

selected statutes regarding the
State Board of Financial Institutions
(Statutory text is current through the 2016 General Session)

7-1-203. Board of Financial Institutions.

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- (1) There is created a Board of Financial Institutions consisting of the commissioner and the following five members, who shall be qualified by training and experience in their respective fields and shall be appointed by the governor with the consent of the Senate:
 - (a) one representative from the commercial banking business;
 - (b) one representative from the consumer lending, money services business, or escrow agency business;
 - (c) one representative from the industrial bank business;
 - (d) one representative from the credit union business; and
 - (e) one representative of the general public who, as a result of education, training, experience, or interest, is well qualified to consider economic and financial issues and data as they may affect the public interest in the soundness of the financial systems of this state.
- (2) The commissioner shall act as chair.
- (3)
 - (a) A member of the board shall be a resident of this state.
 - (b) No more than three members of the board may be from the same political party.
 - (c) No more than two members of the board may be connected with the same financial institution or its holding company.
 - (d) A member may not participate in any matter involving an institution with which the member has a conflict of interest.
- (4)
 - (a) Except as required by Subsection (4)(b), the terms of office shall be four years each expiring on July 1.
 - (b) The governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
 - (c) A member serves until the member's successor is appointed and qualified.
 - (d) When a vacancy occurs in the membership for any reason, the governor shall appoint a replacement for the unexpired term.

- (5)
 - (a) The board shall meet at least quarterly on a date the board sets.
 - (b) The commissioner or any two members of the board may call additional meetings.
 - (c) Four members constitute a quorum for the transaction of business.
 - (d) Actions of the board require a vote of a majority of those present when a quorum is present.
 - (e) A meeting of the board and records of the board's proceedings are subject to Title 52, Chapter 4, Open and Public Meetings Act, except for discussion of confidential information pertaining to a particular financial institution.
- (6)
 - (a) A member of the board shall, by sworn or written statement filed with the commissioner, disclose any position of employment or ownership interest that the member has with respect to any institution subject to the jurisdiction of the department.
 - (b) The member shall:
 - (i) file the statement required by this Subsection (6) when first appointed to the board; and
 - (ii) subsequently file amendments to the statement if there is any material change in the matters covered by the statement.
- (7) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.
- (8) The board shall advise the commissioner with respect to:
 - (a) the exercise of the commissioner's duties, powers, and responsibilities under this title; and
 - (b) the organization and performance of the department and its employees.
- (9) The board shall recommend annually to the governor and the Legislature a budget for the requirements of the department in carrying out its duties, functions, and responsibilities under this title.