

LEGISLATIVE BILL 641

Approved by the Governor February 28, 1992

Introduced by Pirsch, 10

AN ACT relating to credit unions; to amend sections 21-1790 and 21-17,118, Reissue Revised Statutes of Nebraska, 1943, and section 76-1003, Revised Statutes Supplement, 1991; to create the Credit Union Act Fund; to eliminate a provision on security for loans; to allow credit unions to be trustees of trust deeds; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. There is hereby created the Credit Union Act Fund. All funds available from the National Credit Union Share Insurance Fund shall be collected by the Department of Banking and Finance and remitted to the State Treasurer for credit to the Credit Union Act Fund. The fund shall be administered by the department and used only for offsetting costs associated with the examination and supervision of federally insured, state-chartered credit unions. Any money in the fund available for investment shall be invested by the state investment officer pursuant to sections 72-1237 to 72-1276.

Sec. 2. That section 21-1790, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

21-1790. A credit union may make loans to its members for provident and productive purposes and upon such security and terms as the bylaws shall provide and the credit committee shall approve approves. Security shall be taken for any loan in excess of four thousand five hundred dollars. The adequacy of all security shall be within the determination of the credit committee. A member may receive a loan in installments or in one sum and may repay the whole or any part of a loan on any day on which the office of the credit union is open for transaction of business.

Sec. 3. That section 21-17,118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

21-17,118. Sections 21-1760 to 21-17,126 and section 1 of this act shall be known and may be cited as

the Credit Union Act.

Sec. 4. That section 76-1003, Revised Statutes Supplement, 1991, be amended to read as follows:

76-1003. (1) The trustee of a trust deed shall be:

(a) A member of the Nebraska State Bar Association or a licensed real estate broker of Nebraska;

(b) Any bank, building and loan association, ~~or~~ savings and loan association, ~~or credit union~~ authorized to do business in Nebraska under the laws of Nebraska or the United States;

(c) Any corporation authorized to conduct a trust business in Nebraska under the laws of Nebraska or the United States; or

(d) Any title insurer authorized to do business in Nebraska under the laws of Nebraska.

(2) The trustee of a trust deed shall not be the beneficiary ~~therein~~ named in the trust deed unless the beneficiary is qualified to be a trustee under subdivision (1)(b) or (c) of this section.

Sec. 5. That original sections 21-1790 and 21-17,118, Reissue Revised Statutes of Nebraska, 1943, and section 76-1003, Revised Statutes Supplement, 1991, are repealed.