-338, inclusive, and 36a-456a, as amended 153 by this act, (B) receive deposits of members and nonmembers subject to 154 provisions of sections 36a-456a and 36a-456b, as amended by this act, 155 (C) reduce the amount of its member and nonmember shares and 156 deposits, (D) expel members and cancel shares in accordance with 157 section 36a-439a, and (E) provide check cashing and wire and electronic 158 transfer services to nonmembers who are within such credit union's 159 field of membership;

160 Sec. 5. Subdivision (3) of subsection (a) of section 36a-458a of the 161 general statutes is repealed and the following is substituted in lieu 162 thereof (*Effective July 1, 2025*):

163 (3) "Member business loan" means any loan, line of credit or 164 unfunded commitment thereof, letter of credit or any other extension of sHB7083

165	credit, where the borrower intends to use or uses the proceeds for any		
166	of the following purposes: (A) Commercial; (B) corporate; (C)		
167	investment property; (D) business venture; or (E) agricultural, but does		
168	not include the following loans:		
169	(i) A loan intended for personal use;		
170	[(i)] (ii) A loan fully secured by a lien on a one-to-four family		
171	residence that is the primary residence of the member;		
172	[(ii)] (iii) A loan fully secured by shares in the credit union making		
173	the loan or by shares or deposits in other financial institutions;		
174	[(iii)] (iv) One or more loans to a member or an associated member		
175	where the proceeds are to be used or are used for the purposes specified		
176	in this subdivision to benefit a common endeavor and which, in the		
177	aggregate, are equal to less than fifty thousand dollars;		
178	[(iv)] (v) A loan where any agency of the federal government, a state		
179	or any political subdivision of such state, fully insures or guarantees		
180	repayment, or provides an advance commitment to purchase the loan in		
181	full; [or]		
182	[(v)] (vi) A loan granted by the corporate Connecticut credit union to		
183	a Connecticut credit union, federal credit union or out-of-state credit		
184	union <u>; or</u>		
185	(vii) A commercial loan to a nonmember or a participation interest in		
186	a commercial loan to a nonmember that (I) is acquired by a federally		
187	insured credit union in compliance with all applicable laws and		
188	regulations, and (II) is not traded for a member business loan for the		
189	purpose of circumventing the limitations on member business loans		
190	established in subsections (f) to (i), inclusive, of this section.		
191	Sec. 6. Subdivision (17) of section 36a-455a of the general statutes is		
192	repealed and the following is substituted in lieu thereof ( <i>Effective July 1</i> ,		
193	2025):		

194 (17) (A) In the discretion of [a majority of its governing board] the 195 Connecticut credit union's senior management, make charitable 196 contributions or gifts, [to or for the use of any corporation, trust or 197 community chest, fund or foundation created or organized under the 198 laws of the United States or of this state and organized and operated 199 exclusively for charitable, educational or public welfare purposes, or of 200 any hospital which is located in this state and which is exempt from 201 federal income taxes and to which contributions are deductible under 202 Section 501(c) of the Internal Revenue Code of 1986, or any subsequent 203 corresponding internal revenue code of the United States, as from time 204 to time amended] provided (i) the aggregate amount of such charitable 205 contributions or gifts made during a fiscal year shall not exceed one ten-206 thousandth of the net assets of the Connecticut credit union as of the close of the prior fiscal year, (ii) no such charitable contributions or gifts 207 208 are made to a recipient if an insider or immediate family member of an 209 insider is a director or member of senior management of such recipient, 210 and (iii) the Connecticut credit union establishes and maintains a record 211 of any charitable contribution or gift made pursuant to this 212 subparagraph; and

213 (B) (i) If approved by a majority of the Connecticut credit union's governing board and documented in such governing board's minutes, 214 215 make charitable contributions or gifts (I) during a fiscal year that, in the aggregate, exceed one ten-thousandth of the net assets of the 216 217 Connecticut credit union as of the close of the prior fiscal year, or (II) to a recipient even if an insider or immediate family member of an insider 218 219 is a director or member of senior management of such recipient, and (ii) 220 provided the Connecticut credit union establishes and maintains a 221 record of any charitable contribution or gift made pursuant to this 222 subparagraph;

