

G.S. 150B-21.3A Report for 04 NCAC 06, Credit Union Division												
Agency - Commerce - Credit Union Division												
Comment Period - March 25, 2024 through May 24, 2024												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 06A ORGANIZATION	SECTION .0100 GENERAL INFORMATION	04 NCAC 06A .0101	NAME AND ADDRESS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 6B RULE MAKING: DECLARATORY RULINGS AND CONTESTED CASES	SECTION .0300 RULE MAKING HEARINGS	04 NCAC 06B .0301	PETITION FOR ADOPTION: AMENDMENT OR REPEAL OF RULES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0302	NOTICE OF RULE-MAKING HEARINGS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0303	RULE-MAKING HEARINGS: GENERAL INFORMATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 DECLARATORY RULINGS	04 NCAC 06B .0401	PETITION FOR DECLARATORY RULING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0402	RESPONSE OF ADMINISTRATOR TO PETITION	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 ADMINISTRATIVE HEARINGS	04 NCAC 06B .0501	RIGHT TO HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0502	INFORMAL SETTLEMENT	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0503	REQUEST FOR HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0504	NOTICE OF HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0505	INTERVENTION IN AN ADMINISTRATIVE HEARING	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0506	DEPOSITIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0507	SUBPOENAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0508	SERVICE OF SUBPOENAS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06B .0509	OBJECTION TO A SUBPOENA	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
SUBCHAPTER 06C - CREDIT UNIONS	SECTION .0100 - GENERAL INFORMATION	04 NCAC 06C .0101	DEFINITIONS	Readoption Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 ORGANIZATION OF CREDIT UNIONS	04 NCAC 06C .0201	INCORPORATION OF STATE CHARTERED CREDIT UNIONS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0202	MINIMUM POTENTIAL MEMBERSHIP GUIDELINES	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0203	FIELDS OF MEMBERSHIP	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0204	BYLAWS AND ARTICLES OF INCORPORATION	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0205	LOANS TO CREDIT UNION OFFICIALS	Amended Eff. September 1, 2022	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		04 NCAC 06C .0206	MERGER OF CREDIT UNIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0207	CONVERSION OF CHARTER FROM NORTH CAROLINA CHARTER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0208	CONVERSION OF CHARTER TO NORTH CAROLINA CHARTER	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0209	OUT OF STATE OFFICE FACILITIES	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - BASIC INTERNAL CONTROLS: ACCOUNTING PROCEDURES AND OPERATION STANDARDS FOR STATE-CHARTERED CREDIT UNIONS	04 NCAC 06C .0301	GENERAL PROVISIONS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0302	PROCEDURES	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0304	MANAGEMENT DUTIES	Amended Eff. September 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0305	INDEPENDENT AUDITS	Amended Eff. September 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0306	DISPLAY OF FINANCIAL STATEMENTS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0307	LISTING OF OFFICIALS AND OPERATING HOURS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0308	BORROWING LIMITATIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0309	OPERATIONAL SYSTEMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0310	SHARE DRAFT PROGRAMS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0311	FIDELITY AND SURETY BONDS AND INSURANCE COVERAGE	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0312	INSURANCE AND GROUP PURCHASING	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0313	CREDIT UNION SERVICE ORGANIZATION (CUSO)	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 LOANS	04 NCAC 06C .0401	DELINQUENT LOANS AND LOAN LOSSES	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0402	CHARGE OFF OF UNCOLLECTABLE LOANS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0403	REAL ESTATE LOANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0404	LINE OF CREDIT LOANS	Readopted Eff. February 1, 2018	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		04 NCAC 06C .0407	COMMERCIAL LENDING AND MEMBER BUSINESS LOANS	Readopted Eff. February 1, 2018	Necessary	Yes If yes, include the citation to the federal law	12 C.F.R. § 741.203 and 12 C.F.R. § 723	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0408	SALE OF LOANS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0409	LOAN LIMITATIONS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		04 NCAC 06C .0410	PROHIBITED FEES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 IMPAIRMENT AND INSOLVENCY	04 NCAC 06C .0501	IMPAIRMENT	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0502	INSOLVENCY	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 DIVIDENDS: DEPOSITS AND INTEREST REBATE	04 NCAC 06C .0601	DIVIDENDS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0603	INTEREST REBATES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 ACCOUNTS	04 NCAC 06C .0706	DORMANT ACCOUNTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0708	CHARITABLE CONTRIBUTIONS AND CHARITABLE DONATION ACCOUNTS	Eff. April 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - REPORTS TO ADMINISTRATOR	04 NCAC 06C .0801	FINANCIAL STATEMENTS AND OTHER INFORMATION	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0802	ADDITIONAL REPORTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0900 PENSION PLANS	04 NCAC 06C .0901	CREDIT UNION AS CUSTODIAN	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .0902	SUCCESSOR CUSTODIAN	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1000 RETENTION OF RECORDS	04 NCAC 06C .1001	PERMANENT RECORD	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1002	NONPERMANENT RECORDS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1200 INVESTMENTS	04 NCAC 06C .1201	INVESTMENT ACTIVITIES	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1202	PERMISSIBLE TRANSACTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1203	RESTRICTED TRANSACTIONS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1204	FEDERAL FUNDS	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1205	AUTOMATIC LIENS UPON ALL SHARES TO SECURE ALL DEBTS	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1300 RESERVES	04 NCAC 06C .1301	SPECIAL RESERVES FOR LIQUIDITY	Readopted Eff. February 1, 2018	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1302	OTHER RESERVES	Amended Eff. March 1, 2020	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		04 NCAC 06C .1303	CORPORATE CREDIT UNION RESERVES	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1400 SIGNATURE GUARANTEE SERVICES	04 NCAC 06C .1401	SIGNATURE GUARANTEE	Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. September 6, 2016.	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt