**Section 185.420 Content and Availability of ILCRA File**

a) Information available to the field of membership. A credit union shall maintain an ILCRA file for its field of membership that includes the following information:

1) all written comments received from the public for the current year and each of the prior two calendar years that specifically relate to the credit union's performance in helping to meet community credit needs, and any response to the comments by the credit union, if neither the comments nor the responses contain statements that reflect adversely on the good name or reputation of any persons other than the credit union or publication of which would violate specific provisions of law.

2) a copy of the public section of the credit union's most recent ILCRA Performance Evaluation prepared by the Secretary. The credit union shall place this copy in the ILCRA file within 30 business days after its receipt from the Secretary. A copy of the public section includes:

A) The assessment factors utilized to determine the credit union's descriptive rating;

B) The Secretary's conclusion with respect to each assessment factor;

C) A discussion of the facts supporting the conclusions;

D) The credit union's descriptive rating and the basis therefor;

E) The assigned overall rating;

F) Any other information the Secretary finds that the ends of justice and the public advantage will be served by the disclosure; and

G) A summary of public comments.

3) a list of the credit union's branches, their street addresses, and geographies;

4) a list of branches opened or closed by the credit union during the current year and each of the prior two calendar years, their street addresses, and geographies;

5) a list of services (including hours of operation, available loan and deposit products, and transaction fees) generally offered at the credit union's branches and descriptions of material differences in the availability or cost of services at particular branches, if any. At its option, a credit union may include information regarding the availability of alternative systems for delivering retail banking services (e.g., ATMs, ATMs not owned or operated by or exclusively for the credit union, banking by telephone or computer, loan production offices, bank-at-work or bank-by-mail programs);

6) the field of membership as defined in the credit union's Article of Incorporation and Article III of the bylaws;

7) its assessment field delineation; and

8) any other information the credit union chooses.

b) Additional information available to the field of membership.

1) Credit Unions other than small credit unions or intermediate small credit unions. A credit union, except a small credit union or intermediate small credit union or a credit union or a credit union that was a small credit union or intermediate small credit union the prior calendar year, shall include in its ILCRA file the following information pertaining to the credit union and its affiliates, if applicable, for each of the prior two calendar years. If the credit union has elected to have one or more categories of its consumer loans considered under the lending test, for each of these categories, the number and amount of loans:

A) to low-, moderate-, middle-, and upper-income individuals;

B) located in low-, moderate-, middle-, and upper-income census tracts; and

C) located inside the credit union's assessment field and outside the credit union's assessment field.

2) Credit Union required to report Home Mortgage Disclosure Act (HMDA) data. A credit union required to report home mortgage loan data pursuant 12 CFR Part 1003 (Home Disclosure Data) shall include in its ILCRA file a written notice that the institution's HMDA Disclosure Statement may be obtained on the Consumer Financial Protection Bureau's (Bureau's) Website at www.consumerfinance.gov/hmda. In addition, a credit union that elected to have the Secretary consider the mortgage lending of an affiliate for any of these years shall include in its ILCRA file the affiliate's HMDA Disclosure Statement for those years. The credit union shall place the statements in the ILCRA file within three business days after its receipt.

3) Small credit unions and intermediate small credit unions. A small credit union or intermediate small credit union or a credit union that was a small credit union or intermediate small credit union during the prior calendar year shall include in its ILCRA file the credit union's loan-to-share ratio by asset class for each quarter of the prior calendar year and, at its option, additional data on its loan-to-share ratio.

4) Credit unions with strategic plans. A credit union that has been approved to be assessed under a strategic plan shall include in its ILCRA file a copy of that plan. A credit union need not include information submitted to the Secretary on a confidential basis in conjunction with the plan.

5) Credit unions with less than satisfactory ratings. A credit union that received a less than satisfactory rating during its most recent examination shall include in its ILCRA file a description of its current efforts to improve its performance in helping to meet the credit needs of its entire community. The credit union shall update the description quarterly.

c) Location of information. A credit union shall make available to the field of membership for inspection upon request and at no cost the information required in this Section as follows:

1) at the main office and, if an interstate credit union, at one branch office in each state, all information in the ILCRA file; and

2) at each branch, if any:

A) a copy of the public section of the credit union's most recent ILCRA Performance Evaluation and a list of services provided by the branch; and

B) within five calendar days after the request, all the information in the ILCRA file relating to the assessment field in which the branch is located.

d) Copies. Upon request, a credit union shall provide copies, on paper, electronically, or in another form acceptable to the person making the request, of the information in its ILCRA file. The credit union may charge a reasonable fee not to exceed the cost of copying and mailing, if applicable. A credit union shall not charge a fee if the information is only provided electronically.

e) Updating. Except as otherwise provided in this Section, a credit union shall ensure that the information required by this Section is current as of April 1 of each year.

f) Notwithstanding subsections (a) through (e), this Section does not prohibit a credit union from establishing and implementing standards and procedures that a person must follow to obtain the ILCRA file. The standards and procedures shall provide reasonable access to the ILCRA file. In determining whether standards and procedures are reasonable, the Secretary shall consider:

1) The credit union's size and financial condition;

2) The location of the credit union and its hours of operation;

3) Whether the ILCRA file is available electronically; and

4) Any other unique circumstances presented by the credit union.

g) A credit union may request a written finding from the Secretary that its standards and procedures provide reasonable access to the file from the Secretary. Any credit union which relies on a finding shall not be subject to an enforcement action by the Department for a violation of this Section. Unless extended by the Secretary in writing, any finding shall expire at the end of the credit union's next examination.

h) The Department shall make the public section of the written evaluation available to all persons for inspection or copying pursuant to Section 35-15(b) of the ILCRA. Public comments, together with any response from a credit union will be considered by the Secretary in evaluating our ILCRA performance and may be made public.