

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 6.1-5.1 of the Code of Virginia and to amend the Code of Virginia by*
3 *adding a section numbered 6.1-225.3:1, relating to state banks; credit unions; amendment of powers*
4 *by regulation.*

5 [S 857]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 6.1-5.1 of the Code of Virginia is amended and reenacted and that the Code of Virginia**
9 **is amended by adding a section numbered 6.1-225.3:1 as follows:**

10 § 6.1-5.1. Amendment of powers of state banks by regulation of the Commission.

11 ~~A. In addition to the powers specifically granted to banks by the provisions of this chapter, the State~~
12 ~~Corporation Commission may by appropriate regulation amend the powers of state banks so as to allow~~
13 ~~such state banks to engage in any activity in which a bank subject to the jurisdiction of the federal~~
14 ~~government may be authorized by federal legislation or regulation to engage. The Commission shall~~
15 ~~adopt such regulation only after public hearing thereon; notice of which shall be sent to every bank~~
16 ~~authorized under the laws of this Commonwealth to conduct its business in Virginia. Such regulations~~
17 ~~shall be effective upon their adoption, and shall continue in effect until ninety days following the~~
18 ~~adjournment sine die of the next regular session of the General Assembly of Virginia following their~~
19 ~~adoption, after which new regulations may be adopted pursuant to the provisions of this section.~~

20 ~~B. The Commission may further adopt regulations defining what is or is not a branch within~~
21 ~~§ 6.1-39.3 and further defining what activities are or are not. Furthermore, by adopting regulations the~~
22 ~~Commission may specify the activities that are permitted to be conducted at a location which is not~~
23 ~~authorized as a branch under § 6.1-39.3, so as to allow a state bank to engage in any activity in which a~~
24 ~~bank subject to the jurisdiction of the federal government may engage; at a location other than a branch.~~
25 ~~established under 12 U.S.C. § 36. Such regulation shall remain in effect until modified or revoked by~~
26 ~~the State Corporation Commission or by the General Assembly. The requirement of a public hearing~~
27 ~~shall not automatically apply to regulations promulgated under this subsection; but the State Corporation~~
28 ~~Commission may have such hearing as it deems appropriate. Regulations authorized by this section shall~~
29 ~~be adopted as provided in the Commission's Rules of Practice and Procedure (5 VAC 5-10-10 et seq.).~~

30 § 6.1-225.3:1. Regulations to permit state chartered credit unions to have powers comparable to
31 federal credit unions.

32 *The Commission is authorized to adopt such regulations as may be necessary to permit state*
33 *chartered credit unions to have powers comparable with those of federally chartered credit unions*
34 *regardless of any then existing statute, regulation or court decision limiting or denying such powers to*
35 *state chartered credit unions. The requirement of a public hearing shall not automatically apply to*
36 *regulations promulgated under this section, but the Commission may have such hearings as it deems*
37 *appropriate.*

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