

## **BILL ANALYSIS**

Senate Research Center

H.B. 3617  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The COVID-19 pandemic has forced many industries to rely on their employees to complete their work from home, including the mortgage banking industry. It has been suggested that current law needs to be updated to reflect our nation's mobile workforce and the changes that have occurred with new remote technologies used by this industry. Current law requires mortgage bank loan originators licensed by the Department of Savings and Mortgage Lending to maintain a physical location in Texas. Reflecting the pandemic's impact on our economy, H.B. 3617 would eliminate requirements for certain mortgage loan companies to maintain a physical office in Texas.

H.B. 3617 amends current law relating to certain qualifications and requirements for residential mortgage loan companies.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 156.2041, Finance Code, to delete existing text requiring an applicant, to be issued a mortgage company license, to maintain a physical office in this state. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 156.2042, Finance Code, to delete existing text requiring an applicant, to be issued a credit union subsidiary organization license, to maintain a physical office in this state. Makes nonsubstantive changes.

SECTION 3. Amends Section 156.212, Finance Code, as follows:

Sec. 156.212. MAINTENANCE AND LOCATION OF OFFICES. Deletes existing text requiring each residential mortgage loan company licensed under Chapter 156 (Residential Mortgage Loan Companies) to maintain a physical office in this state. Deletes existing text providing that if a residential mortgage loan company's main office is outside this state, the requirement of Subsection (a) (relating to maintain a physical office in this state) is satisfied if the company has a branch office located in this state. Makes a nonsubstantive change.

SECTION 4. Effective date: upon passage or September 1, 2021.