Sec. 7. Subsections (a) to (d), inclusive, of section 36a-454b of the general statutes are repealed and the following is substituted in lieu thereof (*Effective July 1, 2025*):

## (a) The governing board of a Connecticut credit union shall adopt a

227 written conflict of interest policy that includes provisions addressing 228 transactions with insiders and their immediate family members [, as 229 defined in section 36a-435b,] and other persons having a common 230 ownership, investment or other pecuniary interest in a business 231 enterprise with such insiders and immediate family members of such 232 persons. [As used in this section, (1) "insider" means a director, 233 appointed director, member of a board-appointed committee, member 234 of senior management and loan officer of a Connecticut credit union, 235 and (2) "immediate family member" has the same meaning as 236 "immediate family member" as defined in section 36a-435b, provided 237 the term also includes any person related by blood, adoption or 238 marriage to an appointed director.]

(b) An extension of credit made by a Connecticut credit union to an insider shall require the approval of the governing board if (1) such insider is the debtor, guarantor, endorser or cosigner of the extension of credit; and (2) the extension of credit by itself or when added to the aggregate of all outstanding extensions of credit for which such insider is the debtor, guarantor, endorser or cosigner exceeds twenty-five thousand dollars plus pledged shares.

246 (c) No insider of a Connecticut credit union or professional retained 247 by a Connecticut credit union shall in any manner, directly or indirectly, 248 participate in any determination affecting such [person's] insider's or 249 professional's pecuniary interest or the pecuniary interest of any 250 immediate family member of such [person] insider or professional or 251 any corporation, partnership or association, other than the Connecticut 252 credit union, in which such [person] insider or professional is directly 253 or indirectly interested.

(d) [An] (1) Except as provided in subdivision (2) of this subsection,
an insider, immediate family member of such insider or other person
having a common ownership, investment or other pecuniary interest in
a business enterprise with an insider or immediate family member of
such insider shall not obtain an extension of credit from the Connecticut
credit union with preferential rates, terms or conditions, or act as

guarantor or endorser thereon, and shall not be involved in the
appraisal or valuation of assets which are to be used as collateral for an
extension of credit.

263 (2) An insider, an employee of a Connecticut credit union or a 264 member of the governing board may obtain an extension of credit from 265 the Connecticut credit union with preferential rates, terms or conditions, 266 or act as guarantor or endorser thereon, provided such extension of 267 credit is obtained pursuant to a written policy established by the 268 governing board. Any such written policy shall require that (A) uniform 269 preferential rates, terms or conditions are offered to insiders, employees 270 and members of the governing board, and (B) no extension of credit 271 shall be offered pursuant to such written policy if, at the time the credit 272 is extended, the Connecticut credit union reasonably expects such 273 extension of credit to result in a financial loss.

Sec. 8. Subsection (e) of section 36a-441a of the general statutes is
repealed and the following is substituted in lieu thereof (*Effective July 1*,
2025):

(e) As used in this section, the term "net worth" means the retained 277 278 earnings balance of the Connecticut credit union at the end of each 279 dividend period, excluding the allowance for loan and lease losses 280 account and, in the case of a Connecticut credit union designated by the 281 National Credit Union Administration as a low-income credit union 282 under 12 CFR 701.34, as from time to time amended, net worth includes 283 any secondary capital account that is uninsured and subordinate to all 284 other claims, including claims of creditors, shareholders and the 285 National Credit Union Share Insurance Fund. Retained earnings shall 286 consist of undivided earnings, as determined under generally accepted 287 accounting principles, [regular reserves] and other appropriations 288 designated by the commissioner or the National Credit Union 289 Administration, or its successor agency, or by the governing board of 290 the Connecticut credit union with the approval of the commissioner.

This act shall take effect as follows and shall amend the following sections:				
Section 1	July 1, 2025	36a-435b		
Sec. 2	July 1, 2025	36a-456b(a)		
Sec. 3	July 1, 2025	36a-456a(e)		
Sec. 4	July 1, 2025	36a-455a(2)(A)		
Sec. 5	July 1, 2025	36a-458a(a)(3)		
Sec. 6	July 1, 2025	36a-455a(17)		
Sec. 7	July 1, 2025	36a-454b(a) to (d)		
Sec. 8	July 1, 2025	36a-441a(e)		

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

#### **OFA Fiscal Note**

State Impact: None

*Municipal Impact:* None

#### Explanation

The bill, which makes various changes to laws governing statechartered credit unions, results in no fiscal impact to the state because the Department of Banking can implement these changes with existing resources.

