TITLE 12 - BANKS AND BANKING
CHAPTER 12 - SAVINGS ASSOCIATIONS

§ 1465. State law preemption standards for Federal savings associations clarified

(a) In general
Any determination by a court or by the Director or any successor officer or agency regarding the relation of State law to a provision of this chapter or any regulation or order prescribed under this chapter shall be made in accordance with the laws and legal standards applicable to national banks regarding the preemption of State law.

(b) Principles of conflict preemption applicable
Notwithstanding the authorities granted under sections 1463 and 1464 of this title, this chapter does not occupy the field in any area of State law.

(c) Visitorial powers
The provisions of sections 125b(i) of this title shall apply to Federal savings associations, and any subsidiary thereof, to the same extent and in the same manner as if such savings associations, or subsidiaries thereof, were national banks or subsidiaries of national banks, respectively.

(d) Enforcement actions
The ability of the Comptroller of the Currency to bring an enforcement action under this chapter or section 45 of title 15 does not preclude any private party from enforcing rights granted under Federal or State law in the courts.

Footnotes
1 So in original. Probably should be “section”.


Prior Provisions

Amendments
2010—Subsecs. (c), (d). Pub. L. 111–203, § 1047(b), added subsecs. (c) and (d).

Effective Date
Enactment and amendment of section by Pub. L. 111–203 effective on the designated transfer date, see section 1048 of Pub. L. 111–203, set out as a note under section 5551 of this title.