

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1623

By: Daniels

6 AS INTRODUCED

7 An Act relating to credit unions; amending 6 O.S.
8 2021, Sections 2001, 2001.1, 2002, 2004.1, and 2006,
9 which relate to definitions, Oklahoma State Credit
10 Union Board creation, necessity of certificate, out
11 of state credit union, and succession and powers;
12 defining terms; updating statutory language;
13 requiring certain powers to ensure a competitive
14 charter; requiring applicants to obtain and deposit
15 certain insurance; allowing the Oklahoma State Credit
16 Union Board to prohibit certain organization from
17 providing certain insurance; allowing certain
18 organization to obtain judicial review; updating
19 statutory references; requiring Board to determine
20 certain credit union has obtained certain insurance;
21 allowing certain credit union to make loans to its
22 members with certain flexibility; providing credit
23 unions certain power to receive nonmember deposits if
24 designated as certain credit union; increasing
certain limit of certain investments; allowing
certain credit unions to invest certain shares,
stocks, or member units of certain companies under a
certain percentage of net worth of certain credit
union; requiring certain credit union remain well
capitalized in certain instances; requiring certain
credit union to operate in a certain manner in
certain instances; requiring certain credit union to
receive a certain rating in certain instances;
allowing certain credit union to obtain certain
designation; allowing certain credit union to engage
in certain custody services; providing certain
requirements for certain credit unions to engage in
certain custody services; allowing certain credit
union to provide certain custody services in
fiduciary and nonfiduciary capacities; providing
certain requirements for certain credit union to

1 provide services in certain capacities; providing
2 credit union certain authority to manage certain
3 virtual currency; requiring credit union to obtain
4 certain authorization from the Banking Department to
5 provide certain custody services; providing certain
6 requirements for the Department to provide certain
7 authorities; allowing the Department to impose
8 certain conditions on certain authority granted;
9 amending 6 O.S. 2021, Sections 2007 and 2010, which
10 relate to membership and board of directors;
11 prohibiting the Oklahoma State Credit Union Board
12 from considering certain overlap when determining
13 certain approval; requiring the Board to permit
14 certain credit union to add certain category of
associations; allowing the Board to permit certain
preapproved categories of associations; requiring
certain records to be filed with the Bank
Commissioner within a certain time frame; allowing
certain board of directors and members to receive
certain compensation; requiring certain compensations
to be disclosed annually in certain report; allowing
certain credit union to apply for certain
authorities; allowing the Board to authorize certain
credit union to engage in certain authorities;
requiring the Board to consider abilities of certain
credit unions; providing for codification; and
providing an effective date.

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16
17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 6 O.S. 2021, Section 2001, is
19 amended to read as follows:

20 Section 2001. As used in ~~this chapter~~ Section 2001 et seq. of
21 this title:

22 1. "Credit union" means a cooperative nonprofit society
23 incorporated for the purpose of promoting thrift among its members,

1 and creating a source of credit for them at legitimate rates of
2 interest for provident or productive purposes; and

3 2. "Credit union organization" means any organization that is
4 established primarily to serve the needs of credit unions and whose
5 business relates to the daily operations of the credit unions served
6 by such credit union organization;

7 3. "Custody services" means the role of a credit union in the
8 safekeeping and custody of various customer assets;

9 4. "Paid-in and unimpaired capital and surplus" means, the
10 balance of all paid-in share accounts and other deposits, less any
11 loss for which no reserve has been established or which has not been
12 charged against undivided earnings, plus the credit balance ~~for, or~~
13 less the debit ~~balance~~ balance, of undivided earnings, after all
14 losses have been provided for and net earnings or net losses have
15 been added thereto or deducted therefrom. Reserves shall not be
16 considered as a part of surplus;

17 5. "Qualified private organization" means an insurance company
18 licensed to do business in this state or an approved share insurance
19 guarantor; and

20 6. "Virtual currency" means an electronic representation of
21 value intended to be used as a medium of exchange, unit of account,
22 or store of value. Virtual currency is intangible, exists only on
23 the blockchain or distributed ledger associated with a particular
24 virtual currency, and does not exist in a physical form. The owner

1 of virtual currency holds cryptographic keys associated with the
2 specific unit of virtual currency to access and utilize it.

