

# NEBRASKA DEPARTMENT OF BANKING AND FINANCE

## GUIDANCE DOCUMENTS

### FINANCIAL INSTITUTIONS DIVISION

#### FINANCIAL INSTITUTIONS STATEMENTS OF POLICY

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#">Powers of a State Bank</a> <i>Sets forth the powers of a state-chartered bank and describes services or products a state-chartered bank may offer.</i>
2	<a href="#">Loan Production Offices in Nebraska</a> <i>Pertains to loan production offices in Nebraska and includes descriptions of their various areas of interest.</i>
3	<a href="#">Credit Card Banks in Nebraska</a> <i>Contains a list of questions and answers regarding credit card banks in Nebraska.</i>
4	<a href="#">Bank and Bank Branch Naming Policy</a> <i>Sets forth policies concerning the use and approval of the chartered name of a bank, the names of all bank offices used within the State of Nebraska, and the laws prohibiting the use of confusingly similar names by bank offices in the same community or county.</i>
5	<a href="#">Payment of Fees to an Insider of a Bank</a> <i>Covers the issues surrounding the payment of fees to a bank insider.</i>
6	<a href="#">Formal and Informal Administrative Actions</a> <i>Describes formal and informal administrative action processes, including corrective action procedures, as they relate to bank examination results.</i>
7	<a href="#">Capital Computation</a> <i>Defines what "primary capital" is, for purposes of computing capital at a state-chartered bank.</i>
8	<a href="#">Violations of Banking Statutes</a> <i>Briefly describes how the Department responds to civil and criminal banking statute violations.</i>
9	<a href="#">Loan Limits</a> <i>Sets forth policies regarding the maximum amount a bank may loan to a customer.</i>
10	<a href="#">Livestock Loans</a> <i>Sets forth policies regarding rules and restrictions regarding loans secured by livestock.</i>
11	<a href="#">Inclusion of Nonledger Assets in Total Amount Loaned Under State Lending Limits</a> <i>Pertains to the treatment of ledger and nonledger assets in the same line of credit.</i>
12	<a href="#">Participation Loans</a> <i>Sets forth policies regarding the purchase and renewal of participation loans.</i>

- 13 [Lending Limits Where Bank's Capital Declines](#)  
*Discusses lending limits for a bank that experiences a decline in bank capital and includes examples for further clarification.*
- 14 [Other Real Estate](#)  
*Contains policies regarding a bank's acquisition of other real estate.*
- 15 [Financial Institution Bond Coverage](#)  
*Contains policies regarding financial institution bond coverage as required by the Nebraska Banking Act.*
- 16 [Disclosure of Information to Bonding Companies](#)  
*Covers the types of disclosures of information that can or cannot be made to bonding companies.*
- 17 [External Auditors and Confidentiality of Examinations and Other Materials](#)  
*Sets forth policies that assist external auditors of a financial institution with the coordination and communication of information with examiners.*
- 18 [Response Program/Notification Unauthorized Access to Customer Information](#)  
*Contains policies for financial institutions regarding the implementation of a Response Program in the event of a data security breach and establishes the requirement to notify the Department of a data security breach.*
- 19 [Tax Equity Finance Transactions](#)  
*Pertains to a transaction in which a bank provides equity financing to fund a project or projects that generate tax credits or other tax benefits.*

## **FINANCIAL INSTITUTIONS MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Community Development Investments: A Banker's Guide Brochure</u></a> <i>A brochure for bankers containing general information regarding community development investments.</i>
2	<a href="#"><u>Financial Institution Directors: Duties &amp; Responsibilities Manual</u></a> <i>A manual intended to assist members of the board of directors of a financial institution to better understand their duties and responsibilities.</i>
3	<a href="#"><u>Executive Officer's FAQ</u></a> <i>Answers common questions concerning the licensing of bank executive officers.</i>
4	<a href="#"><u>NDBF--Credit Union Guidance Authorizing Virtual Annual Meetings of Members</u></a> <i>Guidance for conducting virtual credit union annual meetings.</i>

