

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 16-0577.01 Bart Miller x2173

SENATE BILL 16-125

SENATE SPONSORSHIP

Holbert,

HOUSE SPONSORSHIP

Kraft-Tharp,

Senate Committees
Finance

House Committees
Business Affairs and Labor

A BILL FOR AN ACT

101 CONCERNING THE GOVERNANCE OF CREDIT UNIONS, AND, IN
102 CONNECTION THEREWITH, AUTHORIZING THE APPOINTMENT OF
103 AN AUDIT COMMITTEE IN LIEU OF A SUPERVISORY COMMITTEE
104 AND ALLOWING THE REASONABLE COMPENSATION OF A
105 DIRECTOR FOR HIS OR HER SERVICE TO THE CREDIT UNION.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Section 1 of the bill authorizes the board of directors of a credit union to appoint an audit committee in lieu of the election or appointment

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
2nd Reading Unamended
March 24, 2016

SENATE
3rd Reading Unamended
February 24, 2016

SENATE
Amended 2nd Reading
February 23, 2016

of a supervisory committee. **Section 2** of the bill authorizes the credit union to reasonably compensate an officer, director, or committee member for his or her service to the credit union.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **amend** 11-30-108 as
3 follows:

4 **11-30-108. Elections.** (1) At the annual meeting, or by other
5 proper balloting within thirty days before and twenty days after the annual
6 meeting, the credit union members shall elect from the membership a
7 board of directors of not less than five members. A supervisory
8 committee of not less than three members and a credit committee of not
9 less than three members or a credit officer shall be elected by the credit
10 union members or appointed by the board of directors as provided in the
11 bylaws of the credit union. All such persons shall hold office for such
12 terms respectively as the bylaws provide and until successors are elected
13 or appointed and qualify. In addition, one or more alternate members of
14 the credit committee may be elected by the credit union members or
15 appointed by the board of directors to serve in the absence of members of
16 the credit committee. No member shall hold more than one elected office
17 simultaneously. A record of the names and addresses of the members of
18 the board and such committees, such alternates, and the officers shall be
19 filed with the commissioner within twenty days after their election or
20 appointment.

21 (2) NOTWITHSTANDING SUBSECTION (1) OF THIS SECTION, THE
22 BOARD OF DIRECTORS MAY, AS PROVIDED IN THE BYLAWS, APPOINT AN
23 AUDIT COMMITTEE IN LIEU OF A SUPERVISORY COMMITTEE TO CARRY OUT
24 THE DUTIES AND RESPONSIBILITIES OF THE SUPERVISORY COMMITTEE AS

1 CONTAINED IN SECTION 11-30-111. A RECORD OF THE NAMES AND
2 ADDRESSES OF THE MEMBERS OF THE AUDIT COMMITTEE MUST BE FILED
3 WITH THE COMMISSIONER WITHIN TWENTY DAYS AFTER THEIR ELECTION
4 OR APPOINTMENT.

5 **SECTION 2.** In Colorado Revised Statutes, 11-30-109, **amend**
6 (3) as follows:

7 **11-30-109. Directors and officers - compensation.** (3) ~~The~~
8 ~~treasurer may be compensated for his service as treasurer. No other~~
9 ~~member of the board of directors or of any committee shall, as such, be~~
10 ~~compensated; except that reasonable health, accident, or similar insurance~~
11 ~~protection, and the reimbursement of reasonable expenses incurred in the~~
12 ~~execution of the duties of the position, shall not be considered~~
13 ~~compensation.~~ A CREDIT UNION MAY REASONABLY COMPENSATE A
14 DIRECTOR FOR HIS OR HER SERVICES TO THE CREDIT UNION. PROVIDING
15 REASONABLE LIFE, HEALTH, ACCIDENT, AND SIMILAR INSURANCE
16 PROTECTION IS NOT CONSIDERED COMPENSATION. DIRECTORS, OFFICERS,
17 AND COMMITTEE MEMBERS MAY BE REIMBURSED FOR NECESSARY
18 EXPENSES INCIDENTAL TO THE PERFORMANCE OF THE OFFICIAL BUSINESS
19 OF THE CREDIT UNION.

20 **SECTION 3. Act subject to petition - effective date.** This act
21 takes effect at 12:01 a.m. on the day following the expiration of the
22 ninety-day period after final adjournment of the general assembly (August
23 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.