3 SECTION 2. AMENDATORY 6 O.S. 2021, Section 2001.1, is
4 amended to read as follows:

5 Section 2001.1. A. There is hereby created the Oklahoma State
6 Credit Union Board, which shall consist of five (5) members
7 appointed by the Governor. The ~~State~~ Bank Commissioner shall be one
8 of the members, and he shall preside as Chairman of the State Credit
9 Union Board. One of the other four members shall be a member of a
10 credit union organized under the laws of this state, and each of the
11 other three members shall be the officer in charge of operations or
12 a director of a credit union organized under the laws of this state;
13 provided, however, one of those three may be from a federal credit
14 union. Said four members shall be selected by the Governor, with
15 advice and consent of the Senate, from a list of not less than five
16 (5) names for each member to be appointed submitted by the Oklahoma
17 Credit Union League. The members appointed by the Governor shall
18 serve for terms of four (4), three (3), two (2) and one (1) year,
19 respectively. Upon the expiration of the terms of the four members
20 previously appointed by the Governor pursuant to the provisions of
21 this section, their successors shall be appointed for terms of four
22 (4) years. If a member of the ~~Oklahoma State Credit Union~~ Board
23 ceases to hold the qualifications required for the appointment of
24 such member, then the remaining members shall immediately declare

1 the office of such member vacant and such member shall cease to be a
2 member of the ~~Oklahoma State Credit Union~~ Board. Any vacancy in the
3 membership of the ~~State Credit Union~~ Board, caused by other than the
4 expiration of a term, shall be filled only for the balance of the
5 term of the member in whose position the vacancy occurs.

6 Appointment made to fill a vacancy shall be made by the Governor,
7 with advice and consent of the Senate, from a list of not less than
8 five (5) names submitted by the ~~Oklahoma Credit Union~~ League.

9 Except as otherwise provided in this section, members shall serve
10 until their terms expire or until their successors are appointed and
11 qualified.

12 B. Each member of the ~~State Credit Union~~ Board shall be
13 entitled to be reimbursed for necessary travel expenses pursuant to
14 the State Travel Reimbursement Act.

15 C. The ~~State~~ Banking Department shall provide such clerical,
16 technical and legal assistance as the ~~State Credit Union~~ Board may
17 require.

18 D. Powers exercised by the Board shall be executed in a manner
19 to ensure a competitive state credit union charter.

20 SECTION 3. AMENDATORY 6 O.S. 2021, Section 2002, is
21 amended to read as follows:

22 Section 2002. ~~(A)~~ A. No credit union organized under the laws
23 of this state or any other state shall be permitted to engage in

1 business except on certificate issued by the Bank Commissioner upon
2 authority of the Oklahoma State Credit Union Board.

3 (B) B. The request to establish a credit union under the laws
4 of this state shall be set forth in application form and filed with
5 the ~~Bank~~ Commissioner. The form of such application shall be
6 prescribed by the ~~State Credit Union~~ Board and furnished by the ~~Bank~~
7 Commissioner and shall contain such information as the ~~State Credit~~
8 ~~Union~~ Board may require. Any seven or more residents of this state
9 who desire to form a credit union under the laws of this state shall
10 subscribe before some person, competent to administer oath, an
11 organization certificate in triplicate, which shall specifically
12 state the:

13 (1) ~~the name~~

14 1. Name of the credit union;

15 (2) ~~the location~~

16 2. Location of the proposed credit union and the territory in
17 which it will operate;

18 (3) ~~the purpose~~

19 3. Purpose for which it is formed;

20 (4) ~~the term~~

21 4. Purpose for which it is to exist, which may be perpetual or
22 limited in term;

23 (5) ~~the number~~

1 5. Number of its directors or trustees and the names and
2 addresses of such of them as shall serve until the election of
3 directors or trustees; and

4 (6) ~~the par~~

5 6. Par value of the shares, which shall not exceed One Hundred
6 Dollars (\$100.00) each, and the authorized stock which shall not
7 exceed the amount which it is contemplated to be provided for in its
8 certificate of incorporation.

9 ~~(C)~~ C. With the application, applicants shall file a proposed
10 certificate of incorporation with the ~~Bank~~ Commissioner prepared in
11 accordance with the provisions of the Oklahoma General Corporation
12 Act.

13 (D) ~~In addition said applicants~~

14 D. Applicants shall prepare and adopt bylaws consistent with
15 the provisions of this act and shall certify to the same in
16 triplicate. The bylaws of the credit union may provide for the
17 amendment of the certificate of incorporation of the credit union
18 upon a vote of two-thirds (2/3) of the members of the board of
19 directors and the approval of the ~~State Credit Union~~ Board.

20 E. Applicants shall obtain share and deposit account insurance
21 from the National Credit Union Administration to the extent provided
22 by federal law, or from a qualified private organization. The Board
23 may prohibit a qualified private organization from providing
24 insurance pursuant to this subsection if the Board finds, after

1 notice and hearing, that the organization lacks the resources or
2 bylaws to adequately protect accounts of credit unions in this
3 state. A qualified private organization that is prohibited by the
4 Board from providing insurance may obtain judicial review in
5 accordance with Section 318 of Title 75 of the Oklahoma Statutes.

6 (E) F. The request of a credit union organized under the laws
7 of a state other than this state to do business in ~~Oklahoma~~ this
8 state shall be made in accordance with the provisions of Section 6
9 2004.1 of this ~~act~~ title.

10 SECTION 4. AMENDATORY 6 O.S. 2021, Section 2004.1, is
11 amended to read as follows:

12 Section 2004.1. ~~(A)~~ A. A credit union not organized under the
13 laws of this state or of the United States of America may conduct
14 business as a credit union in this state only with the approval of
15 the Oklahoma State Credit Union Board and upon receiving a
16 certificate from the Secretary of State in compliance with Section
17 1130 of Title 18 of the Oklahoma Statutes, provided credit unions
18 incorporated under the laws of this state are allowed to conduct
19 business in another state under conditions similar to these
20 provisions. Before granting the approval, the ~~State Credit Union~~
21 Board ~~must find~~ shall determine that the out-of-state credit union:

22 ~~(1)~~ 1. Is a credit union organized under laws similar to the
23 laws of this state;

24 ~~(2)~~ 2. Is financially solvent;

1 (3) 3. Has share and deposit account insurance with the
2 National Credit Union Administration to the extent provided by
3 federal law;

4 (4) 4. Is examined and supervised by a regulatory agency of the
5 state in which it is organized;

6 (5) 5. Needs to conduct business in this state to adequately
7 serve its members in this state;

8 6. Has share and deposit account insurance in accordance with
9 subsection C of this section; and

10 (6) 7. Does not have a field of membership that will materially
11 and substantially overlap the field of membership of a credit union
12 organized under the laws of this state or permitted to conduct
13 business in this state.

14 (B) B. No credit union organized under the laws of a state
15 other than this state may conduct business in this state unless:

16 (1) 1. Such credit union charges interest in compliance with
17 the laws of this state when making loans in this state;

18 (2) 2. Such credit union complies with the consumer protection
19 statutes and rules applicable to credit unions incorporated or
20 organized under the laws of this state; and

21 (3) 3. Such credit union's most recent report of examination by
22 its regulatory agency is furnished to the Administrator or such
23 credit union agrees to submit to an examination by the Bank
24 Commissioner or Administrator.

(C) C. To authorize an out-of-state credit union to operate in this state, the Board shall determine that such credit union has obtained share and deposit account insurance from the National Credit Union Administration to the extent required by federal law, or from a qualified private organization. The Board may prohibit a qualified private organization from providing insurance pursuant to this subsection if the Board finds, after notice and hearing, that the organization lacks the resources or bylaws to adequately protect accounts of credit unions in this state. A qualified private organization that is prohibited by the Board may obtain judicial review in accordance with Section 318 of Title 75 of the Oklahoma Statutes.

D. The ~~State Credit Union~~ Board may revoke the approval of a credit union to conduct business in this state if it finds that:

(1) 1. The credit union no longer meets the requirements of subsection ~~(A)~~ A of this section;

(2) 2. The credit union has violated the laws of this state or lawful rules or orders issued by the ~~State Credit Union~~ Board or the ~~Bank~~ Commissioner;

(3) 3. The credit union has engaged in a pattern of unsafe or unsound credit union practices; or

(4) 4. Continued operation by the credit union is likely to have a substantially adverse impact on the financial, economic or other interests of residents of this state.

1 (D) E. In the event of revocation as provided in subsection (C)
2 D of this section, the Secretary of State shall cancel the
3 certificate of domestication of the credit union.

4 SECTION 5. AMENDATORY 6 O.S. 2021, Section 2006, is
5 amended to read as follows:

6 Section 2006. A credit union shall have succession in its
7 corporate name during its existence and shall have power:

8 1. To make contracts;
9 2. To sue and be sued;
10 3. To adopt and use a common seal and alter the same at
11 pleasure;
12 4. To purchase, lease, own, hold, and dispose of any real
13 estate, buildings, fixtures, equipment, furniture and furnishings
14 necessary, incidental and convenient to the operation of the credit
15 union, the aggregate book value of which shall not exceed seven
16 percent (7%) of the total assets of the credit union, unless
17 otherwise specifically approved by the State Credit Union Board. A
18 credit union may lease to any tenants as the credit union deems
19 appropriate any portion of the facilities or premises of the credit
20 union which are not utilized in the conduct of the business of the
21 credit union;

22 5. To make loans to its members for provident or productive
23 purposes with at least as much flexibility as permitted by federally
24 chartered credit unions so as to ensure a competitive state charter,

1 the maturities of which shall not exceed fifteen (15) years, except
2 as otherwise provided herein and except as otherwise approved by the
3 State Credit Union Board or the National Credit Union
4 Administration, and extend lines of credit to its members, to other
5 credit unions and to credit union organizations and to participate
6 with other credit unions, credit union organizations or financial
7 organizations in making loans to credit union members, other credit
8 unions and credit union organizations in accordance with the
9 following:

