
DIGEST

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HB 211 Engrossed

2020 Regular Session

Jordan

Abstract: Prohibits the commissioner of the office of financial institutions (OFI) from taking adverse action against a state bank or credit union solely for providing financial services to a cannabis-related legitimate business or service provider.

Present law allows the commissioner of OFI to, in his discretion, conduct investigations and hearings to ascertain possible violations of present law, and to take certain actions against a person or institution who violates present law.

Proposed law retains present law but places restrictions on the type of activity which can be considered a violation, worthy of investigation or enforcement by the commissioner of OFI.

Proposed law applies to state banks and credit unions.

Proposed law defines "cannabis-related legitimate business" and "service provider".

Proposed law prohibits the commissioner of OFI from prohibiting or discouraging certain financial institutions from providing services to a cannabis-related legitimate business or service provider, solely based on the account holder being a cannabis-related legitimate business or service provider.

Proposed law prohibits the commissioner of OFI from penalizing certain financial institutions for providing financial services to a cannabis-related legitimate business or service provider, solely based on the account holder being a cannabis-related legitimate business or service provider.

Proposed law prohibits the commissioner of OFI from recommending, encouraging, or providing incentive to a financial institution to withhold financial services to an account holder, based solely on the account holder being a cannabis-related legitimate business or service provider.

Proposed law prohibits the commissioner of OFI from taking adverse or corrective supervisory action on a loan made to a cannabis-related legitimate business or service provider, solely because the business is a cannabis-related legitimate business or service provider.

Proposed law prohibits the commissioner of OFI from taking adverse or corrective supervisory action on a loan made to an employee, owner, or operator of a cannabis-related legitimate business or service provider, based solely on his association with the cannabis-related legitimate business or service provider.

Proposed law prohibits the commissioner of OFI from discouraging certain financial institutions from authorizing, billing, transferring, reconciling, or collecting payments for a cannabis-related legitimate business or service provider.

Proposed law prohibits the commissioner of OFI from penalizing certain financial institutions for authorizing, billing, transferring, reconciling, or collecting payments for a cannabis-related legitimate business or service provider.

Proposed law provides that providing financial services to a cannabis-related legitimate business or service provider shall not be considered an egregious violation, which the commissioner may report to the attorney general or district attorney, under present law.

(Adds R.S. 6:121.1.1)