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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To require the Federal Deposit Insurance Corporation and the National Credit Union Administration to carry out an analysis to determine whether insurance coverage should be raised on covered transaction accounts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. STUTZMAN introduced the following bill; which was referred to the Committee on _____

A BILL

To require the Federal Deposit Insurance Corporation and the National Credit Union Administration to carry out an analysis to determine whether insurance coverage should be raised on covered transaction accounts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STUDY OF INSURANCE OF COVERED TRANS-**
4 **ACTION ACCOUNTS.**

5 (a) INSURED DEPOSITORY INSTITUTIONS.—

1 (1) ANALYSES.—Not earlier than the end of the
2 4th full calendar quarter beginning after the date of
3 enactment of this Act and not later than the end of
4 the 5th full calendar quarter beginning after the
5 date of enactment of this Act, the Board of Direc-
6 tors of the Federal Deposit Insurance Corporation
7 shall—

8 (A) collect data and carry out an analysis
9 of covered transaction accounts to determine
10 the extent to which a higher standard maximum
11 deposit insurance amount should apply to such
12 accounts;

13 (B) conduct an economic analysis of the
14 impact on the banking system of a higher
15 standard maximum deposit insurance amount
16 for covered transaction accounts;

17 (C) determine the defining characteristics
18 of covered transaction accounts and determine
19 methods to prevent and reduce incentives of in-
20 sured depository institutions and depositors to
21 mischaracterize other types of deposit accounts
22 as covered transaction accounts in order to ob-
23 tain higher deposit insurance coverage;

24 (D) conduct an analysis of the distribu-
25 tional impact of higher deposit insurance as-

1 assessments for covered transaction accounts on
2 small, medium, and large insured depository in-
3 stitutions;

4 (E) conduct an analysis of the expected
5 impact on the safety and soundness of insured
6 depository institutions that have account hold-
7 ers with covered transaction accounts;

8 (F) conduct an analysis of the effect on
9 competition in the U.S. banking sector of any
10 increase in the standard maximum deposit in-
11 surance amount for covered transaction ac-
12 counts; and

13 (G) make the data and analyses described
14 in subparagraphs (A) through (F) available to
15 the public.

16 (2) DEFINITIONS.—In this subsection:

17 (A) COVERED TRANSACTION ACCOUNT.—
18 The term “covered transaction account” means
19 a transaction account maintained at an insured
20 depository institution—

21 (i) by a business, non-profit, munici-
22 pality, or similar organization; and

23 (ii) that—

24 (I) is non-interest bearing; or

1 (II) pays a de minimis amount of
2 interest, as established by the Cor-
3 poration.

4 (B) STANDARD MAXIMUM DEPOSIT INSUR-
5 ANCE AMOUNT.—The term “standard maximum
6 deposit insurance amount” has the meaning
7 given that term in section 11(a)(1)(E) of the
8 Federal Deposit Insurance Act (12 U.S.C.
9 1821(a)(1)(E)).

10 (C) TRANSACTION ACCOUNT.—The term
11 “transaction account” means a deposit or ac-
12 count from which the depositor or account hold-
13 er is permitted to make transfers or with-
14 drawals by negotiable or transferable instru-
15 ment, payment order of withdrawal, telephone
16 transfer, or other similar device for the purpose
17 of making payments or transfers to third per-
18 sons or others or from which the depositor or
19 account holder may make third party payments
20 at an automated teller machine or a remote
21 service unit, or other electronic device, including
22 by debit card, and includes such other deposits
23 or accounts maintained at an insured depository
24 institution that the Corporation may determine
25 consistent with this definition.

1 (D) ADDITIONAL BANKING TERMS.—The
2 terms “deposit” and “insured depository insti-
3 tution” have the meaning given those terms, re-
4 spectively, in section 3 of the Federal Deposit
5 Insurance Act (12 U.S.C. 1813).

6 (b) INSURED CREDIT UNIONS.—

7 (1) ANALYSES.—Not earlier than the end of the
8 4th full calendar quarter beginning after the date of
9 enactment of this Act and not later than the end of
10 the 5th full calendar quarter beginning after the
11 date of enactment of this Act, the National Credit
12 Union Administration Board shall—

13 (A) collect data and carry out an analysis
14 of covered transaction accounts to determine
15 the extent to which a higher standard maximum
16 share insurance amount should apply to such
17 accounts;

18 (B) conduct an economic analysis of the
19 impact on the credit union system of a higher
20 standard maximum share insurance amount for
21 covered transaction accounts;

22 (C) determine the defining characteristics
23 of covered transaction accounts and determine
24 methods to prevent and reduce incentives of in-
25 sured credit unions and credit union members

1 to mischaracterize other types of deposit or
2 share accounts as covered transaction accounts
3 in order to obtain higher share insurance cov-
4 erage;

5 (D) conduct an analysis of the distribu-
6 tional impact of higher share insurance assess-
7 ments for covered transaction accounts on
8 small, medium, and large insured credit unions;

9 (E) conduct an analysis of the expected
10 impact on the safety and soundness of insured
11 credit unions that have account holders with
12 covered transaction accounts;

13 (F) conduct an analysis of the effect on
14 competition in the U.S. credit union sector of
15 any increase in the standard maximum share
16 insurance amount for covered transaction ac-
17 counts; and

18 (G) make the data and analyses described
19 in subparagraphs (A) through (F) available to
20 the public.

21 (2) DEFINITIONS.—In this subsection:

22 (A) COVERED TRANSACTION ACCOUNT.—
23 The term “covered transaction account” means
24 a transaction account maintained at an insured
25 credit union—

1 (i) by a business, non-profit, municipi-
2 pality, or similar organization; and

3 (ii) that—

4 (I) does not pay a dividend; or

5 (II) pays a de minimis dividend,
6 as established by the Board.

7 (B) INSURED CREDIT UNION.—The term
8 “insured credit union” has the meaning given
9 that term in section 101 of the Federal Credit
10 Union Act (12 U.S.C. 1752).

11 (C) STANDARD MAXIMUM SHARE INSUR-
12 ANCE AMOUNT.—The term “standard maximum
13 share insurance amount” has the meaning
14 given that term in section 207(k)(6) of the Fed-
15 eral Credit Union Act (12 U.S.C. 1787(k)(6)).

16 (D) TRANSACTION ACCOUNT.—The term
17 “transaction account” means a deposit, share,
18 or account from which the depositor or account
19 holder is permitted to make transfers or with-
20 drawals by negotiable or transferable instru-
21 ment, payment order of withdrawal, telephone
22 transfer, or other similar device for the purpose
23 of making payments or transfers to third per-
24 sons or others or from which the depositor or
25 account holder may make third party payments

1 at an automated teller machine or a remote
2 service unit, or other electronic device, including
3 by debit card, and includes such other deposits
4 or accounts maintained at an insured credit
5 union that the Board may determine consistent
6 with this definition.