10 a. loans to credit union members shall be made in
11 conformity with criteria established by the board of
12 directors of the lending credit union; provided that:
13 (1) a real estate loan secured by a first mortgage
14 lien may have a maturity not exceeding thirty
15 (30) years or any longer term which may be
16 authorized by the State Credit Union Board,
17 (2) a loan to finance a manufactured home, which
18 shall be secured by a first lien on such
19 manufactured home, or a second mortgage loan
20 secured by a dwelling, shall have a maturity not
21 exceeding fifteen (15) years or any longer term
22 which may be allowed by the State Credit Union
23 Board,

- (3) a loan secured by the insurance or guarantee of, or with advance commitment to purchase the loan by, a state or federal governmental agency may be made for the maturity and under the terms and conditions specified in the state or federal law under which such insurance, guarantee or commitment is provided,
- (4) a loan or aggregate of loans to a director or to a member of the supervisory committee or the credit committee or the credit manager of the lending credit union which exceeds Sixty Thousand Dollars (\$60,000.00) plus the amount of any pledged shares, shall be approved by the board of directors of the lending credit union, and
- (5) loans to credit union members for which any director of the lending credit union or any member of the supervisory committee or credit committee or the credit manager of the lending credit union acts as a guarantor or endorser shall be approved by the board of directors of the lending credit union when such loan, either standing alone or when added to any outstanding loan or loans of the guarantor or endorser,

exceeds Sixty Thousand Dollars (\$60,000.00) plus
the amount of any pledged shares,

- b. loans to credit union members and other eligible borrowers shall be made in accordance with and shall be paid or amortized in accordance with any rules or regulations as may be prescribed and adopted from time to time by the State Credit Union Board, after taking into account the needs or conditions of the borrowers, the amounts and duration of the loans, the interests of the members and the credit unions and such other factors as the State Credit Union Board may deem relevant,
- c. unless approval by the board of directors of the lending credit union is otherwise expressly required herein, loans to credit union members and other eligible borrowers shall be approved by the credit committee or by a loan officer of the lending credit union in accordance with criteria established by the board of directors,
- d. no loan or line of credit may be made to or established for a credit union member if the amount of such loan or line of credit, when aggregated with all other outstanding loans and lines of credit made to or established for such credit union member, will cause

the credit union member to be indebted to the lending credit union in an amount exceeding six percent (6%) of the greater of either (i) the paid-in and unimpaired capital and surplus of the lending credit union or (ii) an amount which is six percent (6%) of the total assets of the lending credit union,

- e. a self-replenishing line of credit may be established by a credit union for any eligible borrower to a stated maximum amount on terms and conditions which may differ from the terms and conditions established for other eligible borrowers,
- f. loans to other credit unions shall be approved by the board of directors of the lending credit union and shall not exceed twenty-five percent (25%) of the paid-in and unimpaired capital and surplus of the lending credit union,
- g. loans to credit union organizations shall be approved by the board of directors of the lending credit union and shall not exceed one percent (1%) of the paid-in and unimpaired capital and surplus of the lending credit union, except as otherwise approved by the State Credit Union Board. A "credit union organization" means any organization which is established primarily to serve the needs of credit

1 unions and whose business relates to the daily
2 operations of the credit unions served by such credit
3 union organization,

4 h. participation loans with other credit unions, credit
5 union organizations or other financial organizations
6 shall be in accordance with written policies adopted
7 by the board of directors of the lending credit union
8 and shall be approved by the board of directors of the
9 lending credit union. However, a credit union ~~which~~
10 that originates a loan for which participation
11 arrangements are made in accordance with this
12 subsection shall retain an interest of at least ten
13 percent (10%) of the face amount of such loan,
14 i. a credit union may participate in any guaranteed loan
15 program of the federal government or of this state
16 under the terms and conditions specified in the laws
17 under which such program is provided,
18 j. a credit union may finance for any person, whether or
19 not such person is a member of the credit union, the
20 purchase from the credit union of any real or personal
21 property owned and held by the credit union, including
22 any property obtained by the credit union as a result
23 of defaults in obligations owed to the credit union,
24 and

1 k. a credit union may make loans to its officers and
2 directors and to members of its supervisory and credit
3 committees. However, such loans shall not be made on
4 terms more favorable than those extended to other
5 members of the credit union. A credit union may
6 permit officers, directors and members of its
7 supervisory and credit committees to act as co-makers,
8 guarantors or endorsers of loans to other credit union
9 members;

