

## BOARD ACTION MEMORANDUM

**TO:** NCUA Board  
**DATE:** September 15, 2021  
**FROM:** Regional Director  
Cherie L. Freed  
Western Region  
**SUBJ:** Amended Oregon Member  
Business Rule (MBL)

**ACTIONS REQUESTED:** Determine that the revised Oregon MBL Rule, OAR 441-720-0300 to 441-720-0380, at least covers all the provisions and is no less restrictive than the requirements of Part 723 of NCUA's regulations.

**DATE ACTION REQUESTED:** September 23, 2021

**OTHER OFFICES CONSULTED:** Office of Examination and Insurance and Office of General Counsel

**VIEWS OF OTHER OFFICES CONSULTED:** Concur

**BUDGET IMPACT IF ANY:** None

**RESPONSIBLE STAFF MEMBERS:** Regional Director Cherie L. Freed and Associate Regional Director, Operations Julie Cayse

**SUMMARY:** According to section 723.10(a) of the NCUA's regulations, federally insured state-chartered credit unions in a given state are exempt from compliance with Part 723 of the NCUA's regulations if "the state supervisory authority administers a state commercial and member business loan rule for use by federally insured credit unions chartered in that state, provided the state rule at least covers all the provisions in this part and is no less restrictive, upon determination by NCUA." Under a similar provision in the previous iteration of Part 723 of the NCUA's regulations, on June 20, 2002, the NCUA Board determined Oregon's current MBL Rule met the standard for Oregon's federally insured state-chartered credit unions to be exempt from Part 723.

On June 28, 2021, the Oregon Department of Consumer and Business Services submitted a request for the NCUA Board to make a determination that the state's proposed revisions to the Oregon MBL Rule would meet the standards specified in section 723.10(a) of the NCUA's regulations. The Western Region, with the concurrence of the Office of Examination and Insurance and the Office of General Counsel, recommends the NCUA Board determine that the revised Oregon MBL Rule, OAR 441-720-0300 to 441-720-0380, at least covers all the provisions and is no less restrictive than Part 723 of the NCUA's regulations.

**RECOMMENDATION:** The NCUA Board determine the Oregon MBL Rule, OAR 441-720-0300 to 441-720-0380, at least covers all the provisions and is no less restrictive than Part 723 of the NCUA's regulations.

**ATTACHMENT:** Oregon MBL Rule, OAR 441-720-0300 to 441-720-0380