## DIGITAL ASSETS GUIDANCE DOCUMENTS

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Digital Asset Depository Nebraska Operational Considerations Guidance</u></a> <i>Covers recommendations that can be used by NDBF and its examiners to understand industry standards and best practices in their operations.</i>
2	<a href="#"><u>Digital Asset Depository Nebraska Charter Ecosystem Guidance</u></a> <i>Provides an overview of the regulatory regimes addressing digital assets as well as the industry landscape.</i>
3	<a href="#"><u>Digital Asset Depository Nebraska Supervision Handbook</u></a> <i>Provides an overview of the Department's digital asset charter-specific supervision process.</i>
4	<a href="#"><u>Digital Asset Depository Nebraska Custody and Fiduciary Services Examination Manual</u></a> <i>Provides guidance to Department Examiners in connection with their examination and supervision of digital asset custody and fiduciary activities at Digital Asset Depositories.</i>
5	<a href="#"><u>Digital Asset Depository Nebraska Payment Systems Risk Examination Manual</u></a> <i>Provides guidance to the Department Examiners for carrying out examinations and supervision of digital asset payment systems and related activities.</i>
6	<a href="#"><u>Digital Asset Depository Nebraska Information Security Examination Manual</u></a> <i>Provides guidance to examiners and addresses factors necessary to assess the level of security risks to a Digital Asset Depository's information system.</i>
7	<a href="#"><u>Digital Asset Depository Nebraska AML CFT and OFAC Examination Manual</u></a> <i>Provides guidance to Department Examiners for carrying out AML/CFT and OFAC examinations.</i>

## DIGITAL ASSETS STATEMENTS OF POLICY

1	<a href="#"><u>Nebraska Financial Innovation Act Statement of Policy #1 - Books and Records</u></a> <i>Sets forth policies regarding the keeping of accurate and complete books and records by a Digital Asset Depository.</i>
2	<a href="#"><u>Nebraska Financial Innovation Act Statement of Policy #2 - Safety and Soundness</u></a> <i>Sets forth standards to determine whether operations by a Digital Asset Depository are conducted safely and soundly.</i>
3	<a href="#"><u>Nebraska Financial Innovation Act Statement of Policy #3 - Capital Requirements</u></a> <i>Provides guidance for Digital Asset Depositories regarding capital requirements.</i>
4	<a href="#"><u>Nebraska Financial Innovation Act Statement of Policy #4 - Prompt Corrective Action</u></a> <i>Sets forth policies regarding prompt corrective action and enhanced monitoring.</i>

- 5 [Nebraska Financial Innovation Act Statement of Policy #5 - Liquidity Program](#)  
*Sets forth policies regarding appropriate liquidity program considerations.*
- 6 [Nebraska Financial Innovation Act Statement of Policy #6 - Technology Protocols, Information Security, and Distributed Ledger Activity](#)  
*Sets forth policies Digital Asset Depositories must consider when establishing controls, policies, and procedures that address their use of technology protocols, information security, and distributed ledger activity.*
- 7 [Nebraska Financial Innovation Act Statement of Policy #7 - Formal and Informal Actions](#)  
*Provides guidance for Digital Asset Depositories regarding ratings and formal and informal administrative actions.*

**MORTGAGE BANKING INTERPRETATIVE OPINIONS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#">Activities Requiring Licensure as a Mortgage Loan Originator</a> <i>Describes the type of activities that require licensing as a mortgage loan originator.</i>
2	<a href="#">Loan Processors and Underwriters Licensing Requirements</a> <i>Describes mortgage loan originator licensing requirements pertaining to loan processors and underwriters.</i>
3	<a href="#">Independent Loan Processing Companies</a> <i>Discusses the application of the licensing requirements of the Residential Mortgage Licensing Act to independent loan processing companies.</i>
4	<a href="#">Financial Responsibility</a> <i>Describes the factors that the Department will consider when evaluating the financial responsibility of an applicant for a mortgage loan originator license.</i>
5	<a href="#">Use of Unique Identifier</a> <i>Describes the requirements pertaining to the use of a unique identifier by mortgage bankers and mortgage loan originators.</i>

**MORTGAGE BANKING MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#">Conference of State Bank Supervisors—Guidance on Nontraditional Mortgage Product Risks</a> <i>Discusses lender’s obligations concerning nontraditional mortgage loans.</i>
2	<a href="#">Illustrations of Consumer information on Nontraditional Mortgage Products</a> <i>Provides examples to assist mortgage bankers and mortgage loan originators to understand the guidance and to meet their obligations concerning nontraditional mortgage loans.</i>

- 3 [Conference of State Bank Supervisors—Statement on Subprime Mortgage Lending](#)  
*Discusses lender’s obligations concerning subprime mortgage loans.*
- 4 [Mortgage Loan Originator General Licensing Questions](#)  
*Frequently asked questions regarding Licensing Requirement, Compensation or Gain, Loan Processors and Underwriters, Exemptions, Licensed v. Registered Mortgage Loan Originators, Loans Which Require a License to Originate, and Unique Identifier.*
- 5 [Mortgage Loan Originator License Application FAQ - v.2021](#)  
*Frequently asked questions regarding General Application Questions, Pre-Licensure Education and Testing, Criminal History Checks, Credit Reports and Financial Responsibility, Citizenship Attestation, Fees.*
- 6 [Mortgage Loan Originator License Maintenance, Renewal, and Surrender Frequently Asked Questions - v.2021](#)  
*Frequently asked questions regarding Amending Your NMLS Records, Employment and Sponsorship, Continuing Education, License Renewals, and License Surrender, License Expiration, and Reapplication.*

## **INSTALLMENT LOAN MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Installment Loan Application Guidance Hearing Questions</u></a> <i>Contains commonly asked hearing questions and topics for Installment Loan License Application hearings.</i>
2	<a href="#"><u>Installment Loan Licensing FAQs</u></a> <i>Frequently asked questions regarding appraisals and revolving charge agreements under the Nebraska Installment Loan Act.</i>
3	<a href="#"><u>Nebraska Installment Loan Act Frequently Asked Questions</u></a> <i>Nebraska Installment Loan Act Frequently Asked Questions.</i>

## **DELAYED DEPOSIT SERVICES INTERPRETATIVE OPINIONS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Determining Maximum Service Fee That Can Be Charged By Delayed Deposit Licensees</u></a> <i>Discusses the method for calculating the maximum fees that are allowed to be charged by delayed deposit services businesses.</i>
2	<a href="#"><u>Definition of “Maker”</u></a> <i>Discusses the requirements of the Act as they pertain to jointly owned financial institution accounts.</i>
3	<a href="#"><u>Definition of “Check”, Presentment; Penalty Charges; Prepayment</u></a> <i>Discusses the requirements of the Act related to depositing checks, authorizations to electronically debit accounts, notices to customers, prepayments, and the penalty fees that may be charged for</i>

checks returned nonsufficient funds.

4 [Method of Payment](#)

*Discusses the circumstances under which a licensee can issue payments in a form other than cash.*

5 [Holding of Checks](#)

*Discusses the requirements of the Act as they pertain to presenting checks and the thirty-four-day holding period.*

6 [Collection of Returned Checks; Partial Collection Payments](#)

*Discusses the collection methods for checks returned for nonsufficient funds, including the use of ACH and collection of partial items, allowable fees, and required customer notices.*

7 [Collection Items; Documentation Required](#)

*Discusses the records which must be retained by licensees in connection with collection efforts on checks returned for nonsufficient funds.*

8 [Use of the Terms “Loan” and “Payday Loan”](#)

*Discusses the conditions under which delayed deposit services licensees may use the terms “loans” and “payday loans” to describe their business in advertising.*

9 [Extended Payment Plan](#)

*Discusses the requirements of the Act relating to Extended Payment Plans (“EPP”), including amendment of the delayed deposit agreement, terms of an EPP, and prepayment of an EPP.*

10 [Rescission; Redemption](#)

*Discusses a maker’s right to rescind a delayed deposit transaction, a maker’s right to redeem a delayed deposit transaction, and a maker’s right to rescind an authorization for electronic payment.*

11 [Military Personnel, Spouses and Dependents](#)

*Discusses limitations regarding delayed deposit transactions provided to military personnel, their spouses, and dependents under the Act and the federal Military Lending Act of 2006.*

## **DELAYED DEPOSIT SERVICES MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>DDS Frequently Asked Questions</u></a> <i>A list of commonly asked questions and answers regarding the Nebraska Delayed Deposit Services Act.</i>
2	<a href="#"><u>DDS Application General Hearing Questions</u></a> <i>Contains commonly asked hearing questions and topics for Delayed Deposit Services Business Application hearings.</i>