10 6. To receive from its members, and other credit unions, state
11 and federal, doing business in the United States of America,
12 payments on shares and deposits, and to require such notice for
13 withdrawal of shares and deposits as the bylaws may provide, and to
14 receive nonmember deposits from any source if designated as a low-
15 income credit union;

16 7. To amend its bylaws in the manner provided by the bylaws,
17 but all. All amendments to the bylaws must shall be submitted to
18 and approved by the State Credit Union Board before they become
19 operative;

20 8. To invest its funds in accordance with the following:

21 a. investments shall be made in conformity with criteria
22 established by the board of directors of the credit
23 union and in accordance with any rules or regulations

1 as may be prescribed and adopted from time to time by
2 the State Credit Union Board, and

3 b. the following investments shall be authorized for
4 credit unions:

5 (1) loans to credit union members and other loans
6 authorized for credit unions under the laws of
7 this state,

8 (2) obligations of the United States of America and
9 obligations fully guaranteed as to principal and
10 interest by any instrumentality or agency of the
11 United States of America,

12 (3) general obligations and revenue obligations of
13 any state or any political subdivision thereof;
14 provided the aggregate of such investments shall
15 not exceed ten percent (10%) of the paid-in and
16 unimpaired capital and surplus of the credit
17 union; and provided that such investments shall
18 be limited to obligations rated among the three
19 highest rating categories established by one or
20 more national rating services for governmental
21 obligations,

22 (4) obligations issued by banks for cooperatives,
23 federal land banks, federal intermediate credit
24 banks, federal home loan banks, the Federal Home

Loan Bank Board or any corporation designated by federal law as a wholly owned government corporation, or obligations, participations or other instruments of or issued by, or fully guaranteed as to principal and interest by, the Federal National Mortgage Association or the Government National Mortgage Association, or in mortgages, obligations or other securities which are or ever have been sold by the Federal Home Loan Mortgage Corporation pursuant to the Federal Home Loan Mortgage Corporation Act, or in other obligations or other instruments or securities of the Student Loan Marketing Association, or obligations, participations, securities or other instruments of or issued by or fully guaranteed as to principal and interest by any other agency of the United States of America,

(5) shares of, deposits with or loans to other federally insured credit unions in a total amount, in either case, not exceeding twenty-five percent (25%) of the paid-in and unimpaired capital and surplus of the investing credit union,

- (6) shares of, or accounts or deposits with any state or federal banks, mutual savings banks and savings and loan associations, the accounts of which are insured by an agency of the federal government,
- (7) shares of, deposits with or loans to any Federal Reserve Bank or any central liquidity facility established under state or federal law,
- (8) shares of, deposits with or loans to any central credit union or corporate credit union organized under state or federal law,
- (9) shares of, deposits with or loans to any organization, corporation or association providing services associated with the general purposes of the investing credit union or engaging in activities incidental to the operations of any credit union; provided that such investments in the aggregate may not exceed ~~one percent (1%)~~ six percent (6%) of the unimpaired capital and surplus of the investing credit union,
- (10) any obligations or securities authorized for investment by federal credit unions under the laws of the United States of America. However,

1 such Such investments shall be in compliance with
2 any restrictions or limitations pertaining
3 thereto under the laws of the United States of
4 America or under the regulations of the National
5 Credit Union Administration,

6 (11) money market funds rated among the three highest
7 rating categories established by one or more
8 national rating services for corporate or
9 governmental securities,

10 (12) shares of mutual funds if the investments and
11 investment transactions of the fund are
12 authorized for credit unions under the laws of
13 this state, or

14 (13) such other investments or types of investments as
15 may be authorized from time to time by the State
16 Credit Union Board; provided that the State
17 Credit Union Board shall not be permitted under
18 this specific grant of authority to authorize a
19 credit union to purchase or own real estate
20 solely for investment purposes, or

21 (14) shares, stocks, or member units of financial
22 technology companies in a total amount not
23 exceeding two and one-half percent (2 1/2%) of

the net worth of the credit union so long as the credit union:

(a) would remain well capitalized pursuant to 12 C.F.R., Section 702.102 if the credit union reduced its net worth by the full investment amount at the time the investment is made or at any point during the time the investment is held by the credit union,

(b) and the financial technology company are
operated in a manner that demonstrates to
the public the separate corporate existence

(c) has received a composite rating of 1 or 2 under the CAMELS supervisory rating system

9. To make deposits in national banks and in state banks, trust companies, savings and loan associations, and credit unions organized under the laws of this state, any other state, or the United States of America, operating in accordance with the laws of ~~the State of Oklahoma~~ this state, or of the laws of the United States of America and approved by State Credit Union Board as depositories;

10. To borrow, from any source, in an aggregate amount not exceeding fifty percent (50%) of its shares, deposits and undivided

