

# ALASKA STATE LEGISLATURE



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## HB 12 Mortgage Lending

Version A

### Section Analysis

January 20, 2015

Section	Action	Comments
Section 1 Pg 1, Ln 12	Adds: "an exclusive contract for a registered depository institution"	Allows for an individual to be licensed as a mortgage loan originator if he/she works under "an exclusive contract for a registered depository institution" or "be sponsored by a registered depository institution under AS 06.60.014." Sponsored means to conduct business under the supervision of a mortgage licensee or registered depository institution.
Section 2 Pg 2, Ln 5	Adds a new section: Sec 06.60.014. Registered depository institutions	This section outlines the requirements for a depository institution to be eligible to sponsor a mortgage loan originator.
Section 3 Pg 3, Ln 1	Adds: (4) "a bona fide nonprofit organization" to the persons that are exempt from mortgage lender/broker requirements of this chapter. (5) an employee of the bona fide nonprofit organization who is acting as a mortgage loan originator	By exempting the bona fide nonprofit organizations, the state of Alaska would be in compliance with the SAFE Act effective 8-30-2011.
Section 4 Pg 4, Ln 1	Adds new subsections: AS 06-60-015. Describes the requirements for a bona fide nonprofit to qualify under this section	Subsection (c ) sets out the requirements for a bona fide nonprofit to qualify as a mortgage lender Subsection (d-e) allows the department to establish regulations for the bona fide nonprofit to become qualified as a mortgage lender under this section
Section 5 Pg 5, Ln 11	Add: depository institutions	Depository institution applicant must have a surety bond

Section 6 Pg 5, ln 20	Add: depository institutions	Depository institution applicant that covers more than one location is not required to file more than one bond
Section 7 Pg 5, ln 24	Add: depository institutions	Bond must last for three years
Section 8 Pg 5, ln 28	Add: depository institutions	Determination by the department if a bond is unsatisfactory
Section 9 Pg 6, ln 1	Amends: 06-60-100 Annual Report	Requires a depository institution to follow the same reporting requirements as a mortgage licensee
Section 10 Pg 6, ln 16	Add: depository institutions	Requirements apply to business transactions
Section 11 Pg 6, ln 20	Add: depository institutions	Accounting records are in accord with generally accepted accounting principles
Section 12 Pg 6, ln 25	Add: depository institutions	Maintaining records
Section 13 Pg 7, ln 3	Add: depository institutions	Maintain copies of the note and associated documents for three years
Section 14 Pg 7, ln 11	Add: depository institutions	Compliance requirements
Section 15 Pg 7, ln 29	Add: depository institutions	Availability of out-of-state records
Section 16 Pg 8, ln 7	Add: depository institutions	Allows the department to censure, suspension or bar a licensee or depository institution if necessary
Section 17 Pg 9, ln 1	Add: depository institutions	Applicability of administrative procedures applies to registrations of depository institutions
Section 18 Pg 9, ln 8	New definitions	Bona fide nonprofit organization  Registered depository institution
Section 19 Pg 9, ln 16	Regulations to be adopted by the Department of Commerce, Community and Economic Development by January 1, 2016.	