## MONEY TRANSMITTER MISCELLANEOUS

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Information regarding a Money Transmitter License in Nebraska</u></a> <i>Discusses money transmitter license requirements and exemptions.</i>

# SECURITIES BUREAU

## SECURITIES INTERPRETATIVE OPINIONS

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Certificates of Deposit</u></a> <i>Discusses the factors the Department will consider in determining whether a certificate of deposit constitutes a security as defined in the Securities Act.</i>
2	<a href="#"><u>Exclusion from Definition of Security for Limited Liability Companies Which Are Actively Managed by Members</u></a> <i>Discusses the factors that the Department will consider in determining whether a limited liability company is actively managed by its members for purposes of the exclusion of such interests from the definition of "security."</i>
3	<a href="#"><u>Applicability of the Securities Act of Nebraska to Offers Effected Through the Internet that do not Result in Sales to Nebraska Residents</u></a> <i>Discusses the conditions for out-of-state offerings conducted on the internet without registering the securities in Nebraska.</i>
4	<a href="#"><u>Offers of "Free" Securities with Purchase of Item for Value and Section 8-1101(10)</u></a> <i>Discusses the registration requirements for securities that are given away in connection with a purchase of other items for value.</i>
5	<a href="#"><u>Canadian Multijurisdictional Offerings in Nebraska</u></a> <i>Discusses registration requirements for Canadian Multijurisdictional Offerings.</i>
6	<a href="#"><u>Shelf Registration by Coordination and Section 8-1106</u></a> <i>Discusses the procedures for filing a shelf registration of securities.</i>
7	<a href="#"><u>Financial Institution Offerings and the Sections 8-1110(3), 8-1110(4) and 8-1110(5) Exemptions</u></a> <i>Discusses requirements for exemption from registration for offers and sales of financial institution securities.</i>
8	<a href="#"><u>Isolated Transactions and the Section 8-1111(1) Exemption</u></a> <i>Discusses the factors that the Department will consider in determining whether an offering constitutes an isolated transaction.</i>
9	<a href="#"><u>Sales of Securities to Existing Security Holders and the Section 8-1111(11) Exemption</u></a> <i>Discusses requirements for issuers wishing to rely upon the existing security holder exemption.</i>
10	<a href="#"><u>Institutional Investors and the Section 8-1111(8) Exemption</u></a> <i>Discusses the types of institutions that can qualify for the exemption found in Section 8-1111(8).</i>
11	<a href="#"><u>Convertible Securities and the Section 8-1111(14) Exemption</u></a> <i>Discusses the types of transactions which qualify for the conversion exemption in Section 8-1111(14).</i>

- 12 [“Unit” Defined and the Section 8-1111\(5\) Exemption](#)  
*Discusses the definition of the term “unit” in determining whether a transaction qualifies for the exemption found in Section 8-1111(5).*
- 13 [Registered Broker-Dealers and the Sections 8-1111\(2\) and 8-1111\(3\) Exemptions](#)  
*Discusses broker-dealer registration requirements in connection with the exemptions found in Sections 8-1111(2) and 8-1111(3).*
- 14 [Private Securities Transactions by Agents and the Sections 8-1111\(9\) and 8-1111\(16\) and Exemptions](#)  
*Discusses the requirement that the individual offering the securities must be registered as an agent of a broker-dealer if such individual is receiving commissions related to the sale of the security.*
- 15 [Determining Number of Clients of an Investment Adviser](#)  
*Discusses the factors and procedures for determining the number of clients of an investment adviser.*
- 16 [Applicability of the Securities Act of Nebraska to Persons Who Provide Investment Advisory Services as a Component of Other Financial Services](#)  
*Discusses the definition of “investment adviser” as it relates to individuals who provide financial planning.*
- 17 [Use of Certifications and Designations in Advertising by Investment Adviser Representatives and Broker-Dealer Agents](#)  
*Discusses prohibited practices in the use of certifications and designations in advertising by investment adviser representatives and broker-dealer agents.*
- 18 [Rescission Offers and Sections 8-1116, 8-1117 and 8-1118](#)  
*Discusses registration requirements related to rescission offers.*
- 19 [Merger and Acquisition Brokers](#)  
*Discusses broker-dealer registration requirements for merger and acquisition brokers.*

## **SECURITIES MISCELLANEOUS GUIDANCE DOCUMENTS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Securities Exemption FAQs</u></a> <i>Answers frequently asked questions regarding securities exemptions and notice filings.</i>
2	<a href="#"><u>Raising Small Business Capital In Nebraska Through Securities Sales</u></a> <i>Brochure providing guidance regarding applicable securities laws and exemptions for businesses seeking to sell securities to raise capital.</i>
3	<a href="#"><u>Frequently Asked Questions Regarding Updated Interpretative Opinion No. 17</u></a> <i>Answers frequently asked questions regarding Interpretative Opinion No. 17.</i>

## SELLER-ASSISTED MARKETING ACT INTERPRETATIVE OPINION

<u>Number</u>	<u>Title &amp; Description</u>
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| 1 | <a href="#"><u>Offers of Seller-Assisted Marketing Plans on the Internet</u></a><br><i>Discusses the registration of seller-assisted marketing plans that are advertised via the internet.</i> |
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**NEBRASKA DEPARTMENT OF BANKING AND FINANCE**  
**SUPERVISORY ORDERS**

<u>Number</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Order Adopting NMLS Challenge Process</u></a> <i>Order adopting the challenge process for entities licensed via the NMLS.</i>
2	<a href="#"><u>Order Adopting Uniform State Test and Nebraska-Specific Prelicense Education</u></a> <i>Order outlining the testing and prelicense education requirements for mortgage loan originators.</i>
3	<a href="#"><u>Order Requiring Credit Report with Mortgage Loan Originator Renewal Requests</u></a> <i>Order outlining procedures for submitting credit report with renewal of mortgage loan originator licenses.</i>
4	<a href="#"><u>Order Requiring Submission of Criminal History Reports in Connection with Mortgage Loan Originator Renewal Requests</u></a> <i>Order outlining procedures for submitting criminal history requests with renewals of mortgage loan originator licenses.</i>
5	<a href="#"><u>Order Adopting Procedures for Reinstatement of Expired Licenses</u></a> <i>Order outlining procedures for requesting reinstatement of expired licenses.</i>
6	<a href="#"><u>Order Adopting Mortgage Report of Condition</u></a> <i>Order adopting the format and submission schedule for reports of condition of mortgage banker licensees and registrants.</i>
7	<a href="#"><u>Order Authorizing Additional Types of Permissible Investments</u></a> <i>Order authorizing additional types of permissible investments for money transmitters.</i>
8	<a href="#"><u>Order Implementing Authorized Delegate Reporting Requirements</u></a> <i>Order implementing authorized delegate reporting requirements for money transmitters.</i>
9	<a href="#"><u>Order Designating Securities Manuals Pursuant to Section 8-1111(2)(a)(iv) of the Securities Act of Nebraska</u></a> <i>Order designating approved securities manuals for purposes of the “manual” exemption.</i>
10	<a href="#"><u>Order Mandatory Electronic Submission of Money Transmitter Call Reports</u></a> <i>Order adopting mandatory call reports for money transmitters via the NMLS.</i>
11	<a href="#"><u>Verification of Lawful Status for Registration Under the Securities Act of Nebraska</u></a> <i>Order adopting Procedures for Electronic Verification Of Lawful Status.</i>
12	<a href="#"><u>Order Adopting Electronic Surety Bonds</u></a> <i>Order adopting acceptance of Electronic Surety Bonds for Mortgage Bankers, Installment Loan Licensees, Installment Sales Licensees, Money Transmitter Licensees.</i>