1 earnings; such borrowed money may be borrowed either by means of
2 bills payable or through rediscounts of its negotiable instruments,
3 and credit unions may pledge their assets as collateral securities
4 therefor;

5 11. To fine members, in accordance with the bylaws, for failure
6 to meet their obligations promptly to their credit union;

7 12. To impress and enforce a lien upon the shares, deposits,
8 dividends, and interest of any member to the extent of any loan made
9 to the member or endorsed by the member and any interest or fines
10 payable by the member;

11 13. To charge an entrance fee as provided in the bylaws;

12 14. To hire clerical help;

13 15. To become the owner and lessor of personal property upon
14 the specific request of and for the use of a member. A credit union
15 may only purchase the personal property to be leased after it has
16 completed a leasing arrangement with a member. Except upon the
17 written approval of the Commissioner, the term of the lease shall in
18 no event exceed ten (10) years and all such leases shall provide for
19 the payment of regularly scheduled periodic payments, the total of
20 which shall at least equal the cost to the credit union of the
21 personal property so leased. The total investment by a credit union
22 for benefit of any member, combined with all other obligations of
23 such member to the credit union, shall at no time exceed six percent
24 (6%) of the greater of either (i) the paid-in and unimpaired capital

1 and surplus of the credit union or (ii) an amount which is six
2 percent (6%) of the total assets of the credit union; ~~and~~

3 16. To exercise such incidental powers as shall be necessary or
4 requisite to enable it to carry on effectively the business for
5 which it is incorporated;
6 17. To obtain a designation of low-income status as established

7 by the National Credit Union Administration; and

8 18. To engage in virtual currency custody services pursuant to
9 Section 6 of this act.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 2006.1 of Title 6, unless there
12 is created a duplication in numbering, reads as follows:

13 A. A credit union may provide its customers with virtual
14 currency custody services. If a credit union engages in virtual
15 currency custody services, it shall:

16 1. Examine the risks of offering such services through a
17 methodical self-assessment process prior to offering virtual
18 currency custody services;

19 2. Ensure adequate protocols are in place to effectively manage
20 risks and comply with all state and federal laws;

21 3. Implement effective risk management systems and controls to
22 measure, monitor, and control relevant risks associated with virtual
23 currency custody services;

24 4. Obtain adequate insurance coverage; and

1 5. Maintain a service provider oversight program, to the extent
2 that the credit union engages with a service provider to provide
3 virtual currency custody services, to address risks to service
4 provider relationships as a result of engaging in virtual currency
5 custody services.

6 B. A credit union may provide virtual currency custody services
7 in a fiduciary or nonfiduciary capacity. In providing such services
8 in a nonfiduciary capacity, the credit union shall act as a bailee,
9 taking possession of the customer's virtual currency asset for
10 safekeeping while legal title remains with the customer, such that
11 the customer retains direct control over the key associated with his
12 or her virtual currency. In providing such services in a fiduciary
13 capacity, the credit union shall obtain approval from the Banking
14 Department pursuant to subsection C of this section. The credit
15 union shall receive control of the customer's virtual currency, and
16 new private keys shall be created to be held by the credit union.
17 If approved by the Department to provide virtual currency custody
18 services in a fiduciary capacity, the credit union shall have the
19 authority to manage virtual currency assets as it would any other
20 type of asset held in such capacity.

21 C. No credit union shall provide virtual currency custody
22 services in a fiduciary capacity without obtaining authorization
23 from the Department. The Department shall grant authority if it
24 finds that the credit union has satisfied the following:

1 1. The credit union's capital structure is sufficiently strong
2 to support the undertaking to provide virtual currency custody
3 services;

4 2. The personnel who will direct the virtual currency custody
5 services have adequate experience, training, and sufficient
6 resources to ensure compliance with state or federal laws and
7 regulations and to protect the operations of the credit union; and

8 3. Granting such authority to the credit union is in the public
9 interest.

10 D. The Department may impose conditions on the authority
11 granted to any credit union pursuant to subsection C of this section
12 and may suspend or revoke such authority if it finds that the credit
13 union has failed to comply with federal or state laws or regulations
14 applicable to virtual currency custody services or any existing
15 conditions imposed by the Department or if the services are
16 otherwise being provided in an unsafe or unsound manner.

17 SECTION 7. AMENDATORY 6 O.S. 2021, Section 2007, is
18 amended to read as follows:

19 Section 2007. A. Credit union membership shall consist of the
20 incorporators, and such other persons and incorporated and
21 unincorporated organizations and their employees, as may be elected
22 to membership. Each member shall subscribe to at least one share of
23 the credit union's stock and pay the entrance fee. Credit union
24 membership shall be limited to groups having a common bond of

1 occupation or association, which shall be limited to one of the
2 following categories:

3 1. Groups that have the same common bond of occupation or
4 association;

5 2. Persons or organizations within a well-defined community,
6 neighborhood or rural district; or

7 3. Groups which have, as to each individual group, a common
8 bond of occupation or association, but, as to all such groups, need
9 not have the same common bond of occupation or association as other
10 groups within the credit union.

