**Section 345.10 Authority, Purposes, and Scope**

a) The Illinois Community Reinvestment Act (ILCRA) [205 ILCS 735] authorizes this Part.

b) Purposes. This Part is intended to carry out the purposes of the Illinois Community Reinvestment Act (ILCRA) by establishing the framework and criteria by which the Secretary assesses the ILCRA record of a bank, as defined by Section 345.10. Without limiting the aforementioned purpose, specific purposes of this Part include:

1) Establishment of rules pursuant to Section 35-10(b) of the ILCRA, which requires that this Part incorporate federal rules promulgated under the federal Community Reinvestment Act [12 U.S.C. 2901; see also 12 CFR 345]. Specifically, Section 35-10(b) of the ILCRA states, in relevant part: *To assist in carrying out this Act, the Secretary shall adopt rules incorporating the regulations applicable to covered financial institutions under federal law, and the Secretary may make such adjustments and exceptions thereto as are deemed necessary.* [205 ILCS 735/35-10(b)]

2) Accordingly, this Part:

A) may include references to federal statutes or administrative rules established pursuant to the federal Community Reinvestment Act; and

B) except where this Subpart makes adjustments or exceptions to the federal rules established pursuant to the federal Community Reinvestment Act or where inconsistent with the ILCRA or this Subpart, this Subpart shall be construed and interpreted consistently with the appropriate federal financial supervisory agency's construction and interpretation of the federal rules.

3) Establishment of rules as required by Section 35-10(c) of the ILCRA.

4) Establishment of rules as the Secretary may deem appropriate as authorized by the Act under Section 35-15(a), Section 35-35, or otherwise. These rules shall be liberally construed to effectuate their purpose.

c) Scope.

1) General. Except for certain special purpose banks described in subsection (c)(3), this Part applies to all State banks and savings banks.

2) Foreign Bank Corporations. In the case of banking offices of a foreign banking corporation, as defined in Section 2 of the Foreign Banking Office Act [205 ILCS 645/2], references in this Part to "main office" mean the principal branch within the State and the term "branch" or "branches" refers to any branch or branches located within the State. The "assessment area" of a banking office is the community or communities located within the State served by the branch as described in Section 345.400.

3) Certain special purpose banks. This Part does not apply to special purpose banks that do not perform commercial or retail banking services by granting credit to the public in the ordinary course of business, other than as incident to their specialized operations. These banks include banker's banks, as defined in Section 5c of the Illinois Banking Act [205 ILCS 5/5c], and banks that engage only in one or more of the following activities: providing cash management controlled disbursement services or serving as correspondent banks, trust companies, or clearing agents.