**NEBRASKA DEPARTMENT OF BANKING AND FINANCE**  
**ADMINISTRATIVE RULES**

**Title 45 — Banking Rules**

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>General Provisions for Title 45</u></a> <i>Establishes general provisions relating to the administration of Title 45 of the Nebraska Administrative Code.</i>
2	<a href="#"><u>Record Keeping Requirements For Business Entity Customers</u></a> <i>Establishes record keeping requirements for Business Entity Customers of state banks.</i>
3	<a href="#"><u>Data Center Record Keeping Standards</u></a> <i>Sets forth necessary requirements for data center record keeping standards.</i>
4	<a href="#"><u>Schedule For Records Retention By Banks</u></a> <i>Contains the records retention schedule and requirements for state banks.</i>
5	<a href="#"><u>Schedule For Retention Of Records Banks Exercising Trust Powers And Trust Companies</u></a> <i>Contains the records retention schedule and requirements for banks exercising trust powers and stand-alone trust companies.</i> <a href="#"><u>Chapter 5 Appendix.</u></a>
6	<a href="#"><u>Articles Of Incorporation And Bylaws</u></a> <i>Contains articles of incorporation, bylaws, and amendments for filing requirements for state banks.</i>
7	<a href="#"><u>Electronic Data Processing Rider Or Endorsement</u></a> <i>Sets forth necessary requirements for electronic data processing riders or endorsements for state banks that use data processing entities to create or maintain their accounting records.</i>
8	<a href="#"><u>Changes In Paid-In Capital Stock</u></a> <i>Establishes procedures for changes to paid-in capital stock of state banks.</i>
9	<a href="#"><u>Active Executive Officers</u></a> <i>Contains provisions for the administration and regulation of active executive officers of a bank.</i>
10	<a href="#"><u>Insider Loan Guarantees</u></a> <i>Establishes requirements for loan guarantess for bank insiders.</i>
11	<a href="#"><u>Executive Officer Borrowing Reports</u></a> <i>Establishes policies for when executive officers of a state bank borrow funds.</i>

- 12 [Directors' Examinations Performed By Certified Public Accountants Or Public Accountants](#)  
*Establishes procedures for when a state bank opts for one annual audit by an accountant or accounting firm, in lieu of an annual examination by the board of directors.*  
[Chapter 12 Appendix](#)
- 13 [Standards For Acceptability And Scope Of Examinations For Directors' Examinations](#)  
*Sets forth acceptability for, and the scope of, state bank annual directors' examinations.*  
[Chapter 13 Appendix](#)
- 14 [Livestock Loans](#)  
*Contains requirements for the proper administration of livestock loans.*
- 15 [Loans Secured By Warehouse Receipts](#)  
*Establishes minimum standards for certain loans secured by warehouse receipts.*
- 16 [Loans Secured By Deposit Accounts](#)  
*Establishes the application requirement by deposit accounts.*
- 17 [Pool Participation Approval](#)  
*Establishes the application requirement for pool participation approval by the Department.*
- 18 [Requirements For Purchases Of Shares Of Investment Companies](#)  
*Contains rules for governing when a state banks purchases investment company shares.*
- 19 [Leasing of Personal Property](#)  
*Establishes authority for when state banks may lease personal property*  
[Chapter 19 Appendix](#)
- 20 Repealed.
- 21 [Trust Department Applications](#)  
*Establishes the application process for state banks to be approved to conduct trust business.*

## Title 46 — Savings & Loan, Credit Union Rules

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Instructions for Conversion of a Savings and Loan or Building and Loan</u></a> <i>Directs industry to instructions on applications to convert from a mutual savings and loan to a stock form organization.</i> <a href="#"><u>Chapter 1 Appendix</u></a>
2	<a href="#"><u>Minimum Capital Requirements Needed to Form a Newly-Organized Stock-Owned Savings &amp; Loan</u></a> <i>Establishes a schedule for minimum capital requirements for newly-organized stock-owned savings and loan associations.</i>
3	<a href="#"><u>Supervisory Committee's Annual Audit</u></a> <i>Sets forth the minimum standards for annual audits of the books and records of credit unions.</i>

## Title 47 — Nebraska Financial Innovation Act Rules

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Applications</u></a> <i>Adopts requirements for applicants of digital asset depository charters.</i>
2	<a href="#"><u>Surety Bonds and pledge of Assets; Insurance</u></a> <i>Sets surety bond and insurance requirements of digital asset depositories.</i>
3	<a href="#"><u>Capital Requirements; Paid-Up Operating Expenses</u></a> <i>Harmonizes capital requirements for digital asset depositories.</i>
4	<a href="#"><u>Digital asset Depository Department; Charter Amendment; Director; Powers and Duties</u></a> <i>Allows state banks to apply to amend existing charter to operate a digital asset depository department.</i>
5	<a href="#"><u>Reports; Call Reports</u></a> <i>Provides standards and penalties for required reporting to the Department.</i>
6	<a href="#"><u>Complaints</u></a> <i>Sets requirements for digital asset depositories to have a system for addressing consumer complaints.</i>
7	<a href="#"><u>Notice and Statement Regarding Deposit Insurance and Risk</u></a> <i>Provides that digital asset depositories must provide notice that digital asset products are not FDIC-insured.</i>
8	<a href="#"><u>Response Program for a Cybersecurity Event or Data Breach</u></a> <i>Establishes that digital asset depositories must have a written response program for handling cybersecurity events.</i>