11 B. The Oklahoma State Credit Union Board shall not consider
12 overlap in determining approval of a proposed field of membership
13 for a credit union chartered by this state.

14 C. The Board shall permit a credit union charted by this state
15 to add any category of associations as is preapproved by the
16 National Credit Union Administration and may designate other
17 preapproved categories of associations or persons eligible for
18 membership including, but not limited to, persons with income at or
19 below one hundred fifty percent (150%) of the United States
20 Department of Health and Human Services Poverty Guidelines.

21 D. A central credit union may be organized to which members of
22 existing credit unions operating in accordance with the law of the
23 ~~State of Oklahoma~~ this state, or of the United States of America,
24 may belong, and to which credit unions organized and operating under

1 the ~~State of Oklahoma~~ this state or of the United States of America
2 may also belong.

3 SECTION 8. AMENDATORY 6 O.S. 2021, Section 2010, is
4 amended to read as follows:

5 Section 2010. A. 1. The business affairs of a credit union
6 shall be managed by a board of not less than seven (7) members,
7 elected by the members of the credit union, from their number, at
8 their annual meeting, the organizational meeting being the first
9 annual meeting, and to hold office for such terms as the bylaws may
10 provide.

11 2. The bylaws of a credit union shall not prevent or restrict a
12 member from serving as a director, unless such member has been, or
13 is later, convicted of a crime involving dishonesty or breach of
14 trust.

15 3. A record of names and addresses of the board of directors
16 and the respective committees and officers shall be filed with the
17 Bank Commissioner within ten (10) days after their election. No
18 member of the board of directors shall, as such, be compensated, but
19 the officers elected by the board of directors and the members of
20 the credit and supervisory committees may receive such compensation
21 for services performed as the board shall, by resolution, authorize.

22 4. The board of directors shall meet at least once a month,
23 unless permitted by the Bank Commissioner to meet less often, and
24 shall have the general direction and control of the affairs of the

1 corporation. The minutes of all such meetings shall be kept. Among
2 other things they shall act upon applications for membership.

3 5. The board shall also:

4 a. declare dividends and determine rates of interest on
5 deposits,

6 b. fill vacancies in the board and in the credit
7 committee until successors elected at the next annual
8 meeting have qualified,

9 c. authorize investment of credit union funds other than
10 loans to members,

11 d. determine from time to time the maximum number of
12 shares and deposits that will be accepted from a
13 member in any calendar month not inconsistent with the
14 bylaws, and

15 e. subject to limitations of this act, determine the
16 interest rates on loans and the maximum amount that
17 may be loaned with and without security to any member,
18 and determine the rate of interest refund, if any, to
19 be made to members.

20 A majority of the board may, however, agree to exclude
21 loans made at rates of interest lower than the basic rate
22 of the credit union and may also exclude loans where
23 payments are in arrears from participation in such

interest rebates. All other loans shall participate at the same rate of rebate.

6. The State Credit Union Board may, by approval of implementing amendments to the bylaws of a credit union, authorize the delegation of specific powers by the board of directors of the credit union to an executive committee of the board of designated officers of the credit union. However, the delegation of any power by the board of directors, as authorized, shall not relieve the board of any existing duty or obligation for the proper exercise of the delegated power.

B. 1. At their first meeting, after the annual meeting of the members, the directors shall elect from their number an executive officer, who may be designated as chairman of the board or president, a vice-chairman of the board or a vice-president, a secretary, and a treasurer, who shall be the executive officers of the corporation. The secretary and the treasurer may be the same person. The duties of the officers shall be determined by the bylaws.

2. The board of directors may employ an officer in charge of operations, whose title shall be either president and/or general manager or, in lieu thereof, the board of directors may designate the treasurer or an assistant treasurer, to act as general manager and be in active charge of the affairs of the credit union. Each active officer and employee of a credit union shall, before entering

1 upon their duties, make and give a bond to the credit union,
2 executed by a surety company, in an amount fixed by the State Credit
3 Union Board, for the protection of the credit union against the
4 fraud or dishonesty of each active officer or employee of the credit
5 union. When the bond has been executed it shall be filed with the
6 Bank Commissioner.

7 3. The board of directors may appoint a membership officer and
8 delegate to the officer the power to approve or disapprove all
9 membership applications. The membership officer may not be the
10 treasurer or assistant treasurer. Once appointed, the membership
11 officer shall submit to the board of directors a list of approved or
12 pending applications for membership at each regular meeting of the
13 board of directors.

