

## State Corporation Commission 2018 Fiscal Impact Statement

**1. Bill Number:** HB433

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:** Marshall

**3. Committee:** Passed Both Houses

**4. Title:** Banks and credit unions; closure; appointment of receiver.

**5. Summary:** Enables the State Corporation Commission (Commission) to close a state-chartered bank or credit union if its net worth ratio falls to less than two percent, if it is approaching insolvency and has no reasonable prospect for rehabilitation, or if closure is necessary for the protection of the public interest. The measure resolves an existing ambiguity regarding the appropriate court to which the Commission is required to apply for an order to have the Federal Deposit Insurance Corporation (FDIC) or National Credit Union Administration (NCUA) appointed as receiver for a state-chartered bank or credit union that has been closed by the Commission. The measure requires the court to appoint the FDIC or NCUA as receiver if the court finds that the FDIC or NCUA is willing to accept the appointment.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** No fiscal impact on the State Corporation Commission.

**8. Fiscal Implications:** None on the State Corporation Commission.

**9. Specific Agency or Political Subdivisions Affected:** State Corporation Commission's Bureau of Financial Institutions

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This bill was introduced at the request of the Bureau of Financial Institutions/State Corporation Commission.

2/27/18 EJF