## **Title 48 — Securities Rules**

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>General Provisions</u></a> <i>Rule outlining general provisions applicable in all chapters of Title 48.</i>
2	<a href="#"><u>Definitions</u></a> <i>Rule defining terms used in all chapters of Title 48.</i>
3	<a href="#"><u>Definition of an Offer</u></a> <a href="#"><u>Chapter 3 Appendix</u></a> <i>Rule defining the term “offer” as used in Title 48.</i>
4	<a href="#"><u>Broker-Dealers</u></a> <a href="#"><u>Chapter 4 Appendix</u></a> <i>Rule containing provisions governing broker-dealers registered in Nebraska.</i>
5	<a href="#"><u>Issuer-Dealers</u></a> <i>Rule containing provisions governing issuer-dealers registered in Nebraska.</i>
6	<a href="#"><u>Agents of Broker-Dealers</u></a> <a href="#"><u>Chapter 6 Appendix</u></a> <i>Rule containing provisions governing agents of issuer-dealers registered in Nebraska.</i>
7	<a href="#"><u>Investment Advisers</u></a> <a href="#"><u>Chapter 7 Appendix</u></a> <i>Rule containing provisions governing investment advisers registered in Nebraska.</i>
8	<a href="#"><u>Federal Covered Advisers</u></a> <i>Rule containing provisions governing federal covered advisers who have notice-filed in Nebraska.</i>
9	<a href="#"><u>Investment Adviser Representatives</u></a> <i>Rule containing provisions governing investment advisers registered in Nebraska.</i>
10	<a href="#"><u>Recordkeeping by Investment Advisers</u></a> <a href="#"><u>Chapter 10 Appendix</u></a> <i>Rule prescribing record keeping requirements for investment advisers.</i>
11	<a href="#"><u>Performance Based Compensation</u></a> <i>Rule prescribing requirements for investment advisers who receive performance based compensation.</i>
12	<a href="#"><u>Fraudulent, Dishonest and Unethical Business Practices</u></a> <a href="#"><u>Chapter 12 Appendix</u></a> <i>Rule defining conduct that constitutes fraudulent, dishonest, or unethical business practices for broker-dealers, agents of broker dealers, investment advisers, federal covered advisers, and investment adviser representatives.</i>
13	<a href="#"><u>Approved Exchanges for the Section 8-1110(5) Exchange Exemption</u></a> <a href="#"><u>Chapter 13 Appendix</u></a> <i>Rule designating approved exchanges for the exchange exemption.</i>

- 14 [Record-Keeping Requirements for the Section 8-1111\(3\) Exemption](#)  
*Rule prescribing requirement keeping requirements for issuers relying upon the Section 8-1111(3) exemption.*
- 15 [Information Requirements for the Section 8-1111\(9\) De Minimis Exemption](#)  
*Rule prescribing filing requirements for issuers relying upon the de minimis exemption.*
- 16 [Information Requirements for the Section 8-1111\(15\) Agricultural Cooperative Exemption](#)  
*Rule prescribing filing requirements for issuers relying upon the cooperative exemption.*
- 17 Repealed (effective November 27, 2019)
- 18 [Information Requirements for the Section 8-1111\(20\) Nebraska Intrastate Issuer Exemption](#)  
[Chapter 18 Appendix](#)  
*Rule prescribing filing requirements for issuers relying upon the Nebraska intrastate issuer exemption.*
- 19 [Requests for Orders Curing Late Notice Filings](#)  
*Rule prescribing filing requirements for issuers seeking an Order curing a late-filed notice filing.*
- 20 [Federal Covered Securities](#)  
[Chapter 20 Appendix](#)  
*Rule prescribing filing requirements for issuers offering federal covered securities in Nebraska.*
- 21 [North American Securities Administrators Association Statements of Policy](#)  
*Rule adopting various North American Securities Administrators Association Statements of Policy pertaining to the registration of securities.*  
[Asset Backed Securities](#)  
[Cattle Feeding Programs](#)  
[Church Extension Fund Securities](#)  
[Commodity Pool Programs](#)  
[Corporate Securities Definitions](#)  
[Debt Securities](#)  
[Electronic Offering Documents and Electronic Signatures](#)  
[Equipment Programs](#)  
[Impoundment of Proceeds](#)  
[Loans and Other Material Transactions](#)  
[Mortgage Program Guidelines](#)  
[Oil and Gas Programs](#)  
[Omnibus Guidelines](#)  
[Options and Warrants](#)  
[Preferred Stock](#)  
[Promoters' Equity Investment](#)  
[Promotional Shares](#)  
[Real Estate Investment Trusts](#)  
[Real Estate Programs](#)  
[Specificity in Use of Proceeds](#)  
[Underwriting Expenses](#)  
[Unequal Voting Rights](#)  
[Unsound Financial Condition](#)

- 22 Repealed (effective November 27, 2019)
- 23 Repealed (effective November 27, 2019)
- 24 Repealed (effective November 27, 2019)
- 25 Repealed (effective November 27, 2019)
- 26 Repealed (effective November 27, 2019)
- 27 Repealed (effective November 27, 2019)
- 28 Repealed (effective November 27, 2019)
- 29 Repealed (effective November 27, 2019)
- 30 Repealed (effective November 27, 2019)
- 31 Repealed (effective November 27, 2019)
- 32 Repealed (effective November 27, 2019)
- 33 Repealed (effective November 27, 2019)
- 34 Repealed (effective November 27, 2019)
- 35 Repealed (Effective November 25, 2018)
- 36 Repealed (effective November 27, 2019)
- 37 [Sales of Securities at Financial Institutions](#)  
*Rule prescribing requirements related to the sale of securities at financial institutions.*
- 38 [Information Requirements for the Section 8-1111\(23\) Notice](#)  
[Chapter 38 Appendix](#)  
*Rule prescribing filing requirements for issuers relying upon the Nebraska small intrastate issuer exemption.*
- 39 [Conditions and Information Requirements for the Section 8-1111\(24\)](#)  
[Crowdfunding Exemption](#)  
[Chapter 39 Appendix](#)  
*Rule prescribing requirements for issuers conducting an intrastate crowdfunding offering.*
- 40 [Portal Operators](#)  
*Rule prescribing requirements for portal operators facilitating intrastate crowdfunding offerings.*
- 41 [Integration of Exempt Offerings Pursuant to Section 8-1111](#)  
*Rule prescribing factors that the Department will consider when determining whether offerings should be integrated.*

42

[Exclusion of Investment Advisers to Private Funds From the Definition of 'Investment Adviser'](#)

*Rule establishing an exclusion from the definition of "investment adviser" for advisers to private funds who meet certain requirements.*

## Title 49 — Department Rules of Procedure

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>General Provisions Relating to Practice and Procedures before the Department of Banking and Finance</u></a> <i>Rule prescribing definitions used throughout Title 49, and prescribing standards for computation of time under the rules and statutes applicable to a proceeding.</i>
2	<a href="#"><u>Rules of Practice and Procedure for Application Cases</u></a> <i>Rule prescribing procedures related to hearings on applications filed with the Department.</i>
3	<a href="#"><u>Proof Requirements for Granting of Applications</u></a> <i>Rule prescribing proof requirements that must be met to approve applications before the Department.</i>
4	<a href="#"><u>Rule of Practice and Procedure for Hearings in Contested Cases</u></a> <i>Rule prescribing procedures for contested cases before the Department.</i>
5	<a href="#"><u>Rule of Procedure for Declaratory Actions</u></a> <i>Rule prescribing procedures for declaratory actions before the Department.</i>
6	<a href="#"><u>Rule of Procedure for Negotiated Rulemaking</u></a> <i>Rule prescribing procedures for negotiated rulemaking.</i>
7	<a href="#"><u>Rule of Procedure for Petitioning for Rule Making</u></a> <i>Rule prescribing procedures for petitioning the Department for rulemaking.</i>

## **Title 50 — Consumer Rental Purchase Rules**

<u>Chapter</u>	<u>Title &amp; Description</u>
1	<a href="#"><u>Disclosure Requirements for Consumer Rental Purchase Agreements</u></a> <i>Rule prescribing requirements for disclosures in consumer rental purchase agreements and providing a model form.</i>