

Newsletter

No. 04-16



April 20, 2016



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CUD is the state agency that regulates and supervises credit unions chartered by the State of Texas. The Department is professionally accredited by the National Association of State Credit Union Supervisors (NASCUS) certifying that CUD maintains the highest standards and practices in state credit union supervision.

Our **Mission** is to safeguard the public interest, protect the interests of credit union members and promote public confidence in credit unions.

Credit Union Commission

The Commission is the policy making body for CUD. The Commission is a board of private citizens appointed by and responsible to the Governor of Texas.

Members:

Manuel Cavazos IV, Chair
Allyson "Missy" Morrow, Vice Chair
Beckie Stockstill Cobb
Yusuf E. Farran
Steven "Steve" Gilman
Sherri Brannon Merket
Gary D. Tuma
Kay Stewart
Vik Vad

Next Commission Meeting

Friday, July 8, 2016 beginning at 9:00 a.m. in the offices of CUD.

Compulsory Use of Electronic Fund Transfers Prohibited

Under the Electronic Fund Transfer Act, 15 U.S.C. 1693 et seq. of 1978, and its implementation through Regulation E, a decision to authorize receipt or payment of money by electronic means must be the consumer's decision alone. A credit union is prohibited from conditioning a credit transaction, employment, or a government benefit on the payment or receipt of funds electronically; however, a credit union employer may require the direct deposit of employees' salary by electronic means if those employees are allowed to choose the institution that will receive the direct deposit. A credit union may offer reduced interest rates if the borrower voluntarily agrees to pay electronically, but a non-electronic payment option also must be provided. [Official Staff Commentary on Regulation E, §10(e)].



Last Chance to Complete Annual Survey

The Department's Annual Credit Union Survey closes at 5:00 p.m. on Monday, May 9, 2016, so if you have not already, now's the time to make your voice heard. The survey, which takes less than 5 minutes to complete, will be used to facilitate improvements that will benefit the Department and credit unions. Questions about the survey may be directed to: cudmail@cud.texas.gov.



Credit Union Rankings

This report is now available on our website. Under "Reports and Publications" tab in the "Credit Union Statistics section" you can view the 2015 Credit Union Rankings by Asset size.

Credit Card Agreements

The Truth in Lending Act (TILA) and Regulation Z (12 CFR 1026) require credit card issuers to submit their currently-offered credit card agreements to the Consumer Financial Protection Bureau (CFPB), to be posted on the CFPB's website. In April 2015, the CFPB suspended that submission obligation for a period of one year. That suspension has expired, and the next submission is due from issuers on May 2, 2016.

As a reminder, a credit card issuer's submission to the CFPB must contain several pieces of information:

- Identifying information about the card issuer and the agreements submitted, including name, address, and identifying number (such as a tax identification number);
- The credit card agreements that the card issuer offered as of the last business day of the preceding calendar quarter that the card issuer has not previously submitted to the CFPB;
- Any credit card agreement previously submitted to the CFPB that was amended during the preceding calendar quarter and that the card issuer offered as of the last business day of the preceding calendar quarter; and
- Notification regarding any credit card agreement previously submitted to the CFPB that the credit union is withdrawing.



Proposed Rule Review

The Texas Credit Union Commission (commission) provides this notice of its intent to review and consider the following chapters of Texas Administrative Code, Title 7, Part 6, in their entirety, for reoption, revision, or repeal:

Chapter 91, Subchapter P, concerning Other Forms of Equity Capital, consisting of **§91.7000**, concerning Certificates of Indebtedness, and

Subchapter Q, concerning Access to Confidential Information, consisting of **§91.8000** concerning Discovery of Confidential Information.

This rule review will be conducted pursuant to Texas Government Code, §2001.039. The commission believes that the reasons for adopting the rules contained in these chapters continue to exist. The commission will accept written comments received on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register* as to whether the reasons for adopting these rules continue to exist. The commission also invites comments on how to make these rules easier to understand. For example:

- Does the rule organize the material to suit your needs? If not, how could the material be better organized?
- Does the rule clearly state the requirements? If not, how could the rule be more clearly stated?
- Does the rule contain technical language or jargon that is not clear? If so, what language requires clarification?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the rule easier to understand? If so, what changes to the format would make the rule easier to understand?
- Would more (but shorter) sections be better in any of the rules? If so, what sections should be changed?

Continued on page 3

Proposed Rule Review

Continued from page 2

Each rule will also be reviewed to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current procedures of the Credit Union Department.

- Any questions or written comments pertaining to this notice should be directed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699, or by email to [cudmail@cud.texas.gov](mailto:cudmail@ cud.texas.gov). Any proposed amendments as a result of the review will be published in the *Texas Register* in compliance with Texas Government Code, Chapter 2001, and will be open for an additional 31-day public comment period prior to final adoption or repeal by the commission.

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## ***Publication Deadlines***

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In order to meet the submission deadlines for the applicable issues of the Texas Register, it is necessary for the Department to establish the schedule included below. Completed applications received after the deadline for the month cannot be published until the following month.

| <u>Publication Date</u> | <u>Application Deadline</u> |
|-------------------------|-----------------------------|
| May, 2016               | Friday, May 13              |
| June, 2016              | Friday, June 10             |

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Applications Approved

Applications approved since March 16, 2016 include:

<u>Credit Union</u>	<u>Changes or Groups Added</u>
<i>Field of Membership Change – Denied:</i>	
West Texas Educators Credit Union (#2) (Odessa)	See Newsletter No. 12-15
West Texas Educators Credit Union (#5) (Odessa)	See Newsletter No. 12-15
West Texas Educators Credit Union (#6) (Odessa)	See Newsletter No. 12-15
West Texas Educators Credit Union (#7) (Odessa)	See Newsletter No. 12-15
West Texas Educators Credit Union (#8) (Odessa)	See Newsletter No. 12-15

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## ***Applications Received***

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The following applications were received and will be published in the April 29, 2016 issue of the Texas Register.

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### ***Field of Membership Expansion:***

**EECU** (Fort Worth) – To permit employees, volunteers and donors of Cook Children’s Health Foundation and its related companies, to be eligible for membership in the credit union.

**SAFE Credit Union** (Beaumont) – To permit persons who live in, worship in, attend school in, or work in, and businesses located in Barrett, Texas, to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days from the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Texas Credit Union Department, 914 East Anderson Lane, Austin, Texas, 78752-1699.



*This newsletter is produced monthly as a part of the Department’s continued communication outreach with the credit unions it regulates. Delivery is generally provided by electronic notification of its availability on the Department’s website.*

*Suggestions and comments concerning the newsletter or its content are welcomed.*



To learn more about CUD click <http://www.cud.texas.gov> or contact us at 914 E. Anderson Lane, Austin, TX 78752

