



This Bill Analysis reflects the contents of the bill as it was presented in committee.

HOUSE BILL 106: Expand Banking Commission Membership

2015-2016 General Assembly

Committee:	House Banking	Date:	March 19, 2015
Introduced by:	Reps. J. Bell, Jordan	Prepared by:	Drupti Chauhan Committee Counsel
Analysis of:	PCS to First Edition H106-CSRQ-3		

SUMMARY: House Bill 106 would increase the membership of the North Carolina Banking Commission (Commission) from 15 members to 17 members. This bill is a recommendation of the Legislative Research Commission Study Committee on Banking Law Amendments.

The Proposed Committee Substitute would leave the total number of the membership of the Commission at 15 members but would reduce the number of public members from 8 to 7 and add 1 member who is an individual licensed under Article 19B of Chapter 53 of the General Statutes which is the S.A.F.E. Mortgage Licensing Act.

CURRENT LAW: The North Carolina Banking Commission (Commission) consists of 15 members including the State Treasurer who is ex officio member. Of these, 12 members are appointed by the Governor and 2 members who are both practical bankers are appointed by the General Assembly (one is recommended by the President Pro Tempore of the Senate and one is recommended by the Speaker of the House of Representatives). Of the Governor's 12 appointments, 3 are practical bankers, one is a consumer finance licensee, and eight are public members.

BILL ANALYSIS: The PCS for HB 106 would leave the total number of the membership of the Commission at 15 members but would reduce the number of public members from 8 to 7 and add 1 member who is an individual licensed under Article 19B of Chapter 53 of the General Statutes which is the S.A.F.E. Mortgage Licensing Act.

The PCS also specifies that when the bill becomes effective, the position on the Commission held by Donald E. Fader would convert to a position assigned for a licensee under Article 19B of Chapter 53 for his remaining term which is scheduled to expire April 1, 2017 or until he resigns or ceases to meet the definition of a licensee under Article 19B of Chapter 53, whichever occurs first. The terms of the remaining members appointed by the Governor would expire under the current schedule with the Governor making appointments to fill vacancies as they occur.

EFFECTIVE DATE: The bill would become effective when it becomes law.

BACKGROUND: The Legislative Research Commission Study Committee on Banking Law Amendments recommendation was based on the following finding:

"The Committee finds that inasmuch as a significant portion of the revenue generated to fund the North Carolina Office of Commissioner of Banks comes from mortgage industry licensees, it is appropriate that the industry should be represented on the State Banking Commission."

