

**MINUTES OF THE  
FINANCE COMMISSION MEETING  
Friday, February 16, 2024**

The Finance Commission of Texas convened at 9:16 a.m., on February 16, 2024, with the following members present:

**Finance Commission Members in Attendance:**

|  |                        |
|--|------------------------|
| Phillip Holt, Chairman                 | Sharon McCormick       |
| George “Cliff” McCauley, Vice Chairman | Roselyn “Rosie” Morris |
| Bob Borochoff                          | Vince Puente           |
| Hector Cerna                           | Laura Warren           |
| Marty Green                            |                        |

**Finance Commission Members Absent:**

Will Lucas

Commissioner Charles G. Cooper announced there was a quorum with nine (9) members present. *(1:06 on audio file).*

| AGENDA ITEM   | ACTION   | LOCATION<br>ON AUDIO<br>FILE                       |
|---|--|--|
| <b>A. Finance Commission Matters</b>  |  |  |
| 1. Review and Approval of the Minutes of the December 15, 2023 Finance Committee Meeting                                  | <b>On Consent Agenda – Item A1</b><br>This item Approved on the Consent Agenda.  | n/a  |
| 2. General Public Comment   | No Action Required.  | 1:55<br>Start of<br>Discussion                     |
| 3. Consent Agenda – Items A1, B2-B4, and D2   | Laura Warren made a motion to Approve Consent Agenda items A1, B2-B4, and D2. Marty Green seconded, and the motion passed. | 2:08<br>Start of<br>Discussion<br><br>2:23<br>Vote |
| 4. Finance Commission Operations  | No Action Required.  | 2:44<br>Start of<br>Discussion                     |
| 5. Presentation from the Texas Treasury Safekeeping Trust Company related to the Texas Financial Education Endowment Fund | No Action Required.  | 3:34<br>Start of<br>Discussion                     |
| 6. Audit Committee Report   |  |  |

| AGENDA ITEM  | ACTION   | LOCATION ON AUDIO FILE                                     |
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| <p>A. Discussion of and Possible Vote to Recommend that the Finance Commission Take Action on the Agencies' 2024 First Quarter Investment Officer Reports</p> <ol style="list-style-type: none"> <li>1. Office of Consumer Credit Commissioner</li> <li>2. Department of Savings and Mortgage Lending</li> <li>3. Texas Department of Banking</li> </ol>   | <p>Coming upon Recommendation from the Audit Committee, no second is required and the motion to Approve the Agencies' 2024 First Quarter Investment Officer Reports passed.</p>                          | <p>34:04<br/>Start of Discussion</p> <p>34:15<br/>Vote</p> |
| <p>B. Discussion of and Possible Vote to Recommend that the Finance Commission Take Action on the Agencies' 2024 First Quarter Financial Statements</p> <ol style="list-style-type: none"> <li>1. Office of Consumer Credit Commissioner</li> <li>2. Department of Savings and Mortgage Lending</li> <li>3. Texas Department of Banking</li> </ol>   | <p>Coming upon Recommendation from the Audit Committee, no second is required and the motion to Approve the Agencies' 2024 First Quarter Financial Statements passed.</p>                                | <p>34:29<br/>Start of Discussion</p> <p>34:37<br/>Vote</p> |
| <p>C. Discussion of and Possible Vote to Recommend that the Finance Commission Take Action on the Agencies' Fiscal Year 2024 Internal Auditor's Risk Assessment and Audit Plan</p> <ol style="list-style-type: none"> <li>1. Office of Consumer Credit Commissioner</li> <li>2. Department of Savings and Mortgage Lending</li> <li>3. Texas Department of Banking</li> </ol>  | <p>Coming upon the Recommendation from the Audit Committee, no second is required and the motion to Approve the Agencies' Fiscal Year 2024 Internal Auditor's Risk Assessment and Audit Plan passed.</p> | <p>34:49<br/>Start of Discussion</p> <p>34:57<br/>Vote</p> |
| <p>7. Discussion of the Process for the 2025-2029 Strategic Plans for the Finance Commission Agencies</p>  | <p>No Action Required.</p>   | <p>35:16<br/>Start of Discussion</p>                       |
| <p>8. Discussion of and Possible Vote to Take Action Regarding Personnel Matters Pursuant to § 551.074, Texas Government Code: Deliberations with Respect to the Duties and Compensation of a Person Holding the Position of Executive Director of the Finance Commission, Deliberations with Respect to the Duties and Compensation of Persons Holding the Position of Agency Commissioner Positions, and Other Staff</p> | <p>No Discussion.</p>  | <p>n/a</p>   |
| <p>9. Discussion of and Possible Vote to Take Action Regarding Facility Planning and Real Property Matters Pursuant to § 551.072, Texas Government Code: Deliberations Regarding the Purchase, Exchange, Lease or Value of Real Property</p>   | <p>No Discussion.</p>  | <p>n/a</p>   |