House "A" makes clarifying changes to the underlying bill that do not result in a fiscal impact.

#### The Out Years

State Impact: None
Municipal Impact: None

### OLR Bill Analysis

sHB 7083 (as amended by House "A")\*

#### AN ACT CONCERNING VARIOUS REVISIONS TO THE CREDIT UNION STATUTES RELATING TO NONMEMBER PAYMENTS, MEMBER BUSINESS LOANS, CHARITABLE CONTRIBUTIONS, EXTENSIONS OF CREDIT, CAPITAL AND NET WORTH.

#### SUMMARY

This bill makes the following changes to laws governing statechartered credit unions:

- allows them to extend credit with preferential rates or terms to insiders, employees, and governing board members if there is a written policy to do so and it will not result in financial loss (§§ 1 & 7);
- 2. expands the list of loans exempt from credit union business loan requirements (§ 5);
- shifts, from a credit union's governing board to its senior management, the authority to approve the credit union's charitable contributions or gifts that fall below a certain threshold (§ 6);
- 4. removes regular reserves from being included in certain calculations of capital and net worth (§§ 1 & 8); and
- 5. allows credit unions certified as community development financial institutions to accept nonmember deposits up to certain caps based on the credit union's total assets (§§ 3 & 4).

The bill also makes minor, technical, and conforming changes, including specifying that a "loan officer" is someone who accepts loan

applications or offers or negotiates the terms of personal, business, or other loan products for, or with the expectation of, compensation or gain, but not someone who acts only as a loan processor or underwriter.

\*<u>House Amendment "A"</u> replaces the original bill's set cap on accepting nonmember deposits (the lesser of \$1.5 million or 25% of the total share value) with a cap based on a credit union's total assets.

EFFECTIVE DATE: July 1, 2025

# §§ 1 & 7 — CONFLICT OF INTEREST POLICY & PREFERENTIAL RATES

By law, a credit union must have a written conflict of interest policy governing transactions involving insiders, insiders' immediate family members, or certain other individuals with a common interest to the insiders and family members.

The bill potentially narrows the applicability of these policies by limiting who is considered an "immediate family member." Currently, this individual is anyone related by blood, adoption, or marriage to someone who is in the credit union's field of membership or an appointed director. The bill ties the term only to the family relationship and specifies how far removed the relationship applies. Under the bill, only the following have the designation: a spouse; parent, child, sibling (including step or in-law relations); or grandparent, grandchild, or his or her spouse.

An "insider," under current law and the bill, is a credit union's director or appointed director, loan officer, or member of a board-appointed committee or senior management.

#### **Preferential Rates**

The bill creates an exemption from the ban on insiders and certain other individuals from (1) getting credit from the credit union with preferential rates, terms, or conditions or (2) acting as a guarantor or endorser for the credit. The bill allows insiders and credit union employees or governing board members to get the preferential credit or act as a guarantor or endorser if it is done according to a written policy from the credit union's governing board. The policy must (1) require offering uniform preferential rates, terms, or conditions to these people and (2) prohibit offering to extend credit if the credit union reasonably expects that, at the time of extending it, doing so would be a financial loss.

#### § 5 — MEMBER BUSINESS LOANS

The bill exempts loans for personal use and certain nonmember commercial loans from the law's credit union business lending requirements.

State law prohibits credit unions from making member business loans unless they have adequate net worth and a Department of Banking-approved member business loan program and policy. It sets specific requirements for these programs, including on risk control, employee lending experience, and thresholds for aggregate outstanding loan balances and individual loan-to-value ratios. The loans covered by these programs generally include those for commercial, corporate, investment property, business venture, or agricultural purposes.

