
Wisconsin Legislative Council

ACT MEMO



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2023 Wisconsin Act 128
[2023 Senate Bill 773]

Powers of Financial Institutions

CURRENT LAW

Under current law, the Department of Financial Institutions (DFI) regulates state-chartered credit unions through the Office of Credit Unions (OCU) and state-chartered banks, savings banks, and savings and loan associations through the Division of Banking (DOB). These financial institutions are permitted to exercise various activities and powers under the supervision of the appropriate regulatory authority.

2023 WISCONSIN ACT 128

2023 Wisconsin Act 128 makes a number of changes to the authorized operations of state-chartered credit unions, banks, savings banks, and savings and loan associations. The act:

- Expands the ability of a credit union to purchase, lease, and sell real property.
- Specifies that credit unions may issue or offer supplemental forms of capital approved by OCU.
- Repeals certain DFI rules related to the placement or operation of automated teller machines (ATMs) by financial institutions.
- Creates the crime of interfering with an ATM.
- Eliminates a geographical lending restriction for a savings and loan association.
- Eliminates certain lender disclosure requirements applicable to residential mortgage loans and variable rate loans.
- Extends the maximum maturity date, from 10 to 20 years, of a promissory note issued by a municipality, county, or school district.
- Extends the period in which a credit union's board of directors must appoint a director to fill a board vacancy.
- Increases the amount of compensation available from DFI for losses resulting from the deposit of public moneys in a failed financial institution.
- Extends the period during which OCU must determine whether an activity or power that becomes authorized for a federally chartered credit union should also be authorized for a Wisconsin-chartered credit union.
- Extends the deadline for a credit union to pay OCU for the cost of an OCU examination.

Effective date: March 23, 2023. The repeal of sections DFI-Bkg 14.03, DFI-SB 12.03, and DFI-SL 12.03 of the administrative code, as directed by the act, will take effect when published in the administrative code as provided under s. 35.93, Stats.

For a full history of the bill, visit the Legislature's [bill history page](#).

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