

This rule was filed as 12 NMAC 17.2.

**TITLE 12      TRADE, COMMERCE AND BANKING**  
**CHAPTER 17   CREDIT UNIONS**  
**PART 2        CREDIT UNION BRANCHES**

**12.17.2.1      ISSUING AGENCY:** Financial Institutions Division of the Regulation and Licensing Department, 725 St. Michael's Drive, Santa Fe, New Mexico 87504. Telephone No. (505) 827-7100  
[11/14/90; 9/30/97; Recompiled 10/15/01]

**12.17.2.2      SCOPE:** All credit unions chartered by the state of New Mexico.  
[11/14/90; 9/30/97; Recompiled 10/15/01]

**12.17.2.3      STATUTORY AUTHORITY:** Section 58-11-14 NMSA 1978.  
[6/19/87; 9/30/97; Recompiled 10/15/01]

**12.17.2.4      DURATION:** Permanent.  
[11/14/90; 9/30/97; Recompiled 10/15/01]

**12.17.2.5      EFFECTIVE DATE:** November 14, 1990, unless a later date is cited at the end of a section or paragraph. Reformatted in NMAC format September 30, 1997.  
[11/14/90; 9/30/97; Recompiled 10/15/01]  
[Compiler's note: The words *or paragraph*, above, are no longer applicable. Later dates are now cited only at the end of sections, in the history notes appearing in brackets.]

**12.17.2.6      OBJECTIVE:** The objective of this part is to establish the procedure for establishing a credit union branch.  
[11/14/90; 9/30/97; Recompiled 10/15/01]

**12.17.2.7      DEFINITIONS:** "Branch" means any branch credit union, branch office, branch agency, additional office or any branch place of business located in this state or in any other of the United States where such location could be accomplished in compliance with applicable state law, at which deposits to members' accounts are accepted or money lent.  
[11/14/90; 9/30/97; Recompiled 10/15/01]

**12.17.2.8      CREDIT UNION BRANCHES:** A credit union desiring to establish a branch shall give the director notice thereof on a form prescribed by the director. The director shall advise the credit union within 30 days following receipt of said notice that he has no objection to the branch, unless he is of the opinion that: (a) the proposed branch would not be beneficial to and would not serve the needs of the credit union's members, or (b) the operation of the proposed branch would substantially adversely affect the earnings and reserves of the credit union. If the director fails to act on said notice within such 30 days, such inaction shall be deemed and considered as no objection by the director. In the event that the director is of the opinion that either of the two factors above set forth does exist, he shall by letter so advise the credit union and shall set a hearing on the establishment of the branch, which setting shall be within 30 days of the date of said letter. At the hearing the credit union shall be afforded the opportunity of refuting such evidence as the director may cause to be presented on the factors above set forth. Following such hearing the director shall enter an order setting forth his findings and conclusions.  
[11/14/90; 9/30/97; Recompiled 10/15/01]

**HISTORY OF 12.17.2 NMAC:**

Pre-NMAC Regulatory Filing History: The material in this part was derived from that previously filed with the State Records Center and Archives under:  
Regulation 85-5, Credit Union Branches, 4/30/85 and  
Regulation 90-2CU, Credit Union Branches, 11/14/90.

History of Repealed Material: [RESERVED]