The bill expands the list of loans exempt from the program, which currently includes, among others, certain fully secured loans, loans below a certain amount, and loans fully insured or guaranteed by a federal, state, or local agency. Under the bill, also exempt are (1) loans intended for personal use and (2) commercial loans to nonmembers (or participation interests in them) that a federally insured credit union lawfully acquires and that are not traded for a member business loan in order to avoid state law's limits on these loans.

#### § 6 — CHARITABLE CONTRIBUTIONS

One of the powers the law gives to credit unions is the ability to make charitable contributions or gifts, but it currently only allows a credit union's governing board to make these decisions. The bill shifts this authority to senior management under certain circumstances. Under the bill, credit union senior management may approve contributions or gifts if:

- 1. these total contributions or gifts for the fiscal year are .01% or less of the credit union's net assets as of the prior fiscal year's end and
- 2. none of these are to a recipient with a director or senior management member who is also an insider of the credit union or the insider's immediate family member (see above).

The bill specifies that, as under current law, a majority of the governing board may approve contributions or gifts that exceed the above .01% threshold or are to recipients with credit union insiders or immediate family members in the above authoritative positions. But the bill requires the board's decisions to be documented in its meeting minutes, which is not currently required.

Lastly, in both cases, the bill requires the credit union to have and maintain a record of contributions or gifts it makes.

#### §§ 1 & 8 — REGULAR RESERVES

The bill removes regular reserves from being included in a credit union's calculation of (1) capital and (2) net worth for purposes of contributions to an account for loan and lease loss allowance. Generally, regular reserves are funds set aside to cover losses.

Consequently, under the bill, a credit union's "capital" includes undivided earnings; special purpose reserves; donated equity; and accumulated, unrealized securities gains or losses. Among other things, by law, the amount of capital is a factor in determining whether a credit union may expand its membership, merge with another credit union, pay dividends, or make certain investments.

Existing law requires credit unions to have an account containing the amount of the estimated losses on loans and leases. It specifies the amount that credit unions must contribute to the account from its earnings, as net worth (the "retained earnings;" generally, assets minus liabilities). The bill removes regular reserves from this "net worth" calculation by no longer considering it part of a credit union's "retained earnings."

#### §§ 3 & 4 — NONMEMBER DEPOSITS

The bill allows a credit union federally designated as a community development financial institution (CDFI) to accept deposits from nonmembers, but it caps the total amount of these deposits at the greater of certain dollar amounts or percentages of the credit union's total value of all its shares (accounts) (see BACKGROUND). Its amount and percentage caps are based on credit union total assets, as shown in the table below.

Credit Union Total Assets	Maximum Nonmember Deposit Amount (Greater Amount Applies)
\$1 billion or more	\$25 million or 1.5% of total share value
At least \$500 million, but less than \$1 billion	\$15 million or 2% of total share value
At least \$250 million, but less than \$500 million	\$9.5 million or 2.5% of total share value
Less than \$250 million	\$6.25 million or 5% of total share value

Table: Nonmember Deposit Caps

The bill excludes public deposits a credit union receives from factoring into the nonmember deposit cap. A public deposit is (1) money of the state or its subdivisions (or an associated commission, committee, board, or officer), any housing authority, or any Connecticut court and (2) money the Judicial Department holds in a fiduciary capacity (CGS § 36a-330).

Current law generally prohibits credit unions from receiving deposits from nonmembers. The exceptions to this, which the bill leaves unchanged, include deposits from (1) an individual into an account held jointly with a credit union member; (2) the United States, Connecticut, or a Connecticut municipality or other political subdivision; (3) a federally recognized tribe; or (4) another credit union (regardless of where it is chartered).

#### BACKGROUND

#### **CDFI** Certification

The U.S. Department of the Treasury's Community Development Financial Institutions Fund operates a program to invest, support, and train CDFIs assisting underserved populations and communities. To be eligible for assistance under this program, a CDFI must apply to the fund for certification and show that it meets the following requirements:

- 1. be a legal non-governmental financing entity at the time of application, and not under the control of a governmental entity (excluding tribal governments);
- 2. have a primary mission of promoting community development;
- 3. primarily serve one or more target markets and maintain accountability to its target market; and
- 4. provide development services along with its financing activities.

#### COMMITTEE ACTION

Banking Committee

Joint Favorable Substitute Yea 9 Nay 4 (03/11/2025)