14 C. 1. A credit committee of not less than three members shall
15 be either elected by the members or appointed by the board of
16 directors, from the membership of the credit union, at the annual
17 meeting of the members, or at the first meeting of the board of
18 directors after the annual meeting of the members, as the bylaws may
19 provide. Members of the credit committee shall hold office for such
20 terms as specified in the bylaws. In lieu of a credit committee, a
21 credit manager may be appointed by the board of directors, if the
22 bylaws so provide. The credit manager shall be an officer of the
23 credit union.

1 2. A credit committee, or if the bylaws so provide, a credit
2 manager, shall have the general supervision of all loans to members.
3 It shall be the duty of the credit committee, or if applicable, the
4 credit manager, to provide for the review of all applications for
5 loans, to ascertain whether or not such loan would benefit the
6 applicant, and to determine whether or not the security offered, in
7 the judgment of the credit committee or the credit manager, is
8 sufficient and the terms proper. If the loans of the credit union
9 are supervised by a credit committee, the credit committee shall
10 meet as often as may be required after due notice has been given to
11 each member thereof, but not less than once a month, and shall keep
12 a record of all meetings.

13 3. The credit committee, or the credit manager, shall make a
14 report to the members at the annual meeting.

15 4. To facilitate the work of the credit committee or the credit
16 manager, the credit committee or the credit manager, whichever is
17 applicable, may appoint one or more loan officers and assistants, as
18 may be necessary. Loan officers shall act under the direction of
19 the credit committee or the credit manager and may approve or
20 disapprove loans, but only within written rules and regulations
21 established by the credit committee or the credit manager. A record
22 of loans approved by each loan officer shall be made available upon
23 request to the credit committee or the credit manager.

1 D. 1. The supervisory committee shall be appointed by the
2 board of directors unless otherwise provided in the bylaws. One
3 director may be appointed or elected to the supervisory committee,
4 but not the treasurer.

5 2. The supervisory committee shall make a semiannual
6 examination of the affairs of the credit union, including an audit
7 of its books; and shall make an annual audit and a report to be
8 submitted at the annual meeting of the corporation. However, if the
9 supervisory committee, with the approval of the board of directors,
10 employs an auditor approved by the State Credit Union Board, a
11 licensed public accountant or a certified public accountant to
12 perform an annual audit of the affairs and books of the credit
13 union, such annual audit by the outside auditor shall constitute
14 full compliance with this subsection.

15 3. A record of names and addresses of the board of directors
16 and the respective committees and officers shall be filed with the
17 Commissioner within ten (10) days after their election. The board
18 of directors and the members of the credit and supervisory
19 committees may receive compensation for services performed as the
20 Board shall authorize by resolution. Such compensation shall be
21 disclosed annually to the membership as a part of the credit union's
22 report.

1 4. The supervisory committee shall make a report of any audit
2 it causes to be conducted of the credit union at the annual meeting
3 of the credit union.

4 4. 5. By a unanimous vote, the supervisory committee may
5 suspend any officer of the corporation, including the credit
6 manager, or any member of the credit committee or of the board of
7 directors until the next members' meeting, which meeting, however,
8 shall be held within fourteen (14) days of the suspension and at
9 which meeting the suspension shall be acted upon by the members;
10 and, by a majority vote, may call a special meeting of the
11 shareholders to consider any violation of this law, the charter, or
12 of the bylaws, or any practice of the corporation deemed by the
13 committee to be unsafe or unauthorized. The board of directors
14 shall fill vacancies on the supervisory committee.

15 5. 6. The supervisory committee shall in such manner as it
16 deems advisable cause the accounts of the members to be verified
17 with the records of the treasurer from time to time and not less
18 frequently than once every two (2) years.

19 6. 7. The supervisory committee shall meet as often as
20 necessary to conduct the business of the supervisory committee and
21 at such other times as the Commissioner may prescribe. Minutes of
22 all such meetings shall be kept.

1 7. 8. No member of the supervisory committee may be excluded
2 from attending the meetings of the board of directors of the credit
3 union.

4 SECTION 9. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2023.1 of Title 6, unless there
6 is created a duplication in numbering, reads as follows:

7 A credit union chartered under state law may apply for authority
8 to exercise powers not specifically authorized by this act. The
9 Oklahoma State Credit Union Board may authorize a credit union to
10 engage in the powers requested if it finds that those powers are
11 appropriate and necessary to compete with other providers of
12 financial services in this state. The Board shall consider the
13 ability of the credit union to exercise the additional powers in a
14 safe and sound manner and the powers of competing entities providing
15 financial services.

16 SECTION 10. This act shall become effective November 1, 2026.
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