| AGENDA ITEM   | ACTION  | LOCATION ON AUDIO FILE       |
|---|---|------------------------------|
| 10. Discussion of and Consultation with Attorney and Possible Vote to Take Action Pursuant to § 551.071, Texas Government Code, for the Purpose of Seeking the Advice or Attorney-client Privileged Communications from our Attorneys, Including Matters Related to the Potential Financial Exposure of the Finance Commission Agencies and Their Officers and the Finance Commission and its Officers and Including Matters of Pending and Contemplated Litigation | No Discussion.  | n/a                          |
| 11. Discussion of and Consultation on Security Audit, Possible Issue Related to Confidential or Sensitive Information, Security Breach Audit and Assessment, or Security Assessments or Deployment Related to Information Resources Technology as Authorized by Texas Government Code §§ 551.076 and 551.089  | No Discussion.  | n/a                          |
| 12. Discussion of Matters Made Confidential by Law Pursuant to § 551.081, Texas Government Code, including Information Relating to the Financial Condition or Business Affairs of a Financial Institution   | No Discussion.  | n/a                          |
| <b>B. Office of Consumer Credit Commissioner</b>  |   |                              |
| 1. Industry Status and Departmental Operations: a) Consumer Protection and Assistance Division Activities; b) Licensing Division Activities; c) Administration Division Activities; d) Financial Division Activities; e) Legal Division Activities; and f) Legislative Activities   | No Action Required.   | 37:37<br>Start of Discussion |
| 2. Discussion of and Possible Vote to Take Action on the Adoption of Amendments in 7 TAC, Part 5, Chapter 83, Subchapter B, Concerning Rules for Credit Access Businesses, Resulting from Rule Review   | <b>On Consent Agenda – Item B2</b><br>This item Approved on the Consent Agenda. | n/a                          |
| 3. Discussion of and Possible Vote to Take Action on the Readoption of 7 TAC, Part 1, Chapter 1, Concerning Consumer Credit Regulation, Resulting from Rule Review  | <b>On Consent Agenda – Item B3</b><br>This item Approved on the Consent Agenda. | n/a                          |
| 4. Discussion of and Possible Vote to Take Action on the Readoption of 7 TAC, Part 5, Chapter 82, Concerning Administration, Resulting from Rule Review   | <b>On Consent Agenda – Item B4</b><br>This item Approved on the Consent Agenda  | n/a                          |

