Agency Name: Board of Financial Institutions

Statutory Authority: 34-26-210

Document Number: 5290

Proposed in State Register Volume and Issue: 48/8

House Committee: Reg., Admin. Procedures, AI and Cybersecurity

Senate Committee: Banking and Insurance Committee

120 Day Review Expiration Date for Automatic Approval: 01/18/2026

Status: Pending

Subject: Electronic Fund Transfers

History: 5290

By Date Action Description Jt. Res. No. Expiration Date

- 08/23/2024 Proposed Reg Published in SR

- 01/14/2025 Received President of the Senate & Speaker 01/18/2026

H 01/14/2025 Referred to Committee

S 01/14/2025 Referred to Committee

S 03/04/2025 Resolution Introduced to Approve 408

Document No. 5290

**STATE BOARD OF FINANCIAL INSTITUTIONS**

CHAPTER 15

Statutory Authority: 1976 Code Section 34‑26‑210

15‑45. Electronic Fund Transfers.

**Synopsis:**

The State Board of Financial Institutions (BOFI) proposes to repeal Regulation 15‑45 as it references an outdated “pilot program” which allowed credit unions to utilize electronic fund transfers; these transfers are now allowed by statute at Section 34‑26‑410.

The Notice of Drafting was published in the *State Register* on June 28, 2024. The Proposed Regulation was published in the *State Register* on August 23, 2024.

**Instructions:**

Repeal the regulation in its entirety.

~~Indicates Matter Stricken~~

Indicates New Matter

**Text:**

15‑45. ~~Electronic Fund Transfers.~~

~~(Statutory Authority: 1976 Code Section 34‑1‑110)~~

~~State chartered credit unions, associations of credit unions, and any other parties interested in credit union programs may submit pilot programs relating to electronic funds transfer through remote service units, loan programs and other operational systems to the Board of Bank Control for approval.~~

~~A program will be designated a pilot program if it is determined that the implementation of the program will provide the Board with the information necessary for the establishment of permanent programs which will effectively benefit all credit unions and the parties they serve.~~

~~Where a pilot program is deemed appropriate and the submitting party is a credit union, such credit union will be designated the credit union to implement the pilot program, provided the Board determines the implementation by such credit union would best serve the Board’s observation and evaluation of the actual operation of the pilot program. If the requesting credit union is deemed unqualified for implementation, or if the submitting party is not a credit union, the Board may, with the consent of the submitting party, designate an alternate credit union to test the program.~~

~~A termination date will be specified for the credit union designated to implement a pilot program. If, at the termination date, additional time is needed for complete evaluation, the Board may extend the time at the request of the designated credit union. The Board reserves the right to terminate or otherwise modify any ongoing pilot program. At the end of the evaluation period or extensions thereof, the Board will determine the benefits of the program and may authorize other qualified credit unions to adopt the same program, or a modification thereof, in which case approval by the Board will be required.~~

Repealed.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

Regulation 15‑45 references an outdated “pilot program” which allowed credit unions to utilize electronic fund transfers. Electronic fund transfers are now allowed by statute at Section 34‑26‑410. Accordingly, BOFI proposes that this Regulation be repealed.