| AGENDA ITEM   | ACTION   | LOCATION ON AUDIO FILE   |
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| 5. Discussion of and Possible Vote to Take Action on the Proposal of Amendments in 7 TAC, Part 5, Chapter 83, Subchapter A, Concerning Rules for Regulated Lenders  | <p>Vince Puente made a motion to Amend the Proposal of Amendments in 7 TAC, Part 5, Chapter 83, Subchapter A, Concerning Rules for Regulated Lenders, to remove the CPI adjustment from the proposed rule text. Bob Borochoff seconded, and the motion failed.</p> <p>Sharon McCormick made a motion to Approve the Proposal of Amendments in 7 TAC, Part 5, Chapter 83, Subchapter A, Concerning Rules for Regulated Lenders. Rosie Morris seconded, and the motion passed.</p> | 53:49<br>Start of Discussion<br><br>1:43:43<br>Vote<br><br>1:44:02<br>Vote |
| 6. Discussion of and Possible Vote to Take Action on the Proposal of Amendments in 7 TAC, Part 5, Chapter 84, Concerning Motor Vehicle Installment Sales  | <p>Marty Green made a motion to Approve the Proposal of Amendments in 7 TAC, Part 5, Chapter 84, Concerning Motor Vehicle Installment Sales. Sharon McCormick seconded, and the motion passed.</p>   | 1:44:29<br>Start of Discussion<br><br>2:09:37<br>Vote                      |
| 7. Discussion of and Possible Vote to Take Action on Anticipated and Pending Litigation<br><br><i>Ernest Polk v. Texas Office of Consumer Credit Commissioner; Cause No. 01-22-00712-CV</i> , in the First Court of Appeals, Houston, Texas   | <p>No Discussion.</p>  | <p>n/a</p>   |
| <b>C. Department of Savings and Mortgage Lending</b>  |  |  |
| 1. Industry Status and Departmental Operations: a) Thrift Regulation Division Activities; b) Mortgage Regulation Division Activities; c) Operations Division Activities; d) Legal Division Activities, including Consumer Complaints and Gift Reporting; and e) Legislative Activities  | <p>No Action Required.</p>   | 2:19:10<br>Start of Discussion   |
| 2. Discussion of and Possible Vote to Take Action on Anticipated and Pending Litigation<br><br><i>Tim Schoenbauer v. Texas Department of Savings and Mortgage Lending; Cause No. JPC-23-02334-32</i> , in the Justice Court, Precinct 3, Place 2, Dallas County, Texas<br><br><i>Julius Lamunn North v. Texas Department of Savings and Mortgage Lending; et al., Cause No. 2023-50470</i> , in the District Court, 270th Judicial District, Harris County, Texas | <p>No Discussion.</p>  | <p>n/a</p>   |

| <b>D. Texas Department of Banking</b>   |   |                                |
|---|---|--------------------------------|
| <b>AGENDA ITEM</b>  | <b>ACTION</b>   | <b>LOCATION ON AUDIO FILE</b>  |
| 1. Industry Status and Departmental Operations: a) Current Issues Affecting Department’s Regulated Entities; b) Bank and Trust Division Activities; c) Corporate Division Activities; d) Non-Depository Supervision Division Activities; e) Administrative, Staffing and Fiscal Division Activities; f) Strategic Support Division Activities including Consumer Complaint Data; g) Legal Division Activities, including Enforcement Activity and Gift Reporting; and h) Legislative Activities | No Action Required.   | 2:32:16<br>Start of Discussion |
| 2. Discussion of and Possible Vote to Take Action on the Adoption of Amendments in 7 TAC, Part 2, Chapter 15, Concerning Corporate Activities by State-Chartered Banks  | <b>On Consent Agenda – Item D2</b><br>This item Approved on the Consent Agenda. | n/a                            |
| 3. Discussion of and Possible Vote to Take Action on the Proposal and Publication for Comment of Amendments in 7 TAC, Part 2, § 33.27, Concerning Fees to Obtain and Maintain a License   | No Discussion.  | n/a                            |
| 4. Discussion of and Possible Vote to Take Action on the Anticipated and Pending Litigation   | No Discussion.  | n/a                            |

There being no further business, Chairman Phillip Holt adjourned the meeting of the Finance Commission at 12:05 p.m. (2:48:40 on the audio file).

/s/Phillip Holt  
 Phillip Holt, Chairman  
 Finance Commission of Texas

/s/Charles G. Cooper  
 Charles G. Cooper, Executive Director  
 Finance Commission of Texas

/s/Ruth Wright  
 Ruth Wright, Executive Assistant  
